



**City of Moorhead
Oakport Joint Powers Board
Meeting Minutes
August 27, 2014 at 7:30 AM
1st Floor Boardroom, Moorhead City Hall**

Pursuant to due call and notice thereof, a regular meeting of the Oakport Joint Powers Board was held in the 1st Floor Boardroom, Moorhead City Hall, on August 27, 2014, at 7:30 AM.

Roll call of the members was made as follows:

Board Member – Oakport Township:	Jeff Schaumann	Absent
Board Member – Clay County:	Kevin Campbell	Present
Board Member – Oakport Township:	Carolyn Kastella	Present
Board Member – Ward 1 Council Member:	Nancy Otto	Present
Board Member– Clay County:	Grant Weyland	Present
Board Member – Ward 1 Council Member:	Mari Dailey	Absent

1. **[Call meeting to Order/Roll Call](#)**

2. **[Approval of Minutes](#)**

A **[July 23, 2014](#)**

Motion made to Approve made by Grant Weyland and seconded by Nancy Otto

Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 2

3. **Citizens To Be Heard**

4. **Agenda Amendments**

5. **Public Hearing**

A **[Request of S. Strom for a Conditional Use Permit to allow for the construction of a 36 foot by 36 foot accessory building at 6609 3rd Street North](#)**

Motion made to Open Public Hearing made by Carolyn Kastella and seconded by Nancy Otto

Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 2

Staff provided an overview of the request.

Motion made to Close Public Hearing made by Grant Weyland and seconded by Nancy Otto

Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 2

Motion made to Approve Resolution 2014-3: request of S. Strom for a Conditional Use Permit to allow for the construction of a 36 foot by 36 foot accessory building at 6609 3rd Street North contingent on the following conditions made by Grant Weyland and seconded by Nancy Otto:

1. Maximum accessory structure size shall be 36 feet by 36 feet and shall be

constructed according to the plans reviewed by the Oakport Joint Powers Board (minor revisions may be permitted as approved by the Zoning Administrator).

2. Applicant shall obtain a Floodplain Permit and construct the garage to the regulatory flood protection elevation (896.8 feet) and install fill to a base flood elevation of 895.5 feet to extend 15 feet from the garage structure. The final garage location shall be a minimum of 15 feet from all property lines.
3. No business shall be conducted in the accessory structure, the structure shall not be rented to non-residents of the dwelling, and the structure shall not be used for living purposes.
4. Accessory structure shall be no taller than the house.
5. The exterior of the accessory structure shall be of materials similar to those on the house and attached garage.
6. Parking and storage of commercial vehicles and equipment and recreational vehicles and equipment shall be limited by Section 9-8-3 – Motor Vehicles and Recreational Vehicles – of the Moorhead City Code.
7. All required permits must be obtained.

Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 2

B [Request of J. and H. Steen for a Conditional Use Permit to allow placement of a fence exceeding four feet in height within the front yard at 5704 1st Street Northwest](#)

Motion made to Open Public Hearing made by Nancy Otto and seconded by Carolyn Kastella

Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 2

Staff provided an overview of the request. Fences do not require building permits. A fence was constructed on the property sometime between 2011 and 2013. In 2014 a concern was presented that the current fence was obstructing view of the right-of-way. Staff recommends approval with conditions noted. Applicant is requesting the CUP to maintain safety for their daycare children.

Recommended that an encroachment agreement be signed by the property owner.

Motion made to Close Public Hearing made by Grant Weyland and seconded by Nancy Otto

Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 2

Motion made to:

Deny request allowing placement of a fence exceeding four feet within the required front yard at 5704 1st Street Northwest based on the following finding of fact:

- Proposed use would tend or actually have an adverse effect on the area in which it is proposed.

And to,

Approve revised Resolution 2014-4 with the following conditions made by Nancy Otto and seconded by Grant Weyland

1. Fence shall comply with all standards set forth in Moorhead City Code 10-19-5: Fences and 10-19-16: Traffic Visibility Standards, including compliance with the Oakport Joint Powers Agreement Chapter 10: Rural Residential Zoning Regulation stating No sight-obscuring fence over forty-eight (48) inches in height will be erected within the front yard of any single family residential lot.
2. Entire fence must be properly constructed/attached by November 14, 2014. If fence is not properly constructed/attached by November 14, 2014,

enforcement and penalties shall apply as outlined in Title 10, Chapter 8 of the Moorhead City Code.

3. If fence is found to be located within the 58th Avenue Northwest public right-of-way, a right of way permit application must be submitted and parties must enter into an encroachment agreement no later than November 14, 2014.
4. All required permits must be obtained.

Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 2

6. Other Business

A [Street Lights Discussion - Bill Schwandt, Moorhead Public Service](#)

MPS staff presented information on street lights in Oakport.

B [Township Property Transfer Following Annexation - John Shockley, City Attorney](#)

City Attorney John Shockley discussed the property transfers that will occur after annexation.

Otto recommends additional outreach efforts to residents on the upcoming annexation.

7. Adjournment

The proceedings of this meeting are digitally recorded and are available for public review.

*Respectfully submitted by:
Mary Schmitt, Neighborhood Services*