

Planning and Zoning Commission  
Minutes – August 29, 2023

The Canton Planning and Zoning Commission met at the Depot Viking Room on Tuesday, August 29, 2023, at 7:00pm with the following members present: Chairman Jerry Chaon, Commissioners Tyler Larson, Mike Pederson, and Karen Leffler. Absent: Commissioners Tanya Iverson & Ben Oien.

Also present: Assistant Finance Officer Tiffany VanDeKieft.

CONSENT CALENDAR

Commissioner Pederson moved and Commissioner Leffler seconded to approve the minutes from July 25, 2023, and approve the agenda. All Ayes. Motion carries.

VISITORS TO BE HEARD

None

CONDITIONAL USE HEARING – KELLY GAFFER, 224 NORTH MILWAUKEE – MAJOR HOME OCCUPATION, FAMILY DAY CARE

This being the time and place for the conditional use request for a major home occupation for a family day care from Kelly Gaffer at 224 North Milwaukee Street, Chairman Chaon opened the hearing as the Planning & Zoning Board.

No one abstained.

Chairman Chaon invited Kelly Gaffer to the podium to discuss her request. Kelly explained that she has operated her current day care for 7 years. She's hoping to move to the next level & get registered with the State & is looking for City approval.

Chairman Chaon asked for proponents to the issue. Hearing none, Chairman Chaon asked for opponents to the issue.

Chris Johnson, who lives at 615 East Third Street across the alley from Gaffer, spoke & explained that this isn't personal as he doesn't know the neighbors & that he is small business friendly but that the sound funnels between Gaffer's garages & the Johnsons are home during the day when the day care is operating so they don't feel they can use their 3 season porch as comfortably as if there weren't a day care next door. He also noted that the neighbors to the north have dogs & that every time there is a pick-up or drop-off that the dogs are barking. He stated that had he known that a day care for 12 children would want to be next door that he wouldn't have bought his house. He expressed concern over the increased traffic in the neighborhood. He mentioned about there being available properties downtown with room for expansion.

Layne Wollan, who lives at 216 North Milwaukee to the south of Gaffer, said that the neighborhood is quiet & wants to keep it that way & said that he has similar concerns to Chris Johnson.

Melissa Martinez, who lives at 616 East Fourth Street diagonal from Gaffer, also mentioned concerns of increasing from 6 to 12, noise, more traffic, & agrees that she should locate downtown. Kelly responded by saying that the day care was in operation before Martinez & Wollan moved into the neighborhood. She also mentioned about her husband reporting Wollan's dog for being at large & that she feels that Wollan has been against them since then.

Commissioner Pederson asked if the other daycares in town have 6 or more. AFO VanDeKieft stated that she doesn't know their statuses. Commissioner Leffler acknowledged Kelly's willingness to go through the process of being able to provide for low-income families & stated that there's a need in town for day care providers who do that & asked if she's investigated a downtown location. Kelly stated that start up costs, rent, & hiring staff make a downtown location restrictive.

Chris Johnson stated that he would be okay with the daycare staying at 6 children & mentioned there is a cost with having a brick & mortar business. Melissa Martinez asked if an additional employee is required for 12 children. Commissioner Leffler stated no & AFO VanDeKieft mentioned that certain age ratios would require it.

Chairman Chaon closed the hearing.

Commissioner Leffler moved and Commissioner Larson seconded that the conditional use request for a major home occupation of family day care not be approved at this time. All ayes. Motion carries.

#### CONDITIONAL USE HEARING – TIM & MELISSA RALFS, 1206 NORTH DAKOTA – MAJOR HOME OCCUPATION, SALES OF TRUCK TIRES AND PARTS (STANDARD & HIGH PERFORMANCE) WITH OCCASIONAL WORK ON AN OLD CAR

This being the time and place for the conditional use request for a major home occupation for sales of truck tires & parts (standard & high performance) with occasional work on an old car from Tim & Melissa Ralfs at 1206 North Dakota Street, Chairman Chaon opened the hearing as the Planning & Zoning Board.

No one abstained.

Chairman Chaon invited Tim Ralfs to the podium to discuss his request. Tim explained that he owns TR Repair which is a mobile repair business with a lot of truck maintenance off-site that would not be coming to his house. He said that he was to operate his business out of Worthing but that he has hardly any work that he does in the shop. He indicated that his business is primarily mail order parts & that very little traffic would be generated, maybe one or two customers per day at most, & that the parts he sells are not available elsewhere in town. His garage will be used for storage with all storage inside. He mentioned that Advanced Ag is next door to him. He also stated that as his business is now that operating out of the garage is sufficient but that if he can find a property to rent or buy along Highway 18 for a reasonable amount that he would move to that location for future growth. He mentioned the limited availability of properties in a decent price range.

Chairman Chaon asked for proponents to the issue. Hearing none, Chairman Chaon asked for opponents to the issue. Commissioner Leffler verified that there would be no outside storage. Tim indicated that currently there are some tires outside but as soon as his new garage is finished, which should be soon, that everything would be stored inside as the tires that he has high value tires & insurance doesn't allow for outside storage. Chairman Chaon closed the hearing.

Commissioner Pederson moved and Commissioner Larson seconded to approve Tim's request of sales of truck tires and parts (standard & high performance) with occasional work on an old car & the condition that there would be no outside storage. All ayes. Motion carries.

#### DISCUSSION ON THE POSSIBILITY OF UPDATING ZONING REGULATIONS ON TOPICS OF SHOUSES AS WELL AS CLARIFYING DEFINITIONS OF ACCESSORY BUILDINGS, ARCHITECTURAL GRADE, AND ANY OTHER ITEMS NEEDING UPDATING

Discussion ensued among the members regarding concerns with having shouses/barndominiums in residential areas, that they are more suitable in rural areas, that steel siding is a more commercial look, and that there isn't much of a cost savings in materials between a standard house & garage versus a shouse. It was mentioned that several areas in town have living space upstairs & a business downstairs, such as the greenhouse or the downtown area, and also that there are pole barns as garages in town too. In regards to where architectural grade is mentioned in the accessory building section, it was discussed that since there isn't a standard definition existing for architectural grade that a listing of what shouldn't be allowed should be inserted instead. One item mentioned was not having ribbed steel or storage container/pod-type storage. Commissioner

Leffler moved and Commissioner Pederson seconded to proceed in creating separate ordinances on the topics of shouses and accessory buildings; with shouses towards the ends of having a restriction of no shouses in Residential & defining what a shouse is by proportions; and restricting accessory buildings to not include shipping containers/pod-type storage with updating the mention of architectural grade to what not to allow instead. All ayes. Motion carries.

#### DIALOGUE

The next meeting should be September 26<sup>th</sup>, 2023.

#### ADJOURNMENT

Commissioner Leffler moved and Commissioner Pederson seconded to adjourn. All Ayes. Motion carried.

Meeting Adjourned.

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Tiffany VanDeKieft  
Assistant Finance Officer