

## **PLANNING & ZONING COMMISSION MEETING MINUTES**

**March 7, 2006 - 7:00 p.m.**

Chairman Stafford called the meeting to order at 7:00 p.m. City Clerk Wells called roll. Commission members present: Glenda Miller, Jim Pagles, John Killeen, Carl Opper and Ken Gabrys. Commissioner Mark Hinterlong was absent. Also present were Aldermen Logan and Marzahl, City Administrator Nelson, Building Inspector Santeler and members of the audience.

### **Planning and Zoning Commission Minutes of January 3, 2006 & February 7, 2006 – Approved**

Chairman Stafford asked for any corrections or additions to the January 3, 2006 as revised and the February 7, 2006, minutes of the Planning and Zoning Commission. There were none. Minutes approved as presented.

### **Harvard Homes LLC/William Ryan Homes – Rear Yard Setback Variation**

Chairman Stafford opened the hearing in the petition of Harvard Homes LLC/William Ryan Homes. The fees have been paid. The Certificate of Publication was noted. Certified notices were sent to adjacent property owners. Stan Torsteston was present on behalf of the petitioners. The completed petition for the rear yard setback variations was entered into the record as presented by the petitioners.

There were no objectors present.

Chairman Stafford swore in those presenting testimony. Stan Torsteston presented the petition for a variation from the rear yard setback requirements pursuant to Section 17.20.080 for six lots (147, 148, 149, 150, 151 and 152) in Oak Grove Crossing Unit 4 from 30' to 15'. The lots are located in the cul-de-sac area of Cherry Lane and front the lake area; the variation would allow for the construction of a morning room for each of the lots. Commissioner Killeen expressed concern that granting the variation would allow for the construction of a two story home closer to the lot line and suggested a condition to the variation that would restrict the construction to a single story morning room.

The prospective buyer of one of the lots testified in favor of the petitioner's request noting that the extra 15' would be used for a morning room.

Upon reviewing all evidence and testimony and after deliberation it was moved by Pagles, seconded by Gabrys to recommend to the City Council that the Petitioner's request be approved to reduce the rear yard setback requirements for Lots 147, 148, 149, 150, 151 and 152 from 30' to 15' with the condition that the extra 15' be used only for the construction of a single story morning room. Roll call vote: Glenda Miller, aye; Jim Pagles, aye; John Killeen, abstain; Carl Opper, aye; Ken Gabrys, aye; and Harry Stafford, aye. Motion carried.

Chairman Stafford closed the hearing.

### **Richard Toepper Plat of Subdivision – 201 Marengo Rd.**

Chairman Stafford opened the hearing in the petition of Richard Toepper. The fees have been paid. The Certificate of Publication was noted. Certified notices were sent to adjacent property owners. The petitioner was present. The completed petition for subdivision was entered into the record as presented by the petitioner. The minutes of the Regular City Council Meeting of February 14, 2006, granting a waiver of the topographic survey requirements for subject property was entered into the record.

Chairman Stafford swore in those presenting testimony. Richard Toepper presented the petition for a simple subdivision of property which is located on Marengo Rd. and Metzen St. The existing shed on the back of the proposed new Lot 2 will be removed. Chairman Stafford clarified that the property would remain R1B Single Family Residence District.

There were no objectors present. A member of the audience inquired whether a single family home or duplex would be built on the lot. The petitioner stated that a single family home would be built.

Upon reviewing all evidence and testimony and after deliberation it was moved by Miller, seconded by Opper to recommend to the City Council that the Petitioner's request for subdivision be approved. Clerk Wells clarified that the results of the approval would require that the shed be torn down, and would allow the house on Lot 7 to remain legal non-conforming, and allow for a separate lot of 8,712 sq. ft. zoned R1B suitable only for the construction of a single family home. Roll call vote: Jim Pagles, aye; John Killeen, aye; Carl Opper, aye; Ken Gabrys, aye; Harry Stafford, aye and Glenda Miller, aye. Motion carried.

At 7:30 moved by Pagles, seconded by Gabrys that the meeting be adjourned. Commission members voting aye: Glenda Miller, Harry Stafford, Jim Pagles, John Killeen, Mark Hinterlong, Ken Gabrys and Carl Opper. All ayes. Motion carried.

Submitted by:

City Clerk Andy Wells

Date: \_\_\_\_\_