

City of Fort Calhoun – Planning Commission Meeting

March 1, 2010

Chairperson Ralph Carter called the regular meeting of the Fort Calhoun Planning Commission to order at 7:01 P.M. Monday, March 1, 2010. Notice of the meeting was given in advance thereof by publication or posting, said forms of notice being designated methods for giving notice, an affidavit of publication or a certification of posting being attached to these minutes..

The agenda packets were distributed to the Chair and Board Members on February 23, 2010. Meetings are open to the public. Chairperson Ralph Carter announced that a copy of the open meetings law is posted continually for public inspection on the wall in the Council Chambers/Library.

The following answered roll: Ralph Carter, Eric Herbert, Rich Johnson, Carmine Pane, and Sam Ruma.

Planning Consultant Chris Solberg, AICP, with TSA was not present.

Member Rich Johnson made a motion, seconded by Member Sam Ruma to approve the February 1, 2010 minutes as published. With members, Herbert, Johnson, Pane, Carter, and Ruma voting "Aye", motion carried.

Public Hearing:

At 7:03 P.M. Chairperson Ralph Carter stated in accordance with the published notice, it was now time to conduct the public hearing relative to hearing support of or protest against the proposed ordinance amendments to the Zoning Regulations and property rezoning request, presented in the following order:

1. AN ORDINANCE AMENDING ARTICLE 7 "SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS", SECTION 706 "ACCESSORY BUILDINGS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO IMPROVE REGULATIONS RELATED TO ACCESSORY BUILDINGS.
2. AN ORDINANCE AMENDING ARTICLE 4 "ZONING DISTRICT REGULATIONS", TABLE 4-3 "SUMMARY OF SITE DEVELOPMENT REGULATIONS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO IMPROVE REGULATIONS RELATED TO SETBACKS IN THE "TA" DISTRICT.
3. AN ORDINANCE AMENDING ARTICLE 2 "DEFINITIONS" OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO INCLUDE "PRINCIPAL USE" AND "PRINCIPAL STRUCTURE" WITHIN THE REGULATIONS AND TO MODIFY THE DEFINITION OF ACCESSORY STRUCTURE.
4. AN ORDINANCE AMENDING ARTICLE 3 "PROCEDURES AND ADMINISTRATION", OF THE FORT CALHOUN, NEBRASKA SUBDIVISION REGULATIONS, TO INCLUDE REGULATIONS RELATED TO RE-PLATS.
5. AN ORDINANCE TO REZONE CC CALHOUN CO. ADD LOTS 1 AND 2 (CALHOUN CAR WASH), BLK 56, AND CC CALHOUN CO. ADD LOT 3 BLK 56, FROM R-3 TO UC DISTRICT.
6. ~~AN ORDINANCE AMENDING ARTICLE 4 "ZONING DISTRICT REGULATIONS" TABLE 4-2 "PERMITTED USES BY ZONING DISTRICT" COMMERCIAL USE TYPE TO INCLUDE AND ALLOW FIREWORK SALES IN THE UC, GC, AND GI DISTRICTS, BY SPECIAL USE PERMIT ONLY.~~ **TABLED BY CITY COUNCIL UNTIL AUGUST 2010 PUBLIC HEARING.**

PCMin 03.01.2010

There being no written comments received, nor any public comments, pertaining to the ordinances for this hearing, Chairperson Ralph Carter declared the public hearing closed at 7:11 P.M.

Committee Reports:

- Capital Improvement Committee: Nothing to report
- Housing and Code: Nothing to report
- Downtown Design Standards: Nothing to report
- Land Use Committee: Member Eric Herbert and Member Sam Ruma are reviewing possible changes to Section 706 (e) – Accessory Buildings, after receiving complaints in regards to the maximum size of a detached garage.

Unfinished Business:

Recommendations to the ordinances are as follows:

1. Member Eric Herbert made a motion, seconded by Member Rich Johnson to recommend approval to City Council, AN ORDINANCE AMENDING ARTICLE 7 “SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS”, “ACCESSORY BUILDINGS”, SECTION 706 (b), to include the following language:
 - No accessory building may be located between the front building line of the principal building and the front property line. **Where the lot size is ½ acre or greater, the accessory building can be located in front of the front building line if maintaining a distance of twenty (20) feet beyond the front setback defined in table 4-3.**
 - In addition, the removal of Section 706 (i) Effect on Adjacent Properties.

With members Pane, Carter, Ruma, Herbert, and Johnson voting “Aye”, motion carried.

2. Member Rich Johnson made a motion, seconded by Member Sam Ruma to recommend approval to City Council, AN ORDINANCE AMENDING ARTICLE 4 “ZONING DISTRICT REGULATIONS”, TABLE 4-3, “SUMMARY OF SITE DEVELOPMENT REGULATIONS”, OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO IMPROVE REGULATIONS RELATED TO SETBACKS IN THE “TA” DISTRICT.
 - This amendment will change the current “Minimum Rear Yard” requirement of 65 feet to 35 feet.

With members Carter, Ruma, Herbert, Johnson, and Pane voting “Aye”, motion carried.

3. Member Carmine Pane made a motion, seconded by Member Eric Herbert to recommend approval to City Council, AN ORDINANCE AMENDING ARTICLE 2 “DEFINITIONS” OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO INCLUDE “PRINCIPAL USE” AND “PRINCIPAL STRUCTURE”, WITHIN THE REGULATIONS AND TO MODIFY THE DEFINITION OF “ACCESSORY STRUCTURE”.

With members Ruma, Herbert, Johnson, Pane, and Carter voting “Aye”, motion carried.

4. Member Sam Ruma made a motion, seconded by Member Rich Johnson to recommend approval to City Council, AN ORDINANCE AMENDING ARTICLE 3 "PROCEDURES AND ADMINISTRATION", OF THE FORT CALHOUN, NEBRASKA SUBDIVISION REGULATIONS TO INCLUDE REGULATIONS RELATED TO RE-PLATS.
 - This amendment will expedite the subdivision review process whenever a re-subdivision of a parcel consisting of three (3) or fewer lots is applied for.

With members, Herbert, Johnson, Pane, Carter, and Ruma voting "Aye", motion carried.

5. Member Eric Herbert made a motion, seconded by Member Sam Ruma to recommend approval to City Council, AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF FORT CALHOUN, NEBRASKA, BY CHANGING THE ZONING CLASSIFICATION FROM MULTIPLE-FAMILY RESIDENTIAL DISTRICT TO URBAN CORRIDOR DISTRICT, CC CALHOUN CO. ADD. LOTS 1 AND 2 (CALHOUN CAR WASH), BLK 56, AND CC CALHOUN CO. ADD. LOT 3 BLK 56, FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA.

With members Johnson, Pane, Carter, Ruma, and Herbert voting "Aye", motion carried.

6. Following discussion and clarification of the decision of City Council tabling the fireworks ordinance until August, a unanimous decision by the committee to amend the Zoning District Regulations Table 4-2, to include Fireworks as a permitted use, will be presented to City Council.

New Business:

Chairperson Carter noted the following permits issued February 1, 2010 through February 28, 2010: Zeke Holding Co. 108 S. 14th St. (TAX LOT 1 – BLK 50) Replacing roof and three walls on addition; Darin Wilson 610 Sunset Dr. (LOT 7 – Cherry Hills) Replacing water heater.

Public Comments:

Future Agenda Requests:

- ✓ Discuss/review Planning Commission By-law revisions – Second Quarter 2010

Member Pane made a motion seconded by Member Herbert to adjourn, with all members present voting "Aye", the meeting adjourned at 8:08 P.M.

Joy Ruma, Planning and Zoning Administrative Assistant