

## City of Fort Calhoun – Planning Commission

November 1, 2010

Chairperson Carter called the regular meeting of the Fort Calhoun Planning Commission to order at 7:00 P.M. Monday, November 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 October 29, 2010. Meetings are open to the public. Chairperson Carter announced 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 call: Ralph Carter, Eric Herbert, Rich Johnson, Carmine Pane, and Sam Ruma.

Member Johnson made a motion seconded by Member Ruma to approve the October 4, 2010 minutes as published. With members, Ruma, Johnson, Carter, Pane, and Herbert voting “Aye”, motion carried.

### **Public Hearings:**

At 7:01 P.M. Chairperson 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 the Municipal Code, presented in the following order:

1. AN ORDINANCE AMENDING ARTICLE 2 “DEFINITIONS” OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO INCLUDE DEFINITIONS OF “CONDITIONAL USE” AND “CONDITIONAL USE PERMIT” WITHIN THE REGULATIONS.
2. AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF FORT CALHOUN, NEBRASKA, BY UPDATING ZONING CLASSIFICATION CHANGES, AND CORRECTLY SHOW THE BOUNDARYS OF THE CITY LIMITS.
3. CONSIDER CHANGES AND ADOPTION TO THE REVISED SCHEDULE OF FEES TO ESTABLISH THE AMOUNT OF CERTAIN FEES CHARGED BY THE CITY OF FORT CALHOUN FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIQUOR LICENSING, TOBACCO LICENSING, OCCUPATION, PET LICENSING, AND WATER AND SEWER HOOK UP FEES.

There being no written comments received, nor any public comments, pertaining to the ordinances for this hearing; Chairperson Carter declared the public hearing closed at 7:04 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: Nothing to report

### **Unfinished Business:**

Recommendations to the ordinances are as follows:

1. Chairperson Carter made a motion seconded by Member Herbert recommendation for approval of City Council as amended “AN ORDINANCE AMENDING ARTICLE 2 “DEFINITIONS” OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO INCLUDE DEFINITIONS OF “CONDITIONAL USE” AND “CONDITIONAL USE PERMIT”

City of Fort Calhoun – Planning Commission

WITHIN THE REGULATIONS.” The amendment shall include the following language in the description of the “**CONDITIONAL USE PERMIT**” :

- **CONDITIONAL USE:** Shall mean a use where allowed by the district regulations, that would not be appropriate generally throughout the zoning district without restrictions, but which, if controlled as to number, size, area, location, relation to the neighborhood or other minimal protective characteristics would not be detrimental to the public health, safety, and general welfare.
- **CONDITIONAL USE PERMIT:** Shall mean a permit issued by the city after approval by the Planning Commission and/or City Council that authorizes the recipient to make conditional use of property in accordance with the provisions of Article 12 and any additional conditions placed upon, or required by said permit.

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

2. Member Herbert made a motion, seconded by Member Pane to recommend approval of AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF FORT CALHOUN, NEBRASKA, BY UPDATING ZONING CLASSIFICATION CHANGES, AND CORRECTLY SHOW THE BOUNDARYS OF THE CITY LIMITS.

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

3. Member Herbert made a motion, seconded by Member Ruma to recommend approval with an amendment to CONSIDER CHANGES AND ADOPTION TO THE REVISED SCHEDULE OF FEES TO ESTABLISH THE AMOUNT OF CERTAIN FEES CHARGED BY THE CITY OF FORT CALHOUN FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIQUOR LICENSING, TOBACCO LICENSING, OCCUPATION, PET LICENSING, AND WATER AND SEWER HOOK UP FEES. The Commission recommends the addition of “**Electronic Media (CD/DVD) Fee plus Per ½ hour Administrative Fee** be added to **ADMINISTRATIVE FEES** section of the document.

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

**New Business:**

**1. Permits Issued: October 1, 2010 through October 31, 2010**

PERMIT TYPE	NAME & ADDRESS AND PERMIT DESCRIPTION
Building	<b>(Permit # C5502)</b> Aage Jensen (1702 Clark St. – CC Halford’s Cherry Hills LOT 19) Re-roofing house and siding. Contractor: Self (roof) John Masloski 4320 Snowdrift Lane, Omaha, Ne. 68112 (siding).
	<b>(Permit # C5503)</b> Marcus Ostergaard (223 S. 10 <sup>th</sup> St. = CC South 69.75’ Lot 5 & 6 BLK 67) Demo vacant house. Contractor:
	<b>(Permit # CRF2010-224)</b> Carrie Biesheim (717 Monroe St.) Install new asphalt shingles on house. Contractor: Best Roofing 3201 Renner Dr. – Apt K3, Council Bluffs, Ia. 57501
	<b>(Permit # C5504)</b> Brett Greenough (705 Madison St. – LOTS 1 & 2) Removing and replacing shingles. Contractor: Self
	<b>(Permit # C5505)</b> Shirley Oliver (405 S. 14 <sup>th</sup> St. – LOTS 1-4 blk 108) Removing and replacing shingles. Contractor: Self
	<b>(Permit # C5506)</b> Jack Rathjen (6077 Hwy 75 – TLS 97) attaching a pole shed to north side of barn. Contractor: Ted Welchert
	<b>(Permit # C5507)</b> Carmine Pane (214 N. 9 <sup>th</sup> – LOTS 7 & 8) Removing and replacing shingles. Contractor: Terry Matzen – Matzen Roofing 11174 Rambleridge Dr. Blair, Ne.
Fence	None

Electrical/Mechanical	None
Plumbing	None

**2. Substandard Property Update for October 1, 2010 through October 31, 2010:**

SUBSTANDARD PROPERTY		
Number of Letters Mailed	0	
Number of Signed Receipts	0	
Number of Response Letters	0	
Number of In-Office Visits	0	
Number of Phone Calls Received	0	
Property Address/History	Status	
(223 S. 10 <sup>th</sup> St.)	<b>Complete</b>	Demo vacant house – October 7, 2010 Marcus Ostergaard (demo will be done by Gary Burns). <b>Completed 10/10/2010</b>
(1109 Madison St. - Lot 15) Property vacant - Unable to contact property owner, deputy unable to serve legal papers, and stated that this property should be condemned because it is a health hazard.	Pending	<u>October 18, 2010:</u> City Council and Attorney Jim Egr recommend sending a letter to the financial institution that has the loan on this property.  <u>October 4, 2010:</u> Planning Commission recommends to City Council to escalate removal of the trailer.  <u>July 7, 2010:</u> Spoke to Sheriff Mike Robinson about inspecting this property per recommendation by PC. Sheriff's Department is in the process of trying to locate property owner.
(309 S. 14 <sup>th</sup> St./Lots 1-8 Blk 107, Lots 7&8 Blk 108, Lots 1 & 2, Blk 121, and Lots 1-4, Blk 122) Secure house at 309 S. 14 <sup>th</sup> St., and remove trash/debris/dilapidated buildings/abandoned vehicles by Spring 2010.	<b>Pending Re-Inspection</b>	<u>September 20, 2010:</u> City Council approved extension to November 15, 2010.  <u>August 30, 2010:</u> Bob requested to November 15, 2010 to complete clean up of property.  <u>August 25, 2010:</u> Inspection completed: City Staff stated two trailers remain on property by the ball fields. Letter sent to Bob Sheppard requesting the trailers be removed with 30 days.  <u>July 13, 2010:</u> Substandard Property Inspection form given to city maintenance.
(311 E. Calhoun Dr.) Permit C5461 (issued 7/8/09) new siding and windows. Permit C7516 (issued 6/21/10) remove plaster and replace with drywall and insulation.	In Process	Nothing to report to date.

3. On behalf of the Planning Commission, Chairperson Carter recommends City Council approval to re-appoint Vice Chairperson Eric Herbert and Member Sam Ruma for their 2011 – 2013 committee terms. With the remaining members Johnson, Pane, and Carter, voting “Aye”, motion carried.

**Public Comments:** None

**Future Agenda Item(s):** December 6, 2010 Annual Comp Plan Review

**Adjourn:** Member Pane made a motion seconded by Member Ruma to adjourn, with all members present voting “Aye”, the meeting adjourned at 7:37 P.M.

**Joy Ruma, Planning and Zoning Administrator**