

**WALKER PLANNING COMMISSION
BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
July 28, 2014**

6:00 p.m. 701 Elm Avenue Walker Fire Hall Meeting Room

1. **Call to Order** 6:00 p.m. by Chair Wilkening.

Roll Call-

Members Present: Jane Ekholm, Char Moore, Gary Wilkening, Greg Smith

Absent: Rich Hansen

Staff: Terri Bjorklund, Charolette Hines

Public: Jason Goehring, Erin Haefevle

2. **Additions or deletions to agenda:**

None

3. **Announcements by Chair:**

None

4. **M/S/A Moore / Smith to approve of minutes June 30th, 2014.**

Ekholm recommends for the minutes to reflect the correction as follows:

Moore-I move to recommend

Ayes: Moore, Smith, And Wilkening, Ekholm Nays: None

Motion passed (4-0)

5. **Planning/Zoning - Report for June 2014**

Hines: reads the report for June 2014 and council actions.

Ayes: Moore, Smith, Wilkening, Ekholm Nays: None

Motion passed (4-0)

6. **M/S/A Moore/Ekholm to approve LU-2014-03 Requests for American National Bank Revised from Council request.**

Chair Wilkening reads the LU-2014-03-B Revised after being sent back to Planning Commission by Council. The first request was not accepted or approved by council and that is what brings us back here. Since then Terri, Charolette and I have sat down with Jason and talked about how we can make this work. And actually in our ordinance there's something that was left out that was in our old ordinance that should have stayed. It talked about on site signs, part 4 of our old sign ordinance. It says a sign for a large multi business complex may be addressed separately in a CUP for the principle use to allow innovations may be allowed to have a sign exceeding the maximums if found compatible with the surrounding area by the planning commission. So that was the section that was not in our new ordinance, but would allow this applicant to have a Variance given out by the planning and commission to change the amount of the sign area. So in our conversation with Jason we talked about the approval, no one has any problem with the height being increased by 50% and so what about 50% increase in the size? So that would bring it from 64 sq. ft. to 96 sq. ft. Also had conversation about the digital dynamic display portion part of that sign, and under the ordinance 64 sq. ft. you can have up to 25% of that digital dynamic display in the transitional commercial zone. When the sign ordinance was put into place, some people did not feel comfortable getting large digital dynamic signs. They did not want to become Vegas. So we talked with him regarding that, and so what if we make your sign basically what is being presented today. The digital dynamic display is 16 sq. ft. and has the increase the top to include the two sign panels; it still comes in under 96 sq. ft. like 92 sq. ft.

Goehring: It is but I did make a minor change. We talked about 96 sq. ft. so I came up with a revision instead of 45 sq. ft. On top, we went to 47.6 sq. ft. keeping it at 96 sq. ft.

Wilkening: I guess I wouldn't be opposed to that. I would be ok with that. So you are requesting revision D be presented to council?

Goehring: Yes

Ekholm: Should we consider to re-enter the language that was left out of the ordinance?

Wilkening: Yes that is something that we will have to do along the way. I'm not exactly sure how we do that. Terri that would be a question for you, Can we have that done by the end of the year?

Bjorklund: It is already being taken care of.

Goehring: I just want to thank everyone for their effort in this task.

Wilkening: I think it is going to fit.

Goehring: I'm going to move it a little towards the center of the parking lot instead of the corner.

Smith: Is that big bill board on your property?

Goehring: No it is not, but we mow it. And that is why I am so grateful that the city is working with us to make it look more like a bank instead of a restaurant.

Wilkening: Findings of facts 1-7 Revision B would someone like to make a motion to include the 1-7 proposed findings of facts?

Ekholm: I would move to approve based on the findings of facts to keep it in the confines that what was heard here today. And add the missing information from the sign ordinance.

Wilkening: Sign Ordinance 154.042 Section D item 4. A sign for large multi business complex may be addressed separately in a CUP for the principle use to allow innovations may be allowed to have a sign area exceeding the maximums if found compatible with the surrounding area by the planning committee.

Moore: Seconded

Ayes: Ekholm, Moore, Smith, Wilkening Nays: None

Motion passed (4-0)

7. Discussion on defining Rural Residential Zoning.

Wilkening: Take a look at your packets 7-1. This goes back to the discussion of the industrial park and annexations as well. This is looking at the county zoning and can we utilize the county? Part of the conversation that I have had with people is that they like the zoning regulations of the county better than the city.

Ekholm: I have heard the opposite.

Moore: Can we do that? Have different types of zoning districts?

Ekholm: We can offer city sewer and water versus having to put in a septic. So when we offer them services, it would give them more freedom with setbacks.

Wilkening: We are talking about stuff outside the city right now that can potentially come in to the city. The county has 4 different residential zones. (He reads the 4 zones descriptions). I'm not sure if we need to be quite that complex. We need to look at rural commercial zoning as well.

Ekholm: I can explain why they have different zones. An example is having someone that has chickens and you may have fly problems and you wouldn't want to be too close to that property.

Wilkening: Also building size and accessory structures are some reasons. In the county ordinance the county has a zone chart of what can and can't be done in a certain zones.

Ekholm: Do we need something separate for shore land and non-shore land use?

Wilkening: We are going to have to have something to back up the ordinance. The easiest way might be to designate two classifications. Have two classifications for rural residential and two classifications for rural commercial, and they would need to have useable land and have two on site individual sanitation systems as a requirements.

Ekholm: It depends on the size of the property.

Smith: Not only the size but the usage as well.

Wilkening: I pulled the land use chart from the county and they have a larger rural residential and smaller rural residential zone. (Went thru the chart)

Ekholm: What if they have a septic pond of their own in a development?

Wilkening: I wonder if we can default back to what the county ordinance is.

Ekholm: I think we almost have to. It would make things more consistent.

Smith: Are we going to make them to dismantle the sewer and water?

Ekholm: As long as they are compliant I would say no. If they have not maintained the two sites, you would get sewer back up. That is the only problem that I would see with something that is preexisting. We could make them hook up to city sewer and water if this happens..

Smith: So should we require an inspection?

Ekholm: The County does have inspection requirements.

Smith: Upon an annexation we can require it?

Wilkening: I imagine we can. We could state that you make it compliant or hook up.

Moore: We are not making new laws we are just following the ones that are in place already.

Bjorklund: When you go back to the comprehensive plan that we drafted a few years back. We talked about form base code. Might this be a place where you start that?

Wilkening: An example of that would be a development that buildings would meet the setback requirements but have a back entrance verses a front entrance.

Smith: It's form over function.

Bjorklund: Is this where we are going to start this, or are we going to throw form base out of the window.

Smith: I like form base personally.

Ekholm: There is a negative aspect to it as well. It cuts down individuality and it can be taken to an extreme. What forms are we looking at to impalement?

Smith: I like natural wood and stone.

Ekholm: Can we regulate taste? We need to proceed with caution.

Wilkening: So getting back to rural residential without the form base, when you read the county ordinance for rural residential the basic description is actually quite the same except for their rural residential 1 it to promote low levels of density and the others promote high levels of density.

Ekholm: We are putting the cart before the horse. We need a purpose and an objective.

Bjorklund: By statue every time you change an ordinance you need to have a purpose and objective.

Smith: The whole purpose for this conversation is based on annexation of the county land.

Ekholm: We can start by having a joint powers board of the townships, city and county for the areas that are in a transition zone. Then eventually come to an agreement that is beneficial to all that are concerned.

Bjorklund: I think we made this a larger thing at this point. The purpose and intent for rural residential was to change the use to sell lots for homes in a much larger setting. But also encompass possible future people who would like to become part of the city, without the strict rules of the inner part of the city.

Ekholm: I think so far we did ok addressing that.

Wilkening: I think this is an opportunity if we do this rural residential zoning correctly to allow for those who might want to join the city.

Ekholm: So we need to come up with a purpose.

Wilkening: So would it be fair to say that our purpose and objective is to accommodate larger parcels in the city and not in the city, to ease the zoning restrictions, on those properties and allow them to have individual water and sewer systems.

Bjorklund: The purpose of this district is to provide low density rural residential development in these portions of the city, outside the shore land zone and with an anticipated municipal growth for such development is desired and most suitable. The primary use within the rural residential

district is single family residence but may also include agricultural, forestry, and those commercial enterprises intended primarily to serve nearby rural residence and low industrial light activates.

Wilkening: Let's have Charolette and Terri work on the refined purpose and objective and bring it back to the next meeting.

Ayes: Moore, Smith, And Ekholm, Wilkening Nays: None

Motion passed (4-0)

8. M/S/P Wilkening to adjourn the meeting at 7:10 p.m.

Bring packets back with for next meeting if we don't get thru everything today. Or I can take them and bring them back for you.