

WATERVILLE PLANNING AND ZONING COMMISSION
PUBLIC HEARING
August 30, 2016, 7:00 p.m.

There was a meeting of the Waterville Planning and Zoning Commission held at Council Chambers at 7:00 p.m. on August 30, 2016.

Present: James Hennan, Tim Smith, James Fallon and Chairperson Don Jacobsen

Absent: None

Also Present: Administrator/Clerk Teresa Hill and Jason Moran, City Attorney

Also Absent: None

1. Call to Order. Chairperson Jacobsen called the meeting to order noting that all Planning and Zoning members were present. Also present City Administrator Teresa Hill and Jason Moran City Attorney.

2. Minute Approval – July 27, 2016. Motion by Smith, seconded by Fallon to approve the minutes of June 28, 2016. Unanimous vote. Motion carried.

3. Public Hearing

A. Bruce and Carol Jones Conditional Use and Variance Request. Bruce and Carol Jones, 806 North Shore Drive requested the construction of a 36' x 60' Garage with the following conditional use and variance requests. (1.) A conditional use permit to construct a second garage in an Agricultural Holding District. Zoning Ordinance 150.05(C)(10) allows for Second private garage per dwelling under the conditional use permit process. (2.) A Variance request to allow for post frame building with steel roof and siding. Ordinance 150.03(D)(1) allows for all accessory private garages, either attached or detached, shall be comparable in design, material, general character and be architecturally harmonious to the principal structure. (3.) A Variance request to allow for a 2,160 square foot garage. Zoning regulation 150.05(B)(7) allows for one detached private garage per dwelling not over 1,200 square feet in floor area. (4) A side wall variance of 5 ft. allowing for a 14' side wall height. Zoning ordinance 150.15(D)(8) allows for accessory building height: not more than nine-foot side walls and the roof pitch shall be no greater than that of the principal dwelling except that new farm structures can have height as set through the conditional use process. The property is currently serviced by a private well and private septic system and is located in the following zoning districts: Agricultural Holding, Single Family Residential, and Shoreland. The property is described as follows: Parcel ID #: 24.022.0400 Address: 806 North Shore Drive: Sect-22 Twp-109 Range-023 2.07 AC E 100 FT OF W 243 FT OF THAT PART OF LOT 5 LYING S OF HWY13. Bruce and Carol Jones were present at the public hearing. Ms. Hill did not receive any calls or letters regarding the Conditional Use and Variance request. Mr. Jacobson asked if there would be a restroom in the garage. Mr. Jones said yes. Ms. Jones said the septic system will be inside the building. Mr. Jones said that when they bought the house they knew that the septic system was non-compliant so they want to combine this work with a new septic system. They want to put the septic system on the other side of the road and have a bathroom in the shed that would go to the same septic system. The new system would support the house and the shed. Mr. Smith asked if the County does not approve the septic would that affect their plans and how would it affect it. Mr. Jones said the County would determine what type of system would have to be put in. Ms. Hill said a

final permit will not be issued until there is proof of a septic system permit being issued. The building will be 55 feet from the road. The building would meet all the setback requirements. Brian Bemis asked if the property has been surveyed. Mr. Jones said a contractor will be getting a metal detector to find out where the stakes are. Mr. Bemis said the whole north side is kind of sketchy and is in the middle of no man land. Discussion regarding the survey of the area. Mr. Bemis said there is a major road right-of-way problem in that area with the State. It involves everybody on Highway 13. Mr. Moran said that he believes the property needs to be surveyed and then make sure that the setbacks are truly what they should be. Ms. Hill said the applicant has to demonstrate that there is practical difficulties associated with the request. Ms. Hill provided the P & Z Commissioners a memorandum from the League regarding the conditions that a variance can be granted such as reasonable manner, unique, essential character and hardships. Mr. Moran asked the P & Z Commissioners if the request is reasonable in their opinion, does it keep with the character in the area, What do you see going on out there in the future. Do you see this being more commercial or residential? The uniqueness factor does not come into play. Is it reasonable to go from 1,200 square feet to 2,100 square feet, is it reasonable to have a 36 x 60 out there. Is it reasonable to have the height out there? Mr. Fallon said he thinks that if it was smaller it would blend in with the houses there. Discussion regarding the size of the structure. Ms. Hill said neighborhood opinion is not a basis for granting or denying a variance. Motion by Fallon, seconded by Hennan to recommend to the City Council for the approval of the variance and the conditional use permit upon the following conditions: That it be surveyed and meets all setbacks, that the siding be comparable and compatible with the primary structure, that it be a 36' x 54' structure, there will be no additional accessory structures on the property besides this one and the sidewall height at 14' to Bruce and Carol Jones. Unanimous vote. Motion carried.

4. Unfinished Business.

A. Conditional Use Permit – Arnold Krautkremer. Ms. Hill said that Mr. Krautkremer stopped at the office and made some suggestions to the memorandum for the conditional use conditions. But when the meeting date changed he was not sure if he could make this meeting. Discussion regarding the suggestions Mr. Krautkremer wanted to make to the memorandum. Planning and Zoning drafted the conditions that they would accept for the Conditional Use Permit for Arnold Krautkremer. Motion by Smith, seconded by Hennan that we change this proposal that Mr. Krautkremer gave us with our conditions. Number 1 should go as written by us other than the condition that the pontoons can be stored on foam blocks on the impervious surface, we allow 10 additional utility boat or snowmobile trailers but the surface conditions have to stay. #3 we change from 5 snowmobiles to 10, the rest of it needs to stay as written Numbers 4, 5, and 6 need to be included as written and we table this for 30 days and invite Mr. Krautkremer to the next meeting for discussion. Unanimous vote. Motion carried.

5. Granny Pod Ordinance – Update. Ms. Hill advised that the Council went with the Planning and Zoning Commissioner's findings on the Granny Pod Ordinance.

6. Multi-Family Ordinance Revision. Ms. Hill advised that Council requested that the P & Z look at drafting the multi-family ordinance revisions as you have proposed for your long range plan.

7. **Adjourn.** Motion by Smith, seconded by Fallon to adjourn. Unanimous vote. Meeting adjourned 8:28 p.m.

Donald Jacobsen, Chairperson

Teresa Hill, Administrator/Clerk