

PLANNING AND ZONING COMMISSION

May 19, 2025 6:30 P.M.

There was a meeting of the Waterville Planning and Zoning Commission held in the Council Chambers at 6:30 p.m. on May 19, 2025.

Present: Chairperson Howard Mack, Commissioners Bernie Akemann, Phil Langerud, Brad Ferch and Richard Gregor

Absent: None

Also Present: Administrator/Clerk Teresa Hill, home owners Sue Mariska and Mark Hawthorne.

Call to Order

Chairperson Howard Mack called the meeting to order at 6:33 p.m. The start time was delayed a few minutes because two commissioners were on their way.

Approval of Minutes

Motion by Ferch, Seconded by Akemann to approve the meeting minutes from March 17, 2025.
Motion Carried 5-0.

Request for Ordinance Amendment to change Zoning District from R2 to R1 for Cedar Glen Addition and 2 parcel adjoin Cedar Glen Addition

Administrator Hill stated that since they had met on this issue previously, the rest of the signatures were obtained from Geyer's and then Dave Schwartz. During the public hearing portion, Mr. Schwartz withdrew his name from the petition, leaving the two parcels on the north side of Cedar Circle not within the requested area. Mr. Mooney has two parcels and he had not signed the petition. Mr. Lapole has one parcel had not signed either. These three parcels in the southeast corner were not included either. The City Council wanted P & Z to take another look at it since Mr. Schwartz's property had been withdrawn. Attorney Moran had left a memo for the commissioners. He stated cities cannot have spot zoning. There have already been two objections to this request. Commissioner Mack requested a review of the rules and regulations for an R2. Hill said the main difference is R2 will allow up to four dwelling units on a parcel of land. R1 is strictly single family. The properties are in the shoreland district. If they went to R1, the Planned Unit Development (P.U.D.) would still be available as a development tool. Akemann questioned whether there is a land requirement for a four-plex. Hill stated yes; a single family dwelling has to be a minimum of 10,000 sq. ft.; a three or four family dwelling has to have a minimum of 15,000 sq. ft. They would also have to meet setback requirements, which is 75 feet from ordinary high water. Anything from 37.5 feet going towards the shoreland is called the impact zone and there should be no building in that impact zone. But they could apply for a variance to go from a 75 foot setback to 37.5 feet. The City Council sent the request back to P & Z for another review because of the removal of the two parcels. Sue Mariska, 450 Cedar Circle, said the majority of the residents in that neighborhood signed the petition and want it changed. Hill said if they changed the zoning to R1, the properties that did not sign the petition could consider it as "a taking of land". That means the person who purchased the property can't operate as it was originally zoned when they purchased it. Mark Hawthorne, 453 Cedar Circle, would like to know how it's determined where the high water mark should be. Hill said they would have to have the DNR shoot the high water and measure back from there. Todd Piepho from DNR is who Hill has worked with in the past. Mr. Hawthorne also asked if they have to account for a parking lot if there is going to be a four plex. Hill stated there are no parking requirements in any of our zoning districts. **Motion by** Ferch, seconded by Gregor, Upon the information we had before and from the city attorney, leave the district as an R2 and not change it to an R1 upon legal advice. **Motion carried 4-0**, Akemann abstained from the vote. Akemann mentioned that if you measure back 75 feet on any of these lots, they aren't going to qualify. Hill said there had been previous discussion regarding changing the parking regulations but they were undecided at the time as to what regulations should be in place. But if there is a conditional use, then parking regulations could come into play. Sue Mariska spoke regarding parking on both sides of the street on Cedar Circle. When there are cars parked on both sides of the street, it's very difficult to drive between them. Emergency vehicles would not be able to fit through.

Commission Discussion

There was no other discussion.

Adjourn

Motion by Ferch, **Seconded by** Gregor to Adjourn. Motion Carried 5-0. Meeting adjourned at 7:05 p.m.

Howard Mack, Chairperson

Teresa Hill, Administrator-Clerk.