

PLANNING AND ZONING COMMISSION MONTHLY MEETING

Council Chambers

5/28/13 6:30 P.M.

Present: Nick Colbert, Larry Wright, Joel Amandus, Lyle Brown, Ed Delaney, Ron Welder, Brenda Parker (arrived at 6:32 pm)

Absent:

Staff: Doug Krogmeier, Heather Huebner

Visitors: Jack Amandus, Bob Manka, Fletcher & Pam Fett, Dottie Miller, Leon Beimer, Dorothy Holtkamp, Larry Holtkamp, Jordan Hennigar, Mark & Cathy Bentler, Dianna Holmes, Jason Haessig

Chairman Nick Colbert called the meeting to order at 6:30 P.M. with seven members present. Brenda Parker arrived at 6:32 pm.

ACTION ON MINUTES

The minutes from April 23, 2013 were approved on a **motion by Welder, seconded by Delaney** after a grammar correction had been made by Brown.

Motion passed yes-7, 0-no.

NON AGENDA ITEMS

None

PUBLIC HEARINGS

13-06: Commission review/consideration of a Review of Plat of Survey for Dorothy Holtkamp and Gail Gray.

Krogmeier reviewed the staff report. Staff commented that an easement was created where the driveway currently sits in case the front property sells, granting access to the back property.

Colbert opened the public hearing at 6:34 P.M.

Dorothy Holtkamp announced that she is in favor of the Plat of Survey. No one spoke in opposition.

Colbert closed the public hearing at 6:35 P.M.

Colbert opened up Commission discussion. Brown mentioned that documentation seemed pretty straight forward.

Brown made a motion, seconded by Delaney to approve Plat of Survey for Dorothy Holtkamp and Gail Gray.

Staff stated that Review of Plat of Survey will get sent to City Council for final approval.

Motion passed 7-yes, 0-no.

13-07: Commission review/consideration of a Variance to allow a reduction in front yard setback for Matthew/Liza Hirschman at 1117 Avenue C.

Staff reviewed case report. In addition Staff reported only concern is setting precedence for the block. Next Staff informed Commission that Hirschman's were unable to make the hearing should it be decided to table discussion.

Colbert opened up the public hearing at 6:37pm

No one spoke in favor nor opposed to the variance request.

Colbert closed the public hearing at 6:38pm

Colbert opened up Commission discussion. Colbert commented on the nature of the property, referencing the hill in the back yard. Brown remarked on the neighborhood across the street and how close the houses sit in relationship to the street. Staff reported that all of the neighborhoods were built before the zoning code was enacted.

Commission reviewed finding of fact.

Welder made a motion, seconded by Amandus to approve a variance to allow a reduction in front yard setback for Matthew/Liza Hirschman at 1117 Avenue C.

Motion passed 7-yes, 0-no.

Staff stated that the Variance will get sent to Board of Adjustment and Appeals for final approval.

13:08: Commission review/consideration of a Preliminary & Final Plat Review for MM Real Estate LLC.

Staff reviewed case report.

Welder questioned if the lot was originally intended to be a residential zone, Staff was unable to answer. Brown questioned if the subdivision plan fits with the newly adopted Comprehensive Plan. Staff expressed that it does.

Colbert opened up public hearing at 6:43pm

Jason Harder, Director of Engineering Services from Bruner, Cooper and Zuck, who is working with MM Real Estate LLC approached and announced that he was there to answer any questions from citizens or the Commission. Brown questioned if there was a value range for the proposed houses. Mike Mohrfeld, MM Real Estate LLC, described that lots will be sold as buildable lots or turnkey. The standard square footage will be between 12,000 to 18,000 square foot and be single family, two story ranch houses that are 3 bedrooms, 2 bathrooms, similar to houses on Crescent Lane and adjacent neighborhoods.

Jordan Hennigar owns a vacant lot currently and inquired if a T could be put in for him. Staff answered that he would have to talk to the Public Works Director regarding the matter.

Diane Holmes, 313 Vica Lane, questioned if an alley (behind Vica Lane) was in the proposal and if there was indication to connect Avenue C. Mohrfeld stated that there is no intention of an alley or connecting Avenue C. Staff remarked that Alliant Energy has an easement (behind Vica Lane). Holmes then inquired how many houses are intended to be built. Mohrfeld responded that in the first phase, 21 houses are included in the proposal, with 56 lots total. Holmes then declared that she received much of the drainage off of the current field and questioned if that was being addressed, Harder responded that this project should only improve those conditions.

Bob Manka, 35 Alta Drive, questioned the nature of the public hearing and if final approval was being sought at the current hearing. Staff reported that the city has to approve the Plat so that the country can record it. Manka then questioned the description of the public hearing and was wondering why in the legal description it said 22 lots and only 21 houses were looked at being built. Mohrfeld explained that one of the lots is considered an out lot. Manka asked what the reasoning was for requiring Mohrfeld to pave the street 31' instead of 28'. Staff reported that the Public Works director approved 28'. It was then asked when this project anticipates starting. Mohrfeld declared that within a couple of months he would like to start working off of 33rd street and by the fall of 2013 to begin working on connecting Avenue E. It was then questioned what the lot sizes would be, Harder declared 74' by 95 ½' give or take.

No one spoke in opposition of 13:08.

Colbert closed the public hearing at 6:55 pm.

Colbert opened up Commission discussion. Parker questioned minor changes that are being worked out with Harder and the City. Harder reported that there is a discrepancy on the preliminary plat verses the final plat with 33rd Street. The second issue that is being worked out is the 28' street paving width verses 31' street paving width. The final issue being worked out is the signature blocks on the final plat. Manka questioned if the proposed houses would be slab homes or with a crawl space. Morhfeld responded that his preference is slab. Manka questioned if the homes will be pre-fabricated houses or stick built. Morhfeld answered stick built by local contractors and local lumber yards. Amandus questioned if lots could be made wider. Floor plan was presented to Amandus and explained that houses will wrap around the garage. Colbert and Delaney thanked Mike Mohrfeld and Jason Harder for answering all questions with such clarity.

Parker made a motion, seconded by Delaney to approve Preliminary & Final Plat Review for MM Real Estate LLC.

Motion passed 7-yes, 0-no.

13:09: Commission review/consideration of a Variance to allow reduction in side and rear setbacks for Jason/Brandy Haessig at #1 Tammy Lane.

Staff reviewed case report. Staff commented that the Fire Chief is concerned with the requested 2' side yard setback due to access. Staff also reported that Alliant Energy has a 7 1/2' easement in the rear for power lines. To date, staff has heard from a few neighbors and none have reported any concerns.

Colbert opened public hearing at 7:10 pm.

Jason Haessig in favor: no one spoke in opposition.

Colbert closed public hearing at 7:11 pm.

Colbert opened up Commission discussion. Parker questioned Haessig if there was any way to modify his plans to work without the 2' side and 6' rear setbacks. Haessig answered that he really prefers 2' side and 6' rear setbacks to make everything work out. Wright questioned if the Fire Chief would be comfortable with 3' side. Staff mentioned possibility of neighbor requesting variance and that the Fire Chief likes to see 10' between structures. Parker questioned Staff if the Fire Chief would be comfortable with 7 1/2' in the rear. Staff answered yes and that the Fire Chief is mostly concerned with the 2' request on the side. Haessig commented that without the 2' side yard setback the garage will not be able to be built big enough for two cars. Colbert questioned if the Fire Chief would be happy with 3' side yard setback. Staff mentioned how easily fires can jump building to building. Welder mentioned east end of Fort Madison and how close many structures sit. Colbert commented that we should learn from history. Delaney expressed that by granting the 2' side yard setback it could create more of a situation from a fire standpoint. Colbert questioned the history of variances on Tammy Lane. Staff reported that there have been several side yard setbacks granted and one was granted for 2'.

Commission decided to vote on rear and side yard setbacks separately.

Parker made a motion, seconded by Brown to approve a Variance to allow reduction in rear setback to 7 1/2' for Jason/Brandy Haessig at #1 Tammy Lane.

Motion passed 7-yes, 0-no.

Amandus questioned expansion of the garage. Staff reported from the drawing, approximately 7 1/2'. Colbert questioned size of vehicle for Haessig. Haessig reported standard sized vehicles. Colbert inquired what footage would the Fire Chief be pleased with. Staff reported that he will

not be pleased with 2'.

Brown made a motion, seconded by Welder to approve a Variance to allow reduction in side yard setback to 2' for Jason/Brandy Haessig at #1 Tammy Lane.

Motion passed 4-yes, 3-no.

Brenda Parker, Ed Delaney and Larry Wright - No

Staff stated that Variance will get sent to Board of Adjustment and Appeals for final approval.

OLD BUSINESS

None

OTHER/NEW BUSINESS

None

With no further business brought before the Commission

Motion was made by Welder to adjourn and was seconded by Amandus.

Motion was passed unanimously. The meeting was adjourned at 7:30 P.M.

Nick Colbert, Chairman of Planning and Zoning Commission