

WALLSBURG TOWN PLANNING COMMISSION MEETING

August 27, 2024 - 7 pm

1. Call to Order 7:00pm

a. Roll Call:

Carrie Mecham, Alisha O'Driscoll, Tammy Graham, Lucille O'Driscoll, Craig Keyser, Travis Defibaugh

2. Consent Calendar: Be it hereby moved that the following consent calendar items stand approved:

- a. Agenda of the August 27, 2024 Planning Commission Meeting
- b. Minutes of the August 20, 2024 Planning Commission Meeting

Items stand approved

3. Agenda Items:

a. Building Permit Application – Action Item

i. Review Keyser building permit application and plans

Craig Keyser explained that this is a re-application of a permit he got two years ago and had a lot of health issues come up, so they decided it wasn't worth starting and the permit expired. Reapplying, it is a smaller building, 4 feet narrower and is a pole building as opposed to a conventional building they were doing before. It will be in the same place. They paid impact fees last year and would hope they would still apply.

Carrie Mecham went through the accessory building checklist – Craig Keyser and the Planning Commission members confirmed all was good. Is it permitted in the zone? Does it meet applicable parking requirements? Does it require an analysis? Has it met the requirements of the infrastructure review process? Does the infrastructure appear to be correct? Does it require a certificate from a technical review committee? Travis Defibaugh commented that he has stamped plans, so the county will review. Can the existing utilities service? If the submission does not meet the requirements, the commission will notify the owner. Lucille O'Driscoll and Tammy Graham commented they did not see any problems. Easements? All fees paid? Site plan showing lot and location? Drawn to scale? Certified survey if structure is near lot lines or difficult to determine? Travis Defibaugh commented he has more than enough for setbacks. Contact information? Location or street address? Legal description of property and proof of ownership? Location and size of adjacent utility lines? NA Letter of certification from army corps of engineers re: subdivisions and will not impact wetlands? NA Located no closer than 3 feet from side and rear property lines? Carrie Mecham and Tammy Graham commented 3 feet is too close when this gets revised. Roof drainage required? Housing or shelter of animals must be 40 feet? NA Tammy Graham had a question if there will be power or water ran to the building. Craig Keyser commented yes power, no water. Carrie Mecham said the code does not say anything about that. Craig Keyser commented that the County goes through that. Lucille O'Driscoll commented that it is good for the Planning Commission to know because whether to send to the County or not. Travis Defibaugh asked about drainage. Craig Keyser said he dug a ditch, lined with fabric and rock. Tammy Graham thanked Craig Keyser for being prepared and bringing everything in.

ii. Vote to recommend building permit approval to the Wallsburg Town Council or continue to the next Planning Commission meeting for further review.

Motion: Lucille O'Driscoll moves to recommend to the Town Council for approval of the building permit.

Second: Tammy Graham **Vote:** Unanimous

While waiting for the next applicant:

Tammy Graham commented that 3 feet setbacks is not far enough. Regarding Adams', that fence was ripped out by the wind, so how does she know where the property line is. And when they go to put the fence back, 3 feet is not enough to put a fence in. If there is an overhang on the roof, it cannot go onto others property. I don't think 3 feet is enough, it should be at least 6 and maybe 10. Carrie Mecham agreed with 6. Tammy Graham asked if most buildings have an 18 inch to 2 foot overhang? 3 feet is just not enough. Carrie Mecham commented that 10' might infringe on frontage.

Lucille O'Driscoll looked into the code for frontage requirements and read by chance that flag lots are prohibited. Side discussion regarding Mike Brown's building permit inquiry and if that would be a flag lot. Discussion back and forth about whether center street would dead end in the future or if it will ever want to be continued further. Lucille O'Driscoll circled back that the concern with Adams' property would be that they need to know for sure

where that boundary line is, and how would we go about that without a survey? Travis Defibaugh commented that there should be survey stakes at the corners of their property that she could draw a line from. Tammy Graham echoed the concern.

b. Building Permit Application – Action Item

i. Review Adams building permit application and plans

Tammy Graham commented to Mailet Adams that “about 3 feet” needs to be exact. The people before you took the fence out. Mailet Adams commented that there are still stumps of fenceposts left that she is going to go off of. 3 feet from that, before the ditch. Tammy Graham asked if they could go further than 3 feet. Mailet Adams commented that she could go 5 feet. Tammy Graham asked if she could go 10 feet. Mailet Adams said she couldn’t go 10 feet because of the garage, she would need to get lawnmower and bikes out of the garage. Carrie Mecham asked if she could move it as far back as she could with still being able to access the buildings, although it is not required. Mailet Adams commented that she could do that. Tammy Graham commented that it needs to be as far as she can, but at least 3 feet. Commented she is nervous of who goes to rebuild the fence. Mailet Adams agreed. She commented that it will not be cemented in, it could be moved or taken down if needed. Wants to extend garden growing season, a frame to go over and extend the season. Lucille O’Driscoll asked if she will be running power or water? Mailet Adams said no. If she ever does it would be a solar light. Mailet Adams commented that she is not technical and wouldn’t hire someone to run power. The previous owners ran power to the garage but she wouldn’t hook that up. Lucille O’Driscoll commented that it will just be dirt and not cement? Mailet Adams confirmed, it will be very simple. Wants to grow as much food for her family as she can, using government grant to build it and they require a building permit. She would like to get it this year before it is too cold. Travis Defibaugh clarified that the government grant requires a building permit. Mailet Adams commented that they said for her to check if she needed one or not, so she is just checking it out for that. Travis Defibaugh commented that the Town checks setbacks and after approval the County may need to permit it. Carrie Mecham asked about the anchors. Mailet Adams explained that the wooden frame keeps in on the ground. She is going to follow the instructions on the website. Dig post holes to keep it from blowing over or partially buried wood frame. She got the sturdiest package because there is a lot of wind and snow. Carrie Mecham commented that wrapping Christmas lights around trees keeps them warm. Mailet Adams commented that she is going to try that because her fruit trees did not do well this year. Carrie Mecham called for questions or concerns from the commission. None heard.

ii. Vote to recommend building permit approval to the Wallsburg Town Council or continue to the next Planning Commission meeting for further review.

Motion: Travis Defibaugh **Second:** Lucille O’Driscoll **Vote:** Unanimous
Mailet Adams left a copy of her property deed she brought for the Town’s files.

c. Concept Meeting – Information and Discussion Only

i. Review and discuss Brown building permit inquiry

Mike Brown was not able to attend the meeting. This item was not discussed.

4. Commission Member Reports (questions, general discussion, assignments)

Travis Defibaugh brought up 5.2.1.4 in the code regarding frontage for flag lots, that may need to be considered in the Mike Brown discussion meeting. Carrie Mecham commented that it says flag lots are prohibited. Travis Defibaugh commented that flag lots cannot meet the 99’ frontage or the 35’ requirement, and that Mike Brown’s lot only had 20’. Even if he had 35’ of frontage, this says he still couldn’t do it because it is a flag lot? The question was raised on whether or not that would be considered a cul de sac. Discussed definition of flag lot and cul de sac. Carrie Mecham discussed keeping to a grid system in order to annex in the future. Tammy Graham commented that if he put in a loop road it would cut into his property. Tammy Graham commented that if he needs to put the road in, he should have to put the whole road in. If someone was going to come and build in the future, they can work that out. Lucille O’Driscoll commented that if he has to put a road in, it would cut into his acreage as well. Alisha O’Driscoll and Travis Defibaugh commented that the Town requirement is 1 acre, but the county might have more restrictions.

Tammy Graham commented that having a good map of the Town boundaries and roads would be nice. Alisha O’Driscoll will look into it. All agreed. Side discussion of platted roads to think about in the future.

Carrie Mecham commented that there is a Main Creek Irrigation ditch that will affect Mike Brown's plans, he will need to get a letter from them to move forward. Tammy Graham commented that Coby and MarDee Brown will need to look into going through the subdivision process because the property is in their name. Travis Defibaugh asked for a digital copy of the development code that is searchable. Alisha O'Driscoll will send it to the Planning Commission. Planning Commission will review Chapter 6 to prepare for the Mike Brown permit inquiry process.

Alisha O'Driscoll asked if these two reviewed tonight needs to pay the building permit review fee? Discussion back and forth. The consensus was that if they want an approval letter to get a building permit through the county, they need to pay the review fee. If they don't need a permit through the county, they don't need to pay, since they were able to be reviewed and approved in one meeting. Add discussing fees to future discussion list.

Travis Defibaugh commented that the agricultural exemption needs to be ironed out sooner than later, because Mailet Adams' should have been able to be under that.

Miscellaneous discussion on flag lots, possible flag lots and what this could look like now and in the future. Discussion ended with the confirmation that the Planning Commission needs to study and come prepared to next meeting with Chapter 6 regarding subdivisions.

Side discussion on annexation coming down the pipeline and how that would come into play with roads, subdivision policies, etc. Tammy Graham would like to be very careful on what is committed to because of how much adding and maintaining roads will cost, etc. The cost of everything is so high. Would like to look into how much a road one city block long would cost to build and maintain each year.

5. Schedule Next Planning Commission Meeting

- a. Schedule Next Meeting (September 17th, 2024 at 7:00PM)
- b. Call for Agenda items for next Planning Commission Meeting

Brown's building (with MAG). Future items to be discussed in October or later:

Short Term Rentals, Impact Fees, Fee Schedule, Agricultural Exemption, Subdivision Requirements (MAG)

6. Adjourn

Motion: Lucille O'Driscoll moves to adjourn

Second: Tammy Graham

Vote: Unanimous

Time 8:16 PM