

WALLSBURG TOWN PLANNING COMMISSION MEETING

April 29, 2025 - 7 pm

1. Call to Order 7:08PM

- a. Roll Call: Rob Fausett, Alisha O'Driscoll, Tammy Graham, Carrie Mecham, Lucille O'Driscoll, Trevor Pulham

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

- a. Agenda of the April 29, 2025 Planning Commission Meeting
- b. Minutes of the February 18, 2025 Planning Commission Meeting

Motion: Tammy Graham Second: Lucille O'Driscoll Vote: Unanimous

- c. Minutes of the March 25, 2025 Planning Commission Public Hearing/Meeting

Motion: Lucille O'Driscoll Second: Tammy Graham Vote: Unanimous

3. Agenda Items:

a. Building Permit Inquiry – Action Item

- i. Review building permit request from Rob Fausett to build an accessory building at 20 North Center Street

Rob Fausett wants to know the rules to build. He went to the county and they sent to the Town. Just where Elmo's building is. There's a basement there. Not looking to get a building permit, just want to put a shed on there and then clean the area up. Trevor Pulham asked what the size of the shed is. Rob Fausett said 12' by 22', a little over 200 square feet. Lucille O'Driscoll asked if it covers the full foundation of the store. Rob Fausett said no. He didn't know there was a basement under the store until they moved it. They stored a compressor and oil for lamps. Just wants to save the basement that was built in 1870 or 1880 instead of just demolishing it. Just wants to clean the area up. He has put a cap on top of the basement so it won't fill up with water. Howard (Ford) said it fills up with water, has in the past. Trevor Pulham asked how far the foundation is from the property line. Rob Fausett said that he owns the property on both sides of the building. Mario Castro talked about putting the fence back where it was but that hasn't gone through yet. Just want to clean the area up and make it look nice. Tammy Graham asked if the foundation is on Mario's side. Rob Fausett said, no- its on his side. Trevor Pulham commented that if they do put the fence back the shed will be 5 feet from the property line. Rob Fausett commented yes, but he doesn't know that the fence will be replaced. Lucy O'Driscoll said it just needs to be 3 feet from the property line. Trevor Pulham commented 20 feet from the street. Rob Fausett said that the fence line was never surveyed, it was just put in. Once a fence line has been there for 20 years it stays, it's just a big court battle. Misc comments about it going both ways. Rob Fausett said he has talked to a surveyor and the GPS aren't exact numbers and a lot of them are wrong. Tammy Graham asked what the sq feet of the shed will be. 264 square feet. Rob Fausett said that he will shorten it up if needed. Lucy O'Driscoll asked how tall it would be. Rob Fausett said he wasn't sure. Lucy O'Driscoll asked that it wouldn't be over 30 feet? Rob Fausett confirmed. Carrie Mecham commented about taking some photos of the basement to give to the Fords. Miscellaneous conversation about preserving history, etc. Rob Fausett commented that he just wants to clean it up and restore it. Lucy O'Driscoll commented that the front setback is 30 feet on accessory buildings. Rob Fausett commented that it's 20 feet from the fence, but 54 feet from the road. Trevor Pulham commented that he doesn't know what to do, but he doesn't like the idea of throwing away that foundation. Rob Fausett said if the Town doesn't like the idea of the shed, he could do a fence or something. Trevor Pulham said it's not the shed, it's the setback. Trying to find a way to let you build the shed without breaking code. I like the idea of restoring the 150 year old foundation. Tammy Graham commented that it is an open foundation right now and would like to see something over it for safety. Trevor Pulham asked if he ever intends to combine the parcels. If he were to combine the parcels, the setbacks could be claimed as a side instead of a front. Tammy Graham asked if they are combined, and Rob Fausett confirmed they are not. Rob Fausett has talked to the county and they could combine them. Trevor Pulham said he would like to find a way to allow it. Alisha O'Driscoll asked if there is anything conditional use in the code to allow since there was a building there. Carrie Mecham asked if it was small enough that he couldn't do anything with that land otherwise. Rob Fausett confirmed. Trevor Pulham commented that he found a way that it could be allowed, if it was moveable. Alisha O'Driscoll commented that it doesn't have to be moved, but it has to be moveable. Rob Fausett joked to have a hook on the roof. Miscellaneous discussion about setbacks, reference 5.2.1.8 – 3 feet from the property line. It's not technically an accessory building because there isn't a main dwelling. Trevor Pulham asked if he had any objection to combining the lots. Rob Fausett said no. Trevor Pulham reference being able to call it a side setback instead of a front setback. Miscellaneous discussion, all agreed that it is a good idea just want to find a way to make it work. Tammy Graham commented or make it less than 200 square feet. Carrie Mecham referenced where they made an exception in the past for the store and it didn't work out well. Not saying that would be the case here. Tammy Graham commented that the easiest way to do it would be to combine the parcels. Trevor Pulham said he could get on board with that. Lucy O'Driscoll jokingly asked if Rob could please make the building look like Elmo's store. Carrie Mecham commented that if we do recommend that he combine the two lots, would it still need to be a structure that was moveable. Trevor Pulham asked what the use of the building will be. Rob Fausett said it will be a shed, workshop. Trevor Pulham said we can offer conditional use permits for certain uses like playgrounds, elderly care, etc. Lucy O'Driscoll asked where in the code it addresses corner lots. 5.1.7.3. Lucy O'Driscoll asked how long ago it was created. Since it was so long ago it is a historical lot of record and just needs to apply to the code the best it can. Trevor Pulham commented that using the existing foundation puts it over the size requirements to get a building permit from the Town and the County and would involve engineering and all that. Rob Fausett said he won't be able to get a permit from the county for it, it is fine structurally, but no one is going to sign off on that. If the Town requires a building permit, the County will require a permit. Lucy O'Driscoll commented that is

a good point. Carrie Mecham asked how he feels about reducing the size or making it moveable. Tammy Graham commented that in 5.5.2.2 there are conditional uses that can be granted for certain uses. Trevor Pulham commented that is for zoning. Lucy O'Driscoll commented that the easiest way and only way to allow it would be to make it 200 square feet, that's the only way he won't have to get a permit for it. Lucy O'Driscoll and Tammy Graham asked if there is a way to issue a variance. Reviewed 4.3.4.1. Variance Applications and confirmed that it meets all required criteria to be issued a variance. Multiple comments about wanting to make it work, just needing to find a way to fit code. Trevor Pulham commented that if the accessory building looked like Elmo's old store, just a smaller version- he could easily give a variance. A historical memorial type thing. Rob Fausett asked how tall it should be. Miscellaneous discussion about scaling it down and making it reasonable. Lucy O'Driscoll asked if Rob Fausett needs to come back with plans if we issue the variance. Trevor Pulham commented that he would need to provide concept drawing, not necessarily drawn out plans. Lucy O'Driscoll asked Rob Fausett if he feels good about the discussion about making it to look like a scaled down version of Elmo's store. Trevor Pulham asked if the variance will still require a county permit. Alisha O'Driscoll commented that you may be able to include that into the variance, not requiring a permit. Alisha O'Driscoll commented that she doesn't think the county would get involved unless someone called to report it. Trevor Pulham commented that the County wouldn't have authority. Miscellaneous side discussions. Lucy O'Driscoll asked if we are asking too much to ask him to make it look like the old store. Rob Fausett commented that he doesn't mind. Trevor Pulham commented that he could take his concept drawings to the Town Council for final approval on Thursday. Miscellaneous discussion on the size of the shed and how to make it work.

- ii. Vote to approve building permit application and pass recommendation to the Wallsburg Town Council for final approval or continue discussion to a further meeting.

Motion: Trevor Pulham moves to approve Rob Fausett to put a 12' x 22' on an existing foundation where the old Ford store was located. We would like to grant a variance for the minimum setback of 30 feet to 20 feet with the provision that they make a reasonable effort to make it resemble the old Ford store, with a rendering provided to the Town Council for their final approval. We feel that Rob Fausett meets the requirements in 4.3.4.1 to issue a variance.

Second: Lucille O'Driscoll Vote: Unanimous

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

None Heard.

5. Schedule Next Planning Commission Meeting

- a. Schedule Next Meeting: Tuesday May 20th, 2025 7:00pm

- b. Call for Agenda items for next Planning Commission Meeting

Spencer Foster (MAG): OPMA Training, Impact Fees, Right Of Way Encroachment

6. Adjourn

Motion: Trevor Pulham moves to adjourn

Second: Lucille O'Driscoll Vote: Unanimous

Time: 8:12pm