

Laketown Planning & Zoning Commission Meeting
Wednesday, April 28, 2021
8:00 pm

Welcome & Attendance: 8:00 pm meeting start time. Duane welcomed those present.

Members Present: Duane Robinson, *Chairperson*; Nellie Brown, Tamie Gomez, Cody Reed, Gary Ogilvie, and Ruby Hunter, *Recording Secretary*.

Public Members: Scott and Tracy Horsley; Steve Marshall and Terry Sharp

Pledge of Allegiance: Led by Cody Reed.

Minutes: Members reviewed the minutes from March 31, 2021.

Duane made the motioned to accept the minutes.

Nellie accepted the motion.

Cody seconded.

All in favor.

Steve Marshall and Terry Sharp – Out-Building Permit:

Steve and Terry are both members of the family who own the white home across the street east of Dee's Super Service. Their family has owned the home for 30 years and it is in a family trust with no plans of that changing. They would like to put up a 11'2 x 20' prebuilt shed to store their outdoor equipment: tables, chairs, mowing and lawn equipment, etc. They provided detailed plot maps for the proposed out-building and indicated that the committee members would be welcome to visit the property where the proposed shed outline has been painted on ground.

Due to their property layout and the currently unused adjacent property, they would prefer to build it on the north property line. There were questions regarding residential setbacks. The committee members discussed the adjacent property owner, Ted Rick's inability to build due to his property's angle, size, and the 50-foot set back from the highway. It was determined that Mr. Rick's property on the north side will likely remained unused due to these constraints.

The residential setback is 10 feet; however, their property is unique in that it is a residential in a commercial zone. Currently, there are no commercial setback requirements. After a lengthy discussion it was determined that because there is not currently a commercial residential variance, their proposal would be accepted only on the condition that the shed remains on skids and if they are asked to move it, it will be

moved. Steve and Terry assured the committee multiple times that they will comply and there will be no resistance in moving the prebuilt shed should that become necessary.

Duane asked Nellie to handwrite the committee's proposal on the planning and zoning approval form. To paraphrase it included a description indicating that the Marshall family shed will go on the north property line with the caveat that if it does not work out and the property owner to the north requests they move it, it will be moved. They will keep the shed on skids specifically for this purpose. This proposal was approved because Laketown City does not currently have residential setbacks in a commercial zone.

Steve signed the required paperwork; Duane retained the original. Duane will attend city council in their behalf, there is no need for Steve or Terry to attend next week's meeting. Both Steve and Terry expressed their gratitude to Laketown for keeping our town as it has always been.

Duane entertained the motion.

Tamie motioned to accept the proposal.

Cody seconded.

All in favor.

Scott and Tracy Horsley – Out-Building Permit:

Scott and Tracy provided a plot map for their proposed pole building. They would like to build an out-building on the west side of their property for storage purposes. It will comply with city setbacks and the closest it would be to the Driesbeck's would be 26 feet. The building will measure 40' x 50'. They have contracted someone to build it for them. Nellie inquired on the height and Scott indicated that it will be roughly 22 feet in height. They plan to start mid-June.

Duane made the motion to accept the application.

Cody accepted the motion.

Tami seconded.

All in favor.

Mike Williamson Update – Out-Building Remodel:

Duane told the committee members that Mike would like to use the existing three walls and remodel his damaged shed, that is located behind his home. Mike came before P&Z last fall to discuss his options of rebuilding/remodeling his weather damaged shed. He was told that if he used the same footprint to rebuild, he could leave the shed where it is. If he decided to build an entirely new structure, exceeding the boundaries of the original footprint it would be considered a new build and would require 10-foot setbacks off the north property line. The Town Council approved him to remodel on the same

footprint without expansion. If he uses the same material as the old shed, then it is considered a remodel. Gary confirmed that at that town council meeting last fall it was said five times that if Mike would remodel on the same footprint it would be approved. At that same meeting Gary had suggested a variance and the city council had declined. The committee members agreed that if Mike is using the same footprint, it should be a remodel, not a new build and he therefore has permission to proceed with his rebuilding/remodeling efforts. Duane labeled Mike's proposal application a rebuild. Duane entertained the motion.

Tamie accepted the motion.

Nellie seconded the motion.

All in favor.

Curtis Christensen – Tyler Carlson Out-Building:

Tyler Carlson would like to build an out-building for his future pickleball court. Curtis will be overseeing the project. Curtis provided an approval email from Jon Carver, the Last Chance HOA President. He also provided the plans. The new building will be constructed by Newcore, measuring 42' x 70'. Curtis assured the committee the height will be below 25 feet. There was some concern over the email lacking Jon Carver's signature. Duane called Jon and requested a signed letter. Jon readily agreed to provide a signed document approving the proposed building. He will drop it off to Duane. The building will be slate gray, matching the Carlson home.

Duane entertained the motion.

Cody accepted the motion to approve the sports court building.

Tamie seconded.

All in favor.

Updated City Zoning Map:

And updated Laketown City zoning map was sent to the committee members for review. The members discussed roads that are identified on private property and whether they should be included. There was concern over the road going over Last Chance near the city's water tank. The concern is that it is private property and if it is identified as an access road, there may be an unwanted increase in ATV/public traffic. Nellie briefly mentioned Coyote Lane, near her home and the need for surrounding lot owners to help with maintenance, should it be completed according to the map. Duane noted the road above the cemetery is marked in yellow and that may not be necessary. After some discussion, the committee members agreed that for now the map is sufficient and if it needs changes in the future, it should not be a financial burden to make the changes and reprint the map.

Recommendations for Updated Ordinances:

Mayor Burdette sent an email via the city clerk to all committee members on Monday, April 26, 2021 for review. The members spent some time discussing the definitions that Nellie provided. Nellie agreed to email the definitions that she provided to all members. After a lengthy discussion, the members concluded that more time is needed to sufficiently review the changes and establish accurate definitions pertaining to the items in question. Duane suggested we ask the city clerk, Amber Droesbeck, to print out multiple copies for our next meeting and a productive review will take place then. More time is needed for the committee's recommendations.

Town Council Update – Gary Ogilvie:

Gary said there were two meetings this month one on April 7th and one on April 13th. There are still some chlorinator pump problems. A new mower is needed, and the arena needs to be dragged. There is a need for gravel on the arena road between Esterholdt's and Muirbrook's. The city clean up will be May 15th with hot dogs and there was discussion regarding the city's Easter Egg Hunt, which has already taken place. The town council discussed rewriting the code to better reflect how the city does things. Residents can now pay their water bills online, but it will include an extra fee of \$3.99. They spent a lot of time moving money around in the city's budget, and Gary suspects water rates will be increasing this year.

Action Items:

- There was a brief discussion on asking Amber to post the P&Z Agenda in the city's bulletin box on the outside of the building. Currently, Rich County's P&Z agenda is posted there, and it has created some miscommunication with some residents as they have assumed it is Laketown City's P&Z agenda.
- Request 8 copies of the emailed ordinances for review from Amber Droesbeck.

Around the Room:

Cody: Nothing.

Gary: Nothing.

Tamie: "We need more time on the documents that were sent for review."

Nellie: Nothing.

Ruby: Nothing.

Duane: Nothing.

Nellie motioned for the meeting to be adjourned at 10 pm.