

OFFICIAL

PLANNING AND ZONING MINUTES

MARCH 2, 2009

The meeting was called to order at 7:10p.m. by Vice-chairman Arnold Leek. Members present were Lynn Drown, Mark Hothan, Grace Jolly, Ben White and Arnold Leek.

Jason Klenklen was present.

The agenda was accepted as presented and the minutes of the February 2, 2009 were reviewed and accepted as presented.

Chairperson Sandi Goetz arrived at 7:20 and conducted the meeting from that time forward.

A discussion took place concerning an auxiliary shed that has been placed on a property at 628 Delaware Drive. The shed had come into town at the end of December 2008 or at the first part of January 2009. Chairperson Goetz sent a letter to that address inviting the resident to submit a site plan and application at the next Planning and Zoning meeting. Because the City of Ozawkie was without a city clerk at the time, she took the responsibility to remind the resident that a site plan and application are required by ordinance.

Grace Jolly and Mark Hothan pointed out that referencing Ordinance 4-210 was needed, along with 4-211: 4-211A (D) Building Permit #4 and 4-211B Building Permits: Continued (e) Temporary/Movable buildings.

The committee recommends that the City Council have a letter sent to 628 Delaware Drive reminding the resident that a site plan and permit application must be presented to the Planning and Zoning Committee.

Fencing setback issue discussion was resumed. On January 30, 2009, City Attorney Kurth was contacted by e-mail concerning the setback issue. A reply to the e-mail was received on February 3, 2009, after the February 2 Planning and Zoning meeting. Attorney Kurth recommended in his e-mail:

“However the commission wishes to handle it. You could consider a variance from the ordinance that would expire when the person ceases to own the property. If the P&Z and the individual can reach an agreement, that would be best, then that can be memorialized in granting the permit application. I know that the P&Z makes the recommendation to the city commission so the commission would have the final word.”¹

After discussion the committee recommends to the Ozawkie City Council that action be taken to correct the following violations of the fencing setback, an inoperable yard light (there is a post), and

¹ Attorney Kurth's quote was corrected to reflect the entire statement

