

OFFICIAL PLANNING AND ZONING MEETING

JUNE 7, 2010

The Ozawkie Planning and Zoning meeting of June 7, 2010 was called to order at 7:05 p.m. Members present were Arnold Leek, John Howey, Barb Griffith, Lynn Drown and Sandi Goetz. Mark Hothan was absent.

Lynn Drown made the motion to accept the agenda as presented and Arnold Leek seconded. All committee members voted yes.

The minutes of the May 3, 2010 meeting were reviewed. Lynn Drown made the motion to accept the minutes as presented. Arnold Leek seconded the motion. Motion carried.

NEW CONSTRUCTION: The committee discussed violations that have occurred at a residence on Kansa Drive. The resident had contacted the Planning and Zoning Chairperson inquiring about building a storage shed or possibly a carport. Instead, a structure has been placed by the garage door. The structure is made of plywood with hanging canvas for a door. No permit application had been submitted for the committee's recommendation to the Ozawkie City Council. The following ordinance states:

4-210. BUILDING PERMIT REQUIRED; APPLICATION; APPROVAL. It shall be unlawful for any person to hereafter erect or cause to be erected within the city any building or structure of any kind or enlarge or add to the outside dimension thereof, or relocate any building or structure already erected or which may hereafter be erected or remodel any building or structure within the city without a building permit being first obtained therefore from the city clerk, after approval by the chief building official or his or her duly authorized assistant. The application for such permit shall be made and the permit obtained before work is commenced upon any building or structure or the foundation thereof, or before the removal of any building begins. Violation of this ordinance could result in a fine set by ordinance.
(Code 2007)

The following Regulations and Restrictions violations were noted occurring at the Kansa Drive structure a tarp or canvas is serving as a door in violation of:

R-301 **TRAILERS, TENTS, ETC.:** No trailer houses, tents, mobile dwellings, tar paper sided structures, caves or shacks shall be allowed to occupy any of the lots, except recreational vehicles that are the property of the homeowner, which may be stored on their lots.

The City of Ozawkie definition of tent is as follows:

(35) **TENT:** A portable shelter consisting of, but not limited to, woven, non-woven or petrol-chemical based pliable materials such as canvas, nylon, Mylar, Visqueen etc., stretched over a rigid or supporting framework of poles, ropes or pegs.

The culvert at the address has been blocked and cannot perform as intended. The City Regulations and Restrictions state in R-320 **CULVERT:** Where needed due to landscaping or to provide for adequate removal of surface water. Every property owner shall furnish his own culvert or water tube on his private vehicle entrance. The culvert or tube shall be not less than twelve inches. Water accumulates, is stagnant and a breeding ground for insects.

Pictures were shown to the committee by the chairperson. Mrs. Goetz also stated that she might still have pictures of that residence “pre-construction” and before the culvert had been closed off. She volunteered to make copies, not only for Ozawkie City Council but for the Committee if they wanted them.

Lynn Drown made the motion that the Planning and Zoning Committee recommend to the City Council of Ozawkie have the residents at 700 Kansa Drive correct the afore mentioned violations. John Howey seconded the motion.

AYES: Lynn Drown
John Howey
Barb Griffith
Arnold Leek

NAYS: 0

ABSTENTIONS: 0

Other new construction/deconstruction is being conducted at other places in the City.

Delaware Drive 600 Block. The back screened in porch has been removed and a deck built in its place. Ordinances 4-210 applies to this tear down and new build. A permit is needed. The drive way is being torn up also.

At the 700 block of Delaware Drive a “pre-fab” or kit type enclosure has been placed under the deck on the patio. Although it is a kit, Ordinance 4-210 and appropriate permit apply.

On Sioux Drive a retaining wall had been removed, a new shorter retaining wall poured on the northwest corner of the house. The yard has been graded.

The Planning and Zoning Committee agreed that they and the City needs to better inform the residents of Ozawkie that building permit applications need to be made to the Planning and Zoning Committee for review and recommendation to City Council. Not everyone has access to the internet nor can they afford to purchase a Code Book of the City Of Ozawkie. Arnold Leek recommended that we check with the City to see if we can have dedicated space in the City’s quarterly news letter to remind and inform citizens that permits are needed. The committee could add different information each quarter. Lynn Drown and Barb Griffith thought that that informational “welcome baskets or kits to new residents might be useful.

The committee has started a review and study of Fees, Fines, and Bonds for Chapter Four, Building and Construction. Fines will be our main focus since there is only one fine in place for chapter 4. We worked on 4-703(b) Permit for explosives. At the present time the permit fee is \$100. One

possible recommendation was that the permit fee be raised from one hundred dollars (\$100) to one thousand dollars (\$1000.00). The applicant must provide proof of insurance of two million (\$2,000,000.00) One million (\$1,000,000.00) to the City of Ozawkie for infra structure repair and one million (\$1,000,000.00) for the affected structures in the City of Ozawkie. After a specified time, it would be possible for the licensed technician to have one-half of the permit fee refunded. No vote was taken at this time.

The Committee's next meeting is scheduled to be on July 5, 2010. Due to the July 4 being a national holiday we will continue the meeting on July 7, 2010 at 7:00 p.m.

The meeting was adjourned at 8:30 P.M.

Sandi Goetz ☺