

Unofficial Draft Minutes

Meeting of the Planning and Zoning Commission for Thursday, September 1, 2011.

The meeting was called to order by Vice Chairman Patt Olsen at 7:00 p.m. Present were Dale Hughes, LeeAllen Smith, Guy Lee, Don Bormann, Mark Mustain, Jessica Orsini, and Tim Grenke. Also attending were Lynn Behrns, Farris Sanders, Charles and Karen Stewart, Catherine Simmons, Larry Dudgeon, and James Smith.

Olsen requested the Commission observe a Moment of Silence for former Commission member Randy Adams, who died this morning.

Those present recited the Pledge of Allegiance.

Orsini moved approval of the minutes of June 9, 2011. Smith seconded the motion. The question was called. All members present voted "aye". There were no "nay" votes, and the motion carried.

Behrns presented a request by Kourtney Marty for a conditional use permit to operate a day care home at 807 W. Rodney Griffin Street. They recently had a similar permit for 130 Sunset Lane—a block away. They are moving, but the previous permit does not transfer to the new site. The Rodney Griffin Street property is zoned R-1 (One-family Dwelling District). For the record, Behrns noted that there is no other day care home within 800 feet of the proposed site. A notice of public hearing was displayed in the August 17, 2011 of the Centralia Fireside Guard. Before that date, copies of the notice were sent by certified mail, return receipt requested, to all residents and property owners within 300 feet of the property line of the subject property. Also, a sign announcing the public hearing was placed in the front yard of the property and has remained in place through this date. Before this meeting, Behrns received one letter of objection from Zelda Clark of 106 Sunset Lane. He also received a letter of support from Commissioner Don Bagley, who could not be present at this meeting. No other questions or comments concerning the requested were received by staff before this meeting. Behrns explained the difference between baby sitting, day care homes, and day care centers and how they fit into the various zoning districts.

Olsen opened a hearing for public comment on the application. Both of the Stewart expressed support for the request. They called Marty's day care home at the 130 Sunset a "well-run" operation.

Olsen closed the hearing for this evening and the Commission briefly discussed the issue.

Smith then moved that the following be adopted: It is the decision of the Planning and Zoning Commission that all applicable provisions of Section 31-65 and Section 31-19(B) of the Centralia City Code have been met or will be met by the applicant, Kourtney Marty, to obtain a conditional use permit to operate a day care home at 807 Rodney Griffin Street. Hughes seconded the motion. The question was called.

On roll call vote, the following members voted aye: all members present.

The following members voted nay: none.

The following members abstained: none.

The motion passed.

Orsini then moved that the application made by Kourtney Marty for issuance of a conditional use permit to operate a day care home at 807 Rodney Griffin Street be granted and that a conditional use permit be issued with the following stipulated conditions: (1) That a fenced-in area will be maintained that will meet the outdoor recreational needs of the children, (2) That the applicant receive and maintain a state license to operate a day care home., (3) That the facility keep no more children that is allowed by said state license and by City Code Section 31-19, Subsection B-4, whichever is more restrictive, (4) That an operational telephone be provided and maintained on the premises, (5) That the applicant shall operate the facility in conformance with all applicable City and state laws as they now exist or may be revised from time to time, and (6) That the applicant inform the City whenever the use as a day care home is ended. Grenke seconded the motion.

On roll call vote, the following members voted aye: all members present
The following members voted nay: none.
The following members abstained: none.
The motion carried.

Before the adjournment of the meeting, no one signed a written objection to the granting of the conditional use permit. Thus, the matter need not be referred to the Board of Adjustment for further review.

Behrns then presented a request by Melody and Wayne Kemper that the property at 402 W. Bruton Street be rezoned from R-1 (One-Family Dwelling District) to R-3 (Multi-Family Dwelling District). The request would allow the placement of a duplex or apartment building on a property where a single-family house had recently been destroyed by a fire. The property is next to the COLT Railroad and the property adjoins an area currently zoned R-3 on the north side of Bruton Street. A notice of public hearing was displayed in the August 17, 2011 of the Centralia Fireside Guard. Prior to the meeting no comments had been received by the City staff except for the letter from Bagley, who supported the request, but thought that the Commission should encourage other properties in the area to also request similar rezoning.

Olsen opened a hearing for public comment on the application. No testimony or questions were presented.

Olsen closed the hearing for this evening and the Commission briefly discussed the issue.

Bormann then moved that the Planning and Zoning Commission recommend to the Board of Aldermen that the property at 402 W. Bruton by rezoned from R-1 to R-3. Smith seconded the motion.

On roll call vote, the following members voted aye: all members present.
The following members voted nay: none.
The following members abstained: none.
The motion passed.

Behrns told the Commission that the Board of Aldermen had it to consider a request by Charles and Karen Stewart of 110 Sunset Street. Behrns recently denied a request from the Stewarts of 110 Sunset Street to extend their front porch about twelve feet out from the wall of the house, to make it about 16 feet long, and to enlarge the roof to cover the total area of the new porch. He said he had determined that the request was not allowed under the front yard setback requirements for the zone district of the property (R-1). He further told the Stewarts that the situation did not result from a hardship present with the property and would be very unlikely to qualify for a variance. The Stewarts then requested that the ordinance be changed in a way that could allow the addition they desired. The issue for the Commission to consider is whether the City should put forth an amendment to the Zoning Code.

Behrns reported that there does not seem to be a survey for the Stewart property, but best available evidence is that most of the front portion of the house is 30' from the front lot line. R-1 zoning requires a 25' front yard setback, so they could add a 5'-wide porch along the front without any conflict. Also, Section 31-47 (C) of the City Code allows for a covered porch to project into the front yard a maximum of 6', with a total area of encroachment of 60 square feet. A deck or uncovered porch may project into the front yard by a maximum of ten feet (including steps). The Stewarts have indicated that they need an area large enough for their whole family to set and covered from the afternoon sun. Any change the Commission might recommend would have to be of a general nature—not specific to this property, but applicable at least to other properties with R-1 zoning.

There followed an extended discussion. Stewart said he had not interest in gradual letting the porch evolve into a room. He was fine with an amendment forbidding porches with screens and enclosures. He emphasized he was only asking for two more feet Orsini said she likes the idea of front porches because they create a more community flavored neighborhood. The historic trend was, unfortunately, the opposite.

Stewart said his neighbors did not object; one commented that if Stewart built the porch, he wanted to visit.

Bormann said our standard was the same as in Columbia. There was no parallel example in Boone County. What was o the books had worked satisfactorily for a long time. Behrns related some history, noting that the limited exemption was to give some flexibility to houses in the older (pre-zoning) section of town.

Orsini said she was not interested in indulging in "what may happen". Olsen said she is concerned with the effect of amendments to the whole City, not just the Stewarts.

Stewart suggested just changing the maximum area of encroachment from 60 square feet to 100 square feet. He also said that Marty would have wanted a larger porch with roof at her old location, but had been dissuaded by the City. He asked about "gazebos" that is large porch umbrellas, which have recently become popular.

Bormann wondered if we made this small change, how we would say no to the next request for "only a further small change"?

Orsini suggested that any amendment make the area permitted for covered and uncovered porches the same. Mrs. Stewart said she needed dry access when for occasions when she has to use a wheel chair. Orsini repeated a question about why fight the standard when the Stewarts can get a 10x16 porch within present regulations? Stewart said his roofer told him it would look bad and not be good construction. That 16' is the right increment to match "outset" of the existing house.

Olsen said she was not ready to decide tonight. Stewart said he could be hurt by increasing prices. Olsen said she didn't't want to get into issues of cosmetics. Orsini physically demonstrated that 12' x 10' is a relative large area for a porch.

Behrns outlined procedures for amending the Zoning Code. It would probably take more than two months to get a final ordinance approved by the Board of aldermen.

Olsen asked for an informal straw poll of the Commission. Should the matter proceed in some form, be tabled, or be dropped? Smith was against a change. So was Bormann. Lee said he was looking for more information. Orsini like the idea of standards that allowed real porches. Mustain said that he would consider small increases in the maximum square footage, but was not interested in substantive changes. Hughes also wanted more information. He had questions about handrails and ramps and said that even open porch can get tacky. Olsen said she was not yet sure. She might go along with a slight change, but not a carte blanche overhaul.

Stewart told Orsini that she might be inclined to put up a large deck just to spite the town. Grenke said he felt the same as Mustain-100 square feet might be okay, but not any greater change.

Stewart was told that a petition from the neighbors would not help. Bormann suggested that the Commission might not move fast enough to allow construction before winter.

Lee moved to table the subject for two months or until the next meeting if earlier, in order to have more time for research. Hughes seconded the motion.

On roll call vote, the following members voted aye: all members present.

The following members voted nay: none.

The following members abstained: none.

The motion passed.

With the departure of the former Chairman and the appointment of a new member, the Commission then proceeded to select new officers.

Smith nominated Olsen to be Chairman. Orsini seconded the motion. There were no other nominations. The voted was called. The following members voted for Olsen: Grenke, Bormann, Orsini, Hughes, Mustain, Olsen, Smith, and Lee.

The following member abstained: none

Olsen was elected Chairman and assumed the office.

Orsini nominated Bagley to be Vice-Chairman. Bormann seconded the motion. There were no other nominations. The voted was called. The following members voted for Bagley: Grenke, Bormann, Orsini, Hughes, Mustain, Smith, and Lee.

The following member abstained: None

Bagley was elected Vice Chairman.

Grenke nominated Smith to be Secretary. Orsini seconded the motion. There were no other nominations. The voted was called. The following members voted for Smith: Grenke, Bormann, Orsini, Hughes, Mustain, and Lee.

The following member abstained: Smith

Smith was elected Secretary and assumed the office.

Bormann then spoke to the Commission about the possibility of amending the Zoning Code to change the side yard setback to a standard of six feet (except for the side adjoin the side street of a corner lot. Presently in some residential zone districts, the yard for the main structure is to be at least 10% of a lot's width. But it must be at least 6 feet and need not be more than 15 feet. Bormann noted that the City of Columbia never requires more than six feet. He also said that building codes require a six-foot separation a fire break and for access for public safety personnel. Bormann said he was forward this as a request from Darren Adams, who is representing a property where the prospective buyer wants to build a duplex, but also wants to have a limited side yard setback on the interior side of the lot.

Commission indicated that this could be discussed at the next meeting.

Farris Sanders inquired about a complete bike route for his daughter to IMS. To school Board, no jurisdiction, may be able to improve SE corner, but still no crosswalk on Singleton either

Smith moved that the meeting adjourn. Orsini seconded the motion. The question was called. Voting aye: all members present. Voting nay: no member. The motion carried.

The meeting adjourned at about 8:35 p.m.

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