

Meeting Minutes

Waverly Municipal Planning Commission

Regular Meeting

August 9, 2006

Municipal Building

APPROVED

The meeting was called to order by Chairman Corwin at 2:07 p.m. Chairman Corwin recognized in attendance Commissioner Allen and welcomed newly assigned Commissioner Boyd. Also in attendance was Mr. Nathan Davis the Development Director for the City who announced that Mayor Dale Reed would be arriving but that he would be late.

Chairman Corwin referred to the Agenda and asked if everyone had received the minutes from the last meeting by email from Mr. Davis. After everyone acknowledged the receipt, Chairman Corwin asked if there were any revisions, deletions or additions needed. After hearing none, Chairman Corwin requested a motion to approve the minutes as prepared. **A motion was made to approve the minutes as prepared by Commissioner Allen and the motion was seconded by Commissioner Boyd. Roll Call: All Aye. The motion carried.**

Chairman Corwin referred to the next item of the agenda which was the annual election of officers. Chairman Corwin opened the floor to Mr. Davis who explained the section of the By-Laws that required the Commission to elect officers annually. Mr. Davis also explained that according to the by-laws only commissioners that had served previously on the board for a minimum of one year were allowed to be nominated as officers. Mr. Davis stated that the two designated officer positions were Chairman and Vice-Chairman. Mr. Davis stated that the only two commissioners eligible for nomination were Mr. Corwin and Mr. Allen.

At this time Chairman Corwin asked if there were any nominations for Chairman. **Commissioner Allen made a motion to nominate Mr. Corwin as Chairman. This motion was seconded by Commissioner Boyd.** At this time Chairman Corwin asked if there were any more nominations for Chairman. Hearing none, Chairman Corwin asked if there were any nominations for Vice Chairman. **Commissioner Boyd made a motion to nominate Commissioner Allen as Vice Chairman. Chairman Corwin seconded the motion.** At this time Chairman Corwin asked if there were any more motions for Vice Chairman. Hearing none, Chairman Corwin asked for a motion to close the floor for nominations of officers. **A motion was made to close the floor by Commissioner Boyd and the motion was seconded by Commissioner Allen. Roll Call: All Aye.**

At this time Commissioner Corwin asked for a motion to approve the nominations for Officers with the nominations listed as: Commissioner Corwin as Chairman and Commissioner Allen as Vice Chairman. Commissioner Allen made a motion to approve Commissioner Corwin as Chairman and Commissioner Allen as Vice Chairman. This motion was seconded by Commissioner Boyd. Roll Call: All Aye. The motion carried and Commissioner Corwin was placed as Chairman and Commissioner Allen was placed as Vice Chairman until May of 2007.

At this time Chairman Corwin referred to the next item on the Agenda which was the proposed revision to section III, F1 of the by-laws which covered the length of residency required for an elector to be eligible to serve on the Planning Commission. Mr. Davis explained that an elector named Richard Demlow had been chosen by the Mayor to serve as the representative to Ward 3, but Mr. Demlow pointed out that he had only lived in the City for 3 years and not the required 5 according to the by-laws. Mr. Davis reported that the Mayor felt the length of required residency was too long especially since the requirement for City Council was only one year. Chairman Corwin stated that he agreed with the Mayor that the length of residency was in fact too long and should be lowered to 3 years. Commissioner Allen and Commissioner Boyd both agreed. Chairman Corwin stated that a vote on the matter would have to wait until Mayor Reed arrived because the by-laws could not be proposed for revision unless all members were present. Under old business Chairman Corwin asked if there was any more discussion pertaining to the organization of the R-1 Zoning District Code as reviewed at the last meeting. Chairman Corwin stated that he did not agree with the exclusion of modular or manufactured homes in the proposed R-1 Zoning District Code. Commissioner Boyd stated that he also felt that it might be a mistake since such homes as the nice residency recently erected behind Blue Flame Gas would not be allowed. Mr. Davis said he certainly understood this concern as asked the Commission if they wanted him to strike the restriction from the proposed code. The Commission agreed to do this. At this time the proposed R-1 Zoning District Code was brought up on the projector screen. The agreed upon change to the allowance of modular and manufactured homes were made and the proposed zoning district code was approved as follows:

CHAPTER 1125
R-1 One-Family Residence District

- | | |
|-----------------------------|----------------------|
| 1125.01 Permitted uses. | 1125.05 Lot coverage |
| 1125.02 Off-street parking. | |
| 1125.03 Lot size. | |
| 1125.04 Yards. | |

CROSS REFERENCES

- Accessory building and use defined – see P. & Z. 1107.03
- Curb level defined – see P. & Z. 1107.18
- Lot definitions and measurement –see P. & Z. 1107.42 et seq.
- Sign definitions – see P. & Z. 1107.77 et seq.
- Variations and special exception permits – see P. & Z. 1113.04 et seq.
- Maintenance responsibility for required yards and open spaces – see P. & Z. 1151.01
- Permitted yard obstructions – see P. & Z. 1151.05
- Additional requests for special accessory buildings – see P. & Z. 1151.10
- M-1 performance standards applicable to residence districts – see P. & Z. 1151.12

1125.01 PERMITTED USES.

In an R-1 District the following uses are permitted:

- (a) One-family detached dwellings to include modular or manufactured homes.
- (b) Lands and buildings used for agricultural purposes provided that such buildings for such use shall be located at least 300 feet away from any dwelling on another zoning lot.
- (c) Roadside stands for the display, sale or offering for sale of agricultural products grown or produced on the property, provided that the standards and produce on display are located ten feet back from the nearest right-of-way line.
- (d) Home occupations.
- (e) Schools: public, denominational or private, elementary and high, including playgrounds, garages for school buses, athletic fields and other uses auxiliary thereto.
- (f) Churches, seminaries, rectories and parish houses.
- (g) Parks, forest preserves and recreational areas, when publicly owned and operated.
- (h) Golf courses, Private Clubs or Taverns including ancillary uses normally provided, such as restaurants, residential uses for guests, manager and other employees, provided that such buildings for such use shall be located at least 300 feet away from any dwelling on another zoning lot.
- (i) Temporary buildings for construction purposes for a period not to extend beyond the completion date of such construction.
- (j) Signs, as permitted and regulated by Chapter 0000.
- (k) Public utility facilities, as defined by the State.
- (l) Accessory uses, including off-street parking facilities in accordance with the provisions of Chapter 1155. (Ord. 00-00. Passed 00-00-00.)

1125.02 OFF-STREET PARKING.

Automobile parking facilities in R-1 Districts shall be provided as required in Chapter 1155. (Ord. 00-00. Passed 00-00-00.)

1125.03 LOT SIZE

(a) Every one-family detached dwelling hereafter erected in a R-1 District shall be located on a tract of land having an area of not less than 43,560 square feet, (1 acre) and a width at the established building line of not less than 200 feet, except as otherwise provided herein. (Ord. 00-00). (Passed 11-20-67.)

1125.04 YARDS.

No building shall be erected or enlarged in R-1 Districts unless the following yards are provided and maintained in connection with such building, structure or enlargement:

- (a) Front Yard. A front yard of not less than seventy-five feet;
- (b) Side Yards. A side yard on each side of the main structure of not less than fifty feet.
- (c) Rear Yard. A rear yard of not less than seventy-five feet; (Ord. 00-00. Passed 00-00-00.)

1125.05 LOT COVERAGE.

Not more than thirty five percent of the area of a zoning lot in an R-1 District may be occupied by buildings and structures, including accessory buildings. (Ord. 00-00. Passed 00-00-00.)

At this time Chairman Corwin requested Mr. Davis to proceed to the New Business item of the Agenda which was the R-2 and R-3 Zoning District Codes. Mr. Davis brought the codes to the screen and the proposed district codes were read aloud by Mr. Davis to the Commission. Chairman Corwin asked the Commission for any recommended revisions deletions or additions. Hearing none, the proposed R-2 and R-3 Zoning District Codes were approved as follows:

CHAPTER 1127
R-2 One-Family Residence District

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| 1127.01 Permitted use. | 1127.05 Lot coverage. |
| 1127.02 Off-street parking. | |
| 1127.03 Lot size. | |
| 1127.04 Yards. | |

CROSS REFERENCES

1127.01 PERMITTED USES.

In an R-2 District the following uses are permitted:

- (m) One-family detached dwellings to include modular or manufactured homes, unless otherwise privately deed restricted.
- (n) Roadside stands for the display, sale or offering for sale of agricultural products grown or produced on the property, provided that the standards and produce on display are located ten feet back from the nearest right-of-way line.
- (o) Home occupations.
- (p) Schools: public, denominational or private, elementary and high, including playgrounds, garages for school buses, athletic fields and other uses auxiliary thereto.
- (q) Churches, seminaries, rectories and parish houses.
- (r) Parks, forest preserves and recreational areas, when publicly owned and operated.
- (s) Temporary buildings for construction purposes for a period not to extend beyond the completion date of such construction.
- (t) Signs, as permitted and regulated by Chapter 0000.
- (u) Public utility facilities, as defined by the State.
- (v) Accessory uses, including off-street parking facilities in accordance with the provisions of Chapter 1155. (Ord. 00-00. Passed 00-00-00.)

1127.02 OFF-STREET PARKING.

Automobile parking facilities shall be provided in R-2 Districts as required in Chapter 1155. (Ord. 00-00. Passed 00-00-00.)

1127.03 LOT SIZE.

Every one-family detached dwelling hereafter erected in an R-2 District shall be located on a tract of land having an area of not less than 7,000 square feet and a width at the established building line of not less than sixty feet.
(Ord. 00-00. Passed 00-00-00.)

1127.04 YARDS.

No building shall be erected or enlarged in R-2 Districts unless the following yards are provided and maintained in connection with the building, structure or enlargement:

- (a) Front Yard. A front yard of not less than twenty-five feet.
- (b) Side Yards. A side yard on each side of the principal building of not less than six feet, except where a side yard adjoins a street, the minimum width of such side yard shall be increased to ten feet.
- (c) Rear Yard. A rear yard of not less than thirty feet.
(Ord. 00-00. Passed 00-00-00.)

1127.05 LOT COVERAGE.

Not more than thirty-five percent of the area of a zoning lot in an R-2 District may be covered by buildings or structures, including accessory buildings. (Ord. 00-00. Passed 00-00-00)

CHAPTER 1129
R-3 One-Family Residence District

1129.01 Permitted uses.

1129.05 Lot coverage.

1129.02 Off-street parking.

1129.03 Lot size.

1129.04 Yards.

CROSS REFERENCES

1129.01 PERMITTED USES.

In an R-3 District the following uses are permitted:

- (w) One-family detached dwellings **to include** modular or manufactured homes, unless otherwise privately deed restricted.
- (x) Roadside stands for the display, sale or offering for sale of agricultural products grown or produced on the property, provided that the standards and produce on display are located ten feet back from the nearest right-of-way line.
- (y) Home occupations.
- (z) Schools: public, denominational or private, elementary and high, including playgrounds, garages for school buses, athletic fields and other uses auxiliary thereto.

- (aa) Churches, seminaries, rectories and parish houses.
- (bb) Parks, forest preserves and recreational areas, when publicly owned and operated.
- (cc) Temporary buildings for construction purposes for a period not to extend beyond the completion date of such construction.
- (dd) Signs, as permitted and regulated by Chapter 0000.
- (ee) Public utility facilities, as defined by the State.
- (ff) Accessory uses, including off-street parking facilities in accordance with the provisions of Chapter 1155. (Ord. 00-00. Passed 00-00-00.)

1129.02 OFF-STREET PARKING.

Automobile parking facilities shall be provided in R-3 Districts as required or permitted in Chapter 1155. (Ord. 00-00. Passed 00-00-00.)

1129.03 LOT SIZE.

Every one-family detached dwelling hereafter erected in an R-3 District shall be located on a lot having an area of not less than 5,000 square feet and a width at the established building line of not less than fifty feet.

(Ord. 00-00. Passed 00-00-00)

1129.04 YARDS.

No building shall be erected or enlarged in R-3 Districts unless the following yards are provided and maintained in connection with the building, structure or enlargement:

- (a) Front Yard. A front yard of not less than twenty feet.
- (b) Side Yard. A side yard on each side of the principal building of not less than five feet, except where a side yard adjoins a street or alley, the side yard shall not be less than ten feet.
- (c) Rear Yard. A rear yard of not less than twenty feet. (Ord. 00-00-00. Passed 00-00-00.)

1129.05 LOT COVERAGE.

Not more than fifty percent of the area of zoning lot in an R-3 District may be covered by buildings or structures, including accessory buildings. (Ord. 00-00-00. Passed 00-00-00.)

At this time Mayor Reed arrived. Mr. Davis explained the proposed revision to the By-laws lowering the residency requirement for Commission members from 5 to 3 years. Mayor Reed reiterated that the change was needed and necessary because 5 years was excessive. The Commission agreed. **Commissioner Boyd made a motion to change Section III, F 1 in the by-laws to state the following:**

- A. Prospective members should meet the following minimum qualifications:**
 - 1. Potential Planning Commissioners shall have a length of residency in the City of at least 3 years.**

The motion was seconded by Commissioner Allen. Roll Call: All Aye.

Mr. Davis announced he would prepare the proposed motion in ordinance form for City Council to consider at the next City Council regular meeting.

At this time Chairman Corwin asked if there was any audience participation. Hearing none Chairman Corwin asked for a motion to adjourn. Commissioner Allen made a motion to adjourn. Commissioner Boyd seconded the motion. Roll Call: All Aye. The meeting was adjourned at 3:05 p.m.

These minutes were prepared using an audio recording.