

DICKINSON COUNTY PLANNING AND ZONING COMMISSION

Monday, November 20, 2006

1:00 P.M.

The Dickinson County Planning and Zoning Commission met Monday, November 20, 2006 at 1:00 p.m. in the conference room of the Zoning/Engineer's building.

Members present were Duane Moser, Tony Weber, Tim Fairchild, Robins Jackson, Bob Chaffin and Jon Gunderson. Absent was Sally Nielsen.

Robins Jackson called the meeting to order at 1:00 p.m.

First on the agenda were the minutes of October 16, 2006. Moser moved to approve the minutes as written. Weber seconded. All in favor.

Second on the agenda was McClelland's Beach Plat – discussion of west entrance. Jim Blum handed out copies of the plat showing the original proposed entrance and the change they are requesting. The roadway that comes between the house and the storage building they propose to put to the west side. There is a grove and some utilities down there, so it makes sense to move it closer.

Blum was asked what impact this change would have. He said it would combine lots 136 and 137.

Kohlhaase said the preliminary plat had been presented to the Planning and Zoning for approval. Now this is a change, but it has no impact. The Planning and Zoning board is to decide if it needs to come back for preliminary plat change.

The board members had no objection to the road change and felt it wasn't necessary to re-visit the preliminary plat.

Third on the agenda was a discussion of the Overlay District for P.M.C. Inc. Jason Carlstrom and P.M.C. presented a draft of proposed wording. The zoning office had reviewed this and made some changes to make it more consistent with Zoning Ordinance 102.

Weber said he still has concerns of the 0' lot lines.

Discussion of minimum front yard bordering the parking area. The zoning office suggests front alignment plus 10 feet.

Fairchild asked if the lines shown on the site plan are individual lot lines or just imaginary lines?

Carlstrom said these are from a survey done in 1991.

Kohlhaase said they are guidance for the folks who own property in P.M.C. as to how close they can build. It is necessary for them to have lot lines to maintain their existing structures or to rebuild.

Weber suggested calling them "parcel" rather than "lot". A horizontal property regime could almost apply here.

Discussion on removing lines from the site plan. It was decided to leave lines there to serve as guidance.

Weber feels it is okay to maintain, but if they want to rebuild a structure, they should have to comply with the perimeter setbacks, especially the two side yards.

Carlstrom had checked with the fire chief who said their water pressure is so powerful, closeness of the buildings is not a problem.

Weber said they have 9 out of 22 structures that are closer than 5 feet to the lot line. The clubhouse won't comply. On the side yards, 9 of 22 structures won't comply. On the rear yard, 2 won't comply.

Agreement was reached on making the changes to the proposed draft of the overlay district. The office will make the changes and send a copy to Mr. Carlstrom for review by the P.M.C. board.

Fifth on the agenda was review of the amendments proposed to Zoning Ordinance 102 and acted upon by the Board of Supervisors at their November 14th meeting.

- 1) Gravel and resource extraction. All the recommended changes were disapproved.
- 2) Minimum acreage size of 5 acres was not approved.
- 3) Article 5 A-1 Agricultural District, Equipment repair – storage of equipment. The supervisors had asked for additional wording for clarification for outside storage.
- 4) All RE Resort Enterprise amendments were approved.

Fourth on the agenda was an amendment to Article 3, definitions, to change the wording of building height of.

Tony Weber had done some research and drew diagrams of examples of houses built on various grades.

- 1) One story with a walk-out is a common design. In the example presented, the house couldn't be built because it would be too high.
- 2) Two story on a level lot, the maximum roof pitch would be 7/12.
- 3) Two story with a walkout, the maximum pitch would be 5/12. Often the design calls for 6/12, 7/12, or 8/12 and then the chimney must be 2 feet above the roof.

Weber said if we change the definition as discussed, it will severely restrict the roof pitch common in today's market.

Kohlhaase read the existing wording and proposed wording.

Discussion followed and the board members agreed on wording as follows: "In all cases, roof height is measured from the highest finished grade to the highest position of the roof."

This will be published and put on the next meeting agenda.

Sixth on the agenda was the comprehensive plan and possibly changing the mission statement. Kohlhaase said at the Board of Supervisor's meeting, Paul Johnson had written a proposed philosophy regarding protection of the environment and natural resources. He had suggested that it be an attachment to the Comprehensive Land Use Plan. The supervisors had suggested coming back to the Planning and Zoning Commission to see if they want to include this wording, or reconsider any changes to the mission statement.

Fairchild felt the statement was pretty broad and may eliminate any use but fresh air and sunshine.

Weber said the statement is true, but he is not sure it needs to be added to what is already spelled out in the comprehensive plan.

Fairchild said that by leaving the statement out, you are not saying that natural resources can be compromised.

The members were in agreement not to attach the statement to the comprehensive land use plan.

Lonnie Saunders said that in review of the comprehensive plan it already provides for consideration of the environment in the plan that was adopted.

Seventh on the agenda was any old, new or unknown business. Kohlhaase advised the members that there would be an annual joint meeting with the Board of Supervisors probably in January.

There being no further business, the meeting adjourned at 2:45 p.m.

Filed By: Barbara Woodley

Date: November 28, 2006