

AGENDA
CITY OF STURGEON BAY
CITY PLAN COMMISSION
Wednesday, February 19, 2014
7:00 p.m.
Council Chambers, City Hall
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 15, 2014.
4. Public comment on non-agenda items.
5. Consideration of: Zoning code and sign code amendments to create Institutional district.
6. Consideration of: Sign code amendment to allow electronic message signs in residential districts.
7. Consideration of: Zoning code amendment regarding setback from navigable water.
8. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

2:00 p.m.
2/14/14
CN

Plan Commission Members:
Dan Wiegand – Chair
Richard Wiesner
Mike Gilson
Laurel Brooks
Jeff Norland
Steve Parent
Dennis Statz

CITY PLAN COMMISSION
Wednesday, January 15, 2014

A meeting of the City Plan Commission was called to order at 7:15 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Steve Parent, Rick Wiesner, Dan Wiegand, Dennis Statz, Mike Gilson, and Jeff Norland were present. Excused: Member Laurel Brooks. Also present were City Administrator Steve McNeil, City Engineer Tony Depies, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Statz, seconded by Mr. Norland to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from December 18, 2013.
4. Public comment on non-agenda items.
5. Conditional use request from T.M. Crowley & Associates for approval of a drive-through facility for a proposed pharmacy:
Presentation:
Public hearing:
Consideration of:
6. Consideration of: Sign code amendment to allow electronic message signs in residential districts for churches.
7. Adjourn.

Carried.

Approval of minutes from December 18, 2013: Moved by Mr. Wiesner, seconded by Mr. Parent to approve the minutes from December 18, 2013. Carried.

Public comment on non-agenda items: No one spoke during public comment.

Conditional use request from T.M. Crowley & Associates for approval of a drive-through facility for a proposed pharmacy:

Presentation: Richard Donner, attorney for T.M. Crowley, the developer for CVS Pharmacy, introduced Project Engineer Brad Prischman, who explained where the drive-through for the proposed CVS Pharmacy would be located. The existing access on 14th Avenue for the Neighborhood Pub would be closed and relocated as far south as possible. Also, the existing access on Egg Harbor Road would be closed. The Maurices/US Cellular driveway located on Egg Harbor Road will remain as a shared driveway with CVS. The store entrance will face 14th Avenue, with the drive-through window located at the SE corner, keeping away from pedestrian flow and store entrance. There will be enough room to stack seven cars and there will be a one-way drive aisle.

Public hearing: Chairperson Wiegand opened the public hearing at 7:25 p.m.

Bob Schlicht, 244 N. 17th Dr. and District 7 Alderman, complimented the development team on their site plan. He was just concerned about proper traffic flow with the shared driveway.

There was no written correspondence. The public hearing was declared closed at 7:27 p.m.

Consideration of: Mr. Olejniczak commented that one thing that was not evident on the site plan was signage. Directional signage is permitted with a maximum of 4 sq. ft. Any exterior lighting associated with the drive-through facility would need to be shielded.

Mr. Norland questioned the City easement in relation to the detention pond and what the distance is from the canopy to the curbing. Mr. Olejniczak responded no curb cut would be necessary since there would be very few times the City would need to attend to the pond.

Mr. Donner added that the drive-through would be for prescription pick-up only. Doctors would call ahead for the pharmacy to have the prescription ready for the customer.

Mr. Prischman stated there is enough room for a car to pass another car and exit in the drive-through lane if they decided not to pick up their prescriptions. There will be directional signage to direct traffic from 14th Avenue and Egg Harbor Rd. There will also be signage painted on the pavement. Mr. Depies added that the canopy is not the full width of a car.

Charlie Haapala, representing T.M. Crowley, stated that there will be LED lighting under the canopy, with frisbee-shapes containing pin lights. The building will have wall packs, with the lighting shining down. If there are any lights installed that the City does not agree with, they will be removed.

After further discussion, it was moved by Mr. Gilson, seconded by Mr. Norland to approve the conditional use request for a drive-through facility, subject to any exterior lighting associated with the drive-through facility must use shielded fixtures such that light is not directly cast skyward or onto adjoining properties. All ayes. Carried.

Consideration of: Sign code amendment to allow electronic message signs in residential districts for churches: Mr. Olejniczak referred to a letter from City Attorney Randy Nesbitt in regard to regulating EVMS in the residential district. Mr. Nesbitt concluded that making decisions on such signs on a case by case basis is not recommended, as well as not allowing such signs in the residential districts solely for churches. Having different requirements for such signs in the residential districts is OK provided the regulations are content-neutral. Rules regarding the size, brightness, message interval, etc. would be permissible.

Mr. Olejniczak added that an online petition was received through the Change.org website by Melissa Hadley. The petition was against allowing LED/Neon flashing signs in the residential neighborhoods of Door County, WI. The petition was signed by two Sturgeon Bay residents, two or more Door County residents, 24 signatures from other parts of the United States, and 8 residents from around the world.

Mr. Olejniczak offered several options for the Commission to consider.

Mr. Wiegand mentioned that he came across a national list regarding electronic signage. There are limitations on what can be put on the signs. No one can be excluded. Mr. Olejniczak added that the City requires static messages only. They cannot change earlier than six seconds. Currently, a manual reader board or permanent signage is allowed in residential districts.

Commission members were fearful of setting precedence. Setting hours of operation and brightness only for churches is one thing, but the concern was with the rest of the residential district.

Mr. Olejniczak brought up the idea of creating a special zoning district for churches/schools that would allow the electronic message signs, such as an institutional district.

Steve Heinz, 211 N 17th Dr., representing Bay View Lutheran Church, stated they were just looking at installing a sign similar to the Sturgeon Bay High School. Brick would be used to match the exterior of their building. They would not only advertise church events, but community events. Neighbors had been contacted. There was only one neighbor that had a concern. They would like to proceed and feel it would be worthwhile.

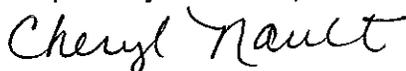
Bob Schlicht, 244 N 17th Dr., President of St. Peters Church, stated they are looking to replace their existing sign. A campaign had been started four years ago to raise funds for an electronic message sign. The cost of that sign is in excess of \$29,000. The plan is to use Door County limestone and make it attractive. Their board would be used for advertising different activities that are held within the church facilities, such as open fitness, blood drive, and basketball. He said each activity brings their own sign that is placed on the church property. He would agree to creating an Institutional district.

Mr. Wiegand suggested that Mr. Olejniczak contact Mr. Nesbitt in regard to creating an Institutional zoning district.

Mr. Olejniczak stated there are still setbacks to follow and size requirements. Signs would have to be approved by the Aesthetic Design & Site Plan Review Board. He will investigate an Institutional zoning district.

Adjourn: Moved by Mr. Statz, seconded by Mr. Parent to adjourn. Carried. Meeting adjourned at 8:10 p.m.

Respectfully submitted,



Cheryl Nault
Community Development Secretary

MEMO

To: City Plan Commission
From: Martin Olejniczak, Community Development Director
Date: February 14, 2014
Subject: Institutional Zoning District

For a couple of meetings the request to allow electronic variable message signs (EVMS) in residential zoning districts has been considered. Although the request was specifically for churches there was concern that an amendment would lead to other consequences in the residential areas. At the last meeting an idea was broached to create a separate zoning classification with its own permitted uses, sign requirements, and other rules geared toward churches and other institutional use.

The creation of an institutional zoning district is a valid way to handle the EVMS issue. Many zoning codes contain a zoning classification for public and institutional uses. As long as the standards are consistent within this district, they can be tailored to match the community's desires related to churches, schools, and so forth.

A draft of the provisions of this type of district has been completed. The district is called Public and Institutional (P-I) to match the category and definition already within the Sturgeon Bay Comprehensive Plan Future Land Use map. The proposed permitted and conditional uses are based upon uses within the City's other zoning districts that seemed appropriate for P-I and a review of other City's zoning codes. Some of these uses could be shifted between permitted and conditional, if desired.

The dimensional and sign standards are based upon other districts in the Sturgeon Bay code. Right now many of the institutional uses are zoned R-4, so the setbacks and sign rules are roughly in line with what is currently allowed in R-4. However, the Plan Commission will want to verify these provisions.

This approach of creating a separate zoning classification will take longer to implement than just an amendment to the sign code. First, the specific standards with the zoning code and sign code need to be approved by the Plan Commission. A public hearing is needed to amend the zoning code, followed by adoption through first and second readings by the Council. Once the district is created, it can then be mapped. There are two options. The City could proactively pick areas that it wants to be zoned P-I and schedule a public hearing to rezone those areas. The second option is to wait for individual property owners or groups of property owners to petition for a rezoning to that district.

Please review the proposed district and be prepared to determine if you want to pursue the creation of the P-I district and, if yes, the specific uses and rules for that district.

20.09 Use regulations for P-I district.

The Public & Institutional P-I district is intended to provide appropriate areas for community facilities or public uses such as educational, medical, governmental, and cultural facilities.

(1) Permitted uses are:

- (a) Churches and religious institutions.
- (b) Elementary, junior, and senior high schools.
- (c) Colleges and vocational schools.
- (d) Government administrative offices, public utility offices, police stations, and fire stations.
- (e) Libraries & museums.
- (f) Parks and playgrounds.
- (g) Recreational and community center buildings and grounds.
- (h) Charitable institutions, clubs and lodges.
- (i) Funeral homes.
- (j) Medical, dental, and veterinarian facilities.
- (k) Child day care facilities, provided the facility is licensed by the Wisconsin Department of Children and Families.
- (l) Botanical and community gardens.
- (m) Accessory dwelling units for caretakers or clergy associated with a listed permitted or conditional use. Such dwellings shall comply with the dimensional requirements of the R-2 district under s. 20.27(2).
- (n) Accessory uses customarily incidental and subordinate to any of the above uses provided that no such use generates traffic or noise that would create a public or private nuisance.

(2) Conditional uses are:

- (a) Hospitals.
- (b) Communication towers.
- (c) Public garages, shops or storage yards.
- (d) Penal or correctional institutions and asylums.
- (e) Sewage treatment plants, water pumping or storage facilities, water treatment plants, electrical transformer stations, gas regulator stations, and similar facilities for public utilities.
- (f) Art galleries.

- (g) Community living arrangements, except as regulated in § 62.23(7)(i), Wis. Stats., and provided, however that the 2,500-foot distance described in § 62.23(7)(i)2r.a., Wis. Stats., shall not apply.
- (h) Nursing homes.
- (i) Animal shelters and pounds.
- (j) Airports, including terminal facilities and necessary concessions.
- (k) Cemeteries, crematoria, columbaria, and mausoleums.
- (l) Parking lots.

20.72 Height and area regulations generally.

- (1) The maximum impervious surfaces shall be 70% of the lot area.
- (2) Dimensional requirements.
 - (a) Minimum lot area – 21,780 square feet (1/2 acre)
 - (b) Minimum lot width – 100 feet
 - (c) Required yards.
 - 1. Street – 25 feet
 - 2. Side – 10 feet, except where the side yard abuts premises located in a residential district, the required side yard shall be increased to 20 feet.
 - 3. Rear – 25 feet
 - (d) Maximum building height – 45 feet

Signs in P-I district

- Area of Wall Signs. Walls signs shall not exceed one square foot per linear foot of building façade [to a limit of 50/100/?? square feet per building façade]. *See note 1*
- Area of Ground Signs. Ground signs shall not exceed 64 [32, 100] square feet facing each frontage. *See note 2*
- Height. Ground signs shall not exceed 12 [20] feet in height. *See note 3*
- EVMS. Permitted with the following rules: *See note 4*
 - a. Size: 32 [16, 24, ??] square feet maximum
 - b. 6 [30, ??] seconds per message change
 - c. No limits on hours of operation [limited to between 6 AM and 9 PM, ??]

Notes:

1. Currently, most institutional uses in residential districts are restricted to a wall sign limit of 50 sq. ft. per façade. However, such uses in the commercial districts as well as schools, hospitals, offices, and clinics in R-4 district have no wall sign limit.
2. Currently, most institutional uses are restricted to 32 sq. ft. of sign area per frontage. However, such uses in the commercial districts (as well as schools, hospitals, offices, and clinics in R-4) are allowed to have up to 100 sq. ft. of sign area per frontage.
3. Currently, most institutional uses are restricted to a ground sign height of 12 feet. However, such uses in the commercial districts (as well as schools, hospitals, offices, and clinics in R-4) can have ground signs up to 20 feet in height.
4. Currently, EVMS are not permitted at all in residential districts. In commercial districts, institutional uses can have of to 32 square feet of EVMS with 6 second message interval and no limit on hours of operation.

ADDENDUM TO EXECUTIVE SUMMARY

Title: Sign Code Amendment – Electronic Variable Message Signs in Residential Districts.

Additional Information: Based upon discussion at the previous Plan Commission meeting, the City Attorney was asked to weigh in on options for regulating EVMS in the residential district. The City Attorney's opinion letter is included in the agenda packet. The conclusions are:

1. Making decisions regarding such signs on a case by case basis is not recommended. It likely runs afoul of previous court rulings that sign regulations must be content-neutral.
2. Allowing such signs in the residential districts solely for churches is strongly recommended against. This is due to both content-neutral concern and establishment clause of the 1st Amendment concern.
3. Having different requirements for such signs in the residential districts is OK provided the regulations are content-neutral. So, rules regarding the size, brightness, message interval, etc. would be permissible.

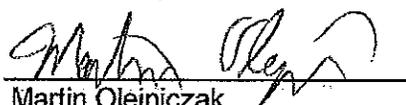
The Attorney also indicates that there is no legal problem with maintaining the current outright ban on such signs in the residential districts.

Based upon the Attorney's opinion, staff opted not to create a sample ordinance for the case by case review option.

Petition: An online petition was initiated through the Change.org website by Melissa Hadley. The petition states: "Do not change the zoning to allow LED/Neon flashing signs in the residential neighborhoods of Door County WI." A number of people signed it from around the world (8) and other parts of the United States (24), but there were only two submissions from Sturgeon Bay residents (Josh Hadley and Rose Wodack), and two more from other Door County residents. It is unclear from the language of the petition if the issue at hand is understood because the City already allows LED and neon signs in residential neighborhoods and prohibits flashing signs. It is the strictly the variable message issue that is being considering for amendment.

Options: Assuming the options to do case by case reviews and limit the amendment to just churches are no longer to be considered, the Plan Commission still has the following options to consider:

1. Recommend approval of the sign code amendment to add residential districts to the eligible areas for electronic variable message signs following the current dimensional and operational standards.
2. Add additional restrictions and recommend approval of the amendment. Some examples of the restrictions that have been put forth include smaller size limit than the 32 sq. ft. used for commercial districts, longer time interval between message changes than the 6 seconds currently used in commercial areas, and time limits on the use of such signs (such as 6 AM to 9 PM).
3. Reject the request to amend the code (EVMS would still be prohibited in the residential districts).

Prepared by:  1-10-14
 Martin Olejniczak Date
 Community Development Director

Proposed amendment to allow electronic variable message signs in the residential zoning districts

Option 1 – Allowed using same rules as commercial districts

Subsection 27.12(4) of the Sturgeon Bay Sign Code is amended as follows:

(4) Electronic variable message signs (EVMS). The sign inspector may issue a special sign permit for a EVMS in the residential, commercial and industrial zoning districts. The sign inspector shall apply the following standards in reviewing the proposed sign:

[rest of Subsection not changed]

Option 2 – Allowed but with extra rules

The following is a sample. The specific rules within the residential districts can be modified, eliminated or created as desired by the plan commission.

Subsection 27.12(4) of the Sturgeon Bay Sign Code is amended as follows:

(4) Electronic variable message signs (EVMS). The sign inspector may issue a special sign permit for a EVMS in the residential, commercial and industrial zoning districts. The sign inspector shall apply the following standards in reviewing the proposed sign:

(a) Dimensional standards.

[par. 1 & 2 not changed]

3. The illuminated or message display area of the EVMS shall be included within the area to be regulated as the maximum area of a sign for the site. The message display area shall not exceed 32 square feet in the commercial and industrial districts and shall not exceed 24 square feet in the residential districts.

(b) Operational standards.

[par. 1 & 2 not changed]

3. Each message displayed by the EVMS shall remain for a minimum of 6 seconds in the commercial and industrial districts and 30 seconds in the residential districts.

[par. 4 through 9 not changed]

10. EVMS located within the residential districts shall only be operated between the hours of 6 A.M. and 9 P.M. Such signs shall not be illuminated or used during other hours.

MEMO

To: City Plan Commission
From: Marty Olejniczak, Community Development Director
Date: March 14, 2013
Subject: Zoning Code Amendment – Setback from Navigable Water

Currently, the City does not have any specific regulations pertaining to how close a building can be to the shore of the bay or to navigable streams. In many cases the shoreline or the stream is also a lot line, so the minimum side yard or rear yard requirement can be applied in those instances. But, the minimum setback in those instances is usually only 10 or 25 feet and can be even less for accessory buildings.

The state requires counties to enforce a setback in the unincorporated portions of the county. Door County follows the state DNR-imposed 75-foot setback from the ordinary high water mark of the lake or stream. The county's rule includes an averaging provision whereby the required setback can be reduced to the average setbacks of the adjoining lots in cases where adjoining lots have structures that are closer to the shore. However, these rules are not enforced in the City of Sturgeon Bay, except for recently annexed areas.

During the drafting of the Sturgeon Bay Comprehensive Plan, the Plan Commission discussed whether it was a good idea to create a special setback requirement for the City. No final decision was made at that time, but the adopted Comp Plan contains a policy within the goals and objectives section of Chapter 4 to "consider adopting a setback from navigable water."

At a recent meeting the Plan Commission requested that this issue be further researched and options be brought forth. Using the County's GIS info, the Community Development Department staff looked at the existing setbacks of dwellings located along the water. This info and the conclusions gleaned from the data are shown below.

The following options may be considered for a setback from navigable water:

1. Adopt the shoreland zoning provision (75 feet with averaging to reduce to 40 ft).
2. Adopt the shoreland zoning provision, but allow the averaging provision to reduce the setback to 25 feet.
3. Adopt a 25-foot setback for all buildings.
4. Adopt setback requirements based on zoning district classification.
5. Adopt setback requirements based upon sanitary sewer service. Use 25 feet for areas served by sanitary sewer and use 75 feet with averaging to reduce to 25 feet in non-sewered areas (Cove Road and Duluth Place).
6. Make no changes.

Staff recommends option 3 or option 5. For the most part the imposition of a larger setback would be to protect the existing property owners from loss of view due to construction on adjoining lots. Thus, if the residents of Cove Road and/or Duluth Place feel the more stringent requirement is beneficial, it

should be considered. Otherwise, the straight 25 foot setback should be used since it applies to accessory buildings and make it more clear to property owners how close the principal buildings can be to the water compared to the current zoning code.

Residential Waterfront Lots

181 lots with dwellings

17 lots without dwellings*

198 total lots

Conclusions: Nearly all lots already contain a dwelling. Of those still vacant, the future building site is already dictated due to the size (depth) of the lot or other factors. Only Cove Road (7 lots) appears to have vacant lots whereby the placement of a new dwelling close to the water could impact views for adjoining lots.

A new setback from the water provision would, therefore, mostly likely have an impact on "rebuids" whereby older homes set further from the water are proposed to be replaced by newer homes closer to the water.

*These consist of 3 at Strawberry Creek Estates, 2 on N. Hudson Avenue, and 1 each on Tacoma Beach Rd, Circle Ridge Circle, Vine Ct, and Duluth Place.

Existing Setbacks for Waterfront Lots with Dwellings**

0 – 25 feet = 21 lots (11.7%)

25 – 50 feet = 60 lots (33.3%)

50 – 75 feet = 50 lots (27.8%)

> 75 feet = 50 lots (27.8%)

** The current setbacks were measured from air photos with an estimated ordinary high water mark. Actual field measurements based upon on-site conditions could yield different results.

Conclusions: Nearly all of Sturgeon Bay's waterfront dwellings are set back less than the shoreland zoning standard of 75 feet that is applicable in the unincorporated parts of the county. The county rule, however, does permit averaging, which can reduce the minimum setback to 40 feet. But, even with an averaging provision, many existing homes may become nonconforming if the county rule is adopted in Sturgeon Bay.

Many of the waterfront lots in Sturgeon Bay, particularly those served by sanitary sewer, are smaller. Therefore, there is less leeway in terms of placement of the home away from the ordinary high water mark.

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Consideration of: Moved by Mr. Gilson, seconded by Ms. Brooks to act on this item at this meeting. Carried.

Mr. Olejniczak stated that Mr. Anderson is allowed to farm the tillable area of the property for up to 10 years.

After a short discussion, it was moved by Ms. Brooks, seconded by Mr. Norland to recommend to Council approval of the zoning map amendment as described. All ayes. Carried.

Presentation of: Zoning Map Amendment proposed by the YMCA for undeveloped lots along N. 19th Place – Single-Family Residential (R-1) to Conservancy (CON): Mr. Olejniczak explained that a presentation is the first step of this procedure, followed by a public hearing at a future meeting. The zoning map amendment would change the current residential district to Conservancy, which would match the intended use.

Dan Powell, Executive Director of the YMCA, explained that the YMCA has the intent to purchase 21 lots from Spring Oaks Subdivision, which is the property next to the YMCA, in order to create outdoor programming. Acquiring this property falls into their mission. They have an interested donor in purchasing this property. They like the idea of a park setting. Graef, the YMCA's Engineering Firm, assisted them with the design of their plan.

Mr. Powell added that the YMCA is looking at constructing an addition to the building. More parking spaces would be needed. The master plan, which has been approved by the YMCA Board, indicates a sports court where the "gym" can be taken outside and includes a multi-athletic surface. A picnic shelter, sand volleyball court, amphitheater, walking path, and exercise equipment are also in the plan. He envisions casual use of athletic fields and not regulation fields. All of these ideas need funding. The approximate cost is \$850,000 and is subject to the YMCA purchasing the property.

The members discussed the proposal with Mr. Powell, including potential changes to the site plan and consideration of parking off of 19th Place. No action was needed at this time.



Consideration of: Zoning Code Amendment – Setback from Navigable Water: Mr. Olejniczak stated that most of the County is under shoreland zoning, which requires a 75-foot setback from the ordinary high water mark. The City is not obligated to adopt the shoreland zoning except for newly annexed areas. Therefore, the City just uses the normal building setback from a lot line. The ordinary high water mark has been treated as a lot line. The Comp Plan contains a policy within the goals and objectives to consider adopting a setback from navigable water. One reason would be if there are still some undeveloped areas and worries from an ecological standpoint, to keep buildings further off the water to protect the riparian zone. Another reason is for aesthetics, as well as protecting existing residents where their buildings may be a certain distance from the water, but a new house is constructed next door that would be set closer to the water, thereby impacting views.

Mr. Olejniczak provided some options related to setbacks from navigable water, such as:

1. Adopt the shoreland zoning provision (75 ft., with averaging to reduce to 40 ft.).
2. Adopt the shoreland zoning provision, but allow the averaging provision to reduce the setback to 25 ft.
3. Adopt a 25 ft. setback for all buildings.

4. Adopt setback requirements based on zoning district classification.
5. Adopt setback requirements based upon sanitary sewer service. Use 25 feet for areas served by sanitary sewer and use 75 ft., with averaging to reduce to 25 ft. in non-sewered areas. (Cove Road and Duluth Pl.)
6. Make no changes.

Staff recommends option 3 or option 5. If the Commission decides to continue with this, a public hearing would be held at a future meeting.

Commission members discussed the options. Mr. Olejniczak said there was no urgency in making a decision. Letters could be sent out to waterfront owners asking their feedback and move forward.

Mr. Gilson didn't feel a need to move forward with this, but he said if the other Commission members wanted to proceed, he certainly would encourage no more than a 25' setback.

Mr. Olejniczak gave several suggestions to the Commission, such as to hold off on action at this time, direct staff to proceed with one of the options and come back with formal language, do not make any changes and the matter would be dropped, or refer to Council with a tentative recommendation to see what they think before a public hearing would be held.

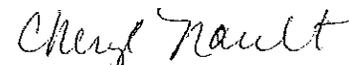
No action was taken. By consensus, the members present decided this item will be put on a future agenda when all members are present.

Consideration of: Zoning Code Amendment – Minimum street yard for accessory buildings on waterfront lots: Mr. Olejniczak stated that there is a zoning code provision on how close to the street an accessory structure can be. It states that it cannot be any closer than the front edge of the house, unless the house is 60' or more from the street, in which case the accessory structure has to be at least 60 feet. For shore lots, there are situations where the garage may be forced to be on the water side of the house. Many homeowners consider the water side as the front. If the Commission feels this is an important enough issue to amend the code, it can be looked at. One option is to exempt the shore lot from this and keep the setback of 25'. In situations where the detached garage is forced to be built in the floodplain and it has to follow the 60' setback, loosening the rule to be less than 60' could be another option.

It was the consensus of the Commission to pursue ordinance language regarding minimum street yard to accessory buildings on waterfront lots.

Adjourn: Moved by Mr. Norland, seconded by Ms. Brooks to adjourn. Carried. Meeting adjourned at 8:09 p.m.

Respectfully submitted,



Cheryl Nault

Community Development Secretary