

**MINUTES OF THE MEETING  
OF THE  
ALLAMAKEE COUNTY  
PLANNING AND ZONING COMMISSION**

**January 18, 2010**

**Board of Supervisors' Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson John Smola.

| Roll call of Commission Members: |               |         | Term Expires |
|----------------------------------|---------------|---------|--------------|
|                                  | Nancy Everman | Present | 2010         |
|                                  | Kirby Cahoon  | Present | 2011         |
| Chair                            | John Smola    | Present | 2012         |
|                                  | James Pladsen | Present | 2013         |
| Vice-Chair                       | Duane Leppert | Present | 2014         |

Planning and Zoning Staff present: Tom Blake, Zoning Administrator.

See attendance sheet for public and others in attendance.

All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Election of Officers: Smola called for nominations for Commission Officers for the 2010 year. Everman made a motion to continue with the John Smola as Chair and Duane Leppert as Vice-Chair. Cahoon seconded. MCU

Minutes for the December 21, 2009 meeting were presented and read by Blake. Pladsen made a motion to approve as presented. Cahoon seconded. MCU

Smola presented the proposed meeting agenda, requested that "Development of a Regional Land Use Approach" be added under New Business and to remove "Review of Property Rights and Zoning Legislation" from New Business. Motion made by Everman to approve the agenda as amended. Pladsen seconded. MCU

Chairperson Smola opened the Public Comment Period.

- Doug Mullen addressed the Commission regarding:
  - Process for adding items to the Commission Agenda.
  - Mullen advised that he was planning on harvesting timber on his property and inquired into whether timber harvesting was an activity that was

exempt from the Bluffland Protection District Overlay regulations. Blake advised he would research and reply to Mr. Mullen's inquiry.

- Mullen informed Commission that a letter to Timber Buyers/Foresters sent in June, 2009 was supposed to be followed up by another letter which had not been sent out. Blake advised he would follow up on the issue.

Being there were no further public comments for items not on the agenda, Smola closed the Public Comment period.

Smola called for any Old Business:

- Bluffland Protection District (BPD)– Discussion was held regarding the Realtor letter request, definitions of buildable and non-buildable lots (as defined in Section 115.4.19 of the Ordinance,) and the request to exempt all lots platted prior to the ordinance from the BPD regulations. The fact that the BPD does not create non-buildable lots was discussed. Blake presented ordinance language that addressed the non-structural provisions of the BPD, allowing for a process to apply for non-structural exemptions from the BPD. Consensus of Commission members to include the following language in the recommendation to the Board of Supervisors once all items have been discussed and a final recommendation can be drafted to the Supervisors for their consideration: “Platted building lots recorded prior to the final passage of this ordinance are exempt from complying with the Bluffland Protection Overlay District requirements for structural construction only if it is such that this section creates a non-buildable lot but all other provisions of the Bluffland Protection Overlay District shall apply. These non-buildable lots may be exempted from some or all of the other provisions of the Bluffland Protection Overlay District by applying to the Planning and Zoning Commission as contemplated in Section 302.5.2 of this Ordinance.”
- The grandfather (non-conformity) clauses in the ordinance were discussed. Section 115.4.19 of the Ordinance was read, clarifying the buildable/non-buildable lot issue. Blake advised that he was working on a report, with the help of the Assessors and Auditors offices, that would detail the non-conforming lots of record in the County. Also, the non-conforming lots of record that were of common frontage and under single ownership could be identified and the impact of the second paragraph of Section 114.3 could be identified. Discussion was held on the existing language. Consensus of the Board Members to not recommend any language changes at this time.
- Minimum Lot Sizes were discussed. Blake presented a space requirements/site plan for a single family rural residential lot. Setbacks of septic systems, backup systems, wells, drives, required yards and the remaining buildable area was discussed. No action taken.
- Cluster Development Concept was discussed. Of particular interest was the possible reduction of lot sizes if wells and sanitary sewer systems were shared. No action taken.

Zoning Administrator Report—Blake presented a report on the building permits issued since July 1, 2009 and an updated items of interest report. The work on a Development Planning Map with the Assessors office was discussed. No definite time line for delivery of that map is yet available.

New Business:

- Hanson, Judie and Curtis Minor Subdivision Plat -- The plat was presented, along with the recommendation from the Plat Review Committee. Cahoon made a motion to approve the Hanson, Judie and Curtis Minor Subdivision Plat. Pladsen seconded. MCU
- Jones, Calvin and Lois Minor Subdivision Plat -- The plat was presented, along with the recommendation from the Plat Review Committee. Cahoon made a motion to approve the Jones, Calvin and Lois Minor Subdivision Plat. Leppert seconded. MCU
- Snitker, Jon and Nancy Minor Subdivision Plat -- The plat was presented, along with the recommendation from the Plat Review Committee. Leppert made a motion to approve the Snitker, Jon and Nancy Minor Subdivision Plat. Cahoon seconded. MCU.
- Goals for 2010 were discussed. John Smola introduced his preliminary plans and/or goals for this year. There will be a lot of work ahead of us. One of the first items to be completed would be a study of the existing Comprehensive Plan. It is in need of updating. He recommends that a group of individuals beyond the Commission and Board be brought together to provide the input necessary to formulate a substantive update of the County Comprehensive Plan. Also, a policy regarding Rural Residential Lot Sizes need to be researched and developed. Furthermore, the data will need to be acquired for a Second Annual Planning and Zoning Report.
- Development of Regional Land Use Approach. Smola presented a letter from the Upper Explorerland Regional Planning Commission regarding the development of a Land Use Planning Guide and Study.

The consensus was obtained to set the next meeting for 6:00 PM on the 22<sup>nd</sup> of February, since the 15<sup>th</sup> is a holiday.

Motion made by Everman and seconded by Cahoon to adjourn the meeting. MCU

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Tom Blake, Zoning Administrator