

Sidney, Nebraska, February 19, 2013

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 P.M. on February 19, 2013 in the City Council Chambers. Present were: Chairman: Spiker and Commissioners: Egging, Lawler, Leever, Mueller, and Phillips. Absent: England, Gull, and McCarville. Others present: City Manager Person, Interim Chief Building Official Dayton, City Attorney J. Leef, and Deputy Clerk Heilbrun. Notice of the meeting was given in advance thereof by publication in The Sidney Sun Telegraph, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Chairman and all members of the Commission, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Spiker announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review.

Egging moved, Lawler seconded "That the minutes of the January 21, 2013 meeting be approved as printed." Roll call vote: Yeas: All commissioners present. Absent: England, Gull, and McCarville.

Chairman Spiker announced that the Planning Commission would now hold a public hearing re: Defining Accessory Buildings in R (Residential) Zones; and any applicable language clarification or change to the Planning & Zoning Code."

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: City staff members present.

Interim Chief Building Official Dayton reviewed the proposed definitions relating to "lot coverage", Section 1240.03 (69), defining garages and accessory buildings under one term as "accessory buildings", whether attached or unattached, and specifications of an attached accessory building as outlined in Section 1266.03 (i).

Following discussion it was the consensus of the Commission that the term "garage" be replaced with "accessory building" throughout the Planning and Zoning Code, with a single reference of garage on the Use Chart indicating " see accessory building". The Commission felt that the use of a single term would eliminate future confusion between the two. It was further determined that impervious surfaces be included in calculating lot coverage. It was decided that the stipulation of 50% for a "common wall" for an attached accessory building be eliminated from the attached accessory building requirements.

There being no further questions or comments on the item, Chairman Spiker closed the public hearing and asked for a motion.

Phillips moved, Lawler seconded "That the Planning Commission recommend to the City Council that the following changes to the Planning & Zoning Code regarding Defining Accessory Buildings in R (Residential) Zones be approved." Roll call vote: Yeas: All commissioners present. Absent: England, Gull and McCarville.

Recommended Changes to the Planning & Zoning Code shall read as follows:

1240.03 DEFINITIONS.

(69) Lot Coverage. "Lot coverage: means the percentage of the lot area covered by buildings, structures and impervious surfaces located on the lot.

1266.03 DETACHED ACCESSORY BUILDINGS.

(a) R ZONES: In any R Zone, no residential property shall have more than one attached and one detached accessory building, and a detached accessory building shall be located: No further forward than the front wall of the main building.

(6) In an R-3 zone, the setback from a side street shall be set back from the right of way line of such street a distance of at least 20 feet. (from 1266.06)

(f) Accessory buildings with a floor area of 180 square feet or less shall not require a building permit prior to installation, and shall not be counted as a building when calculating the number of accessory buildings allowed in 1266.03(a).

ALL REMAINING 1266.03 REMAINS THE SAME AS THE PROPOSED NEW VERSION

1266.04 ATTACHED ACCESSORY BUILDINGS.

A building which, if detached from the main building would constitute an accessory building, may be connected to the main building by a common wall, and such building shall meet all requirements for the main building.

1266.05 SIZE OF ACCESSORY BUILDINGS IN RESIDENTIAL ZONES.

The aggregate ground floor square footage of an accessory building located within a Residential Zone, with the exception of R-1a and AR Zones, shall not exceed 1200 square feet or the square footage equal to the ground floor footprint of the principal building, whichever is smaller. In calculating the ground floor footprint of the principal building for purposes of this section, no attached buildings or impervious surfaces attached thereto shall be included. All buildings must comply with the maximum lot coverage restriction set forth in Section 1264.01(b)

1266.06 GARAGES.

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City Manager Person invited those present to stay for a meeting regarding the new swimming pool project, which would be held at 6:30 p.m. He further noted that details on the project would be revealed at the City Council meeting on Wednesday evening.

Chairman Spiker stated that he would like to see the Commission begin working, over the next four months, on the inclusion of certain areas to the city limits where annexation has been neglected. City Manager Person noted that there are currently bills before the legislature that could have a dramatic impact on annexation. One proposal includes “skip annexation”, where property owners, not adjacent to the current city limits, could request inclusion, even though another property between them and the current city limits does not want to be annexed. He promised to keep the Commission informed as this item moves through the legislative process.

The meeting adjourned at 6:12 p.m.

CHAIRMAN

DEPUTY CITY CLERK