

Sidney, Nebraska, October 15, 2012

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 October 15, 2012 in the City Council Chambers. Present were: Chairman: Spiker and Commissioners: Egging, Gull, Lawler, Leever, and Phillips. Absent: England, McCarville, and Mueller. Others present: City Manager Person, Interim Chief Building Official Dayton, 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.

Lawler moved, Gull seconded "That the minutes of the August 20, 2012 meeting be approved as printed." Roll call vote: Yeas: All commissioners present. Absent: England, McCarville, and Mueller.

Chairman Spiker announced that the Planning Commission would now hold a public hearing re: Defining R-1 Single Family Residential Accessory Buildings in the Planning & Zoning Code; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections to the proposed request.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: City Manager Person and Interim Chief Building Official Dayton.

City Manager Person explained that discussion on this item was being continued from the August meeting, at which staff was directed to work on defining the language for Chapter 1266 Accessory Buildings. He explained that the purpose of better defining the language was to get staff out of the interpretation business and come up with a clear guideline for everyone to follow.

Interim Chief Building Official Dayton presented a working copy of the Chapter showing existing and proposed language. He noted that he had researched other communities for a comparison and incorporated some of their language into the proposed document.

Discussion included:

Difference between garage and accessory building - Dayton read definitions as defined in the City code.

Whether AR and R 1-a Zones should be excluded from Section 1266.03 Residential

Zones - Decided to leave language as presented.

Take out the words *uses and* in Section 1266.01 Purpose and Intent: Line 3.

Investigate purpose and take out *However, a detached accessory building constructed prior to March 14, 1977, to the rear of and at a distance of not less than five feet from the main building shall not be deemed to be in violation of paragraph (a)(2) hereof*, from Section 1266.03 Detached Accessory Buildings: Section (a), line 4), if deemed obsolete.

Take out *and are exempted from subsection (d) hereof*, from Section 1266.03 Detached Accessory Buildings: Section (f), line 2).

Add */garage*, to Section 1266.05 Size of Accessory Buildings in Residential Zones, after the words accessory building in line 1.

Staff was instructed to make the proposed changes for presentation at the next meeting of the Planning Commission. The Commissioners were encouraged to forward any other ideas to staff for incorporation in the draft.

There being no further questions or comments, Chairman Spiker closed the public hearing.

The meeting adjourned at 6:23 p.m.