

PLAN COMMISSION MEETING MINUTES FEBRUARY 16, 2021

The meeting was called to order by Mayor Mike McDermott at 6:00 PM. Present at roll call were: Mayor McDermott, Dave Roelli, Ray Spellman, Jeremy Williams, Kerry Black and Dave Meister. Absent: Bev Anderson. Also present were: Dave Gough, Steve Pickett, John Taylor, Aaron Stauffacher, Bill McDaniel, Bryan and Clarey Schwartz, Brian Lund and Phil Risseeuw.

Motion by Roelli second by Williams that the meeting notice and agenda were properly posted. Motion carried. Motion by Roelli second by Meister to approve the minutes of the previous meeting. Motion carried.

Under new business, discussion was held concerning a proposed preliminary plat from Pat Ford for property he owns on Hwy. 81 West. A copy of the proposed plat was included in the agenda packet, along with a copy of an email from Mike Reuter, the City's Zoning Administrator. Mr. Reuter stated the proposed plat appears in order and meets district requirements. After discussion and consideration, motion by Black second by Meister to approve the preliminary plat from Pat Ford as presented. Motion carried.

Discussion was then held concerning a zoning change request from John Taylor. Included in the agenda packet were the following: A letter from John Taylor, a copy of his real estate tax bill, a map of his property, and a listing of landowners within 200 feet of his property. Also included in the agenda packet was an email copy from Mike Reuter recommending denial of this change in zoning request. John Taylor, Brian and Clarey Schwartz and Attorney Aaron Stauffacher attended the meeting to present information and answer questions. Attorney McDaniel also presented information and answered questions from those present. Josh Goebel arrived at the meeting at 6:15 pm and Cindy Corley arrived at 6:20 pm.

Discussion items included the following:

- John stated he started his tomato growing business 45 years ago. At that time, he went to the City Council and received an agricultural zoning designation for his property. Since that time, the City's zoning map has been amended and changed several times. The current zoning designation for this property is residential.
- The residential zoning designation causes problems with property insurance companies; as the tomato growing operation is a non-conforming use in a residential zoning designation. Therefore, if the greenhouses are destroyed, there is a limitation on the rebuilding of the greenhouses. The same is true under the City's zoning code.
- This request is to rezone the Taylor property from residential to agriculture; however, the Taylor property does not comply with all the zoning requirements for agriculture zoning. The minimum lot area in the agriculture zoning code is five (5) acres. This parcel is approximately 2.37 acres. In addition, the greenhouse building locations do not comply with setback requirements of the agricultural district.

- A couple options were then presented by Attorney Stauffacher for consideration by the Plan Commission. One option was to include more land owned by the Taylor's in the rezoning request; another option was to request a variance from the Zoning Board for the minimum lot area requirement. Either way, a Public Hearing will need to be held to consider the rezoning request from residential to agricultural.

After discussion and consideration, motion by Black second by Meister to recommend to the Council the rezoning of all of Taylor's property (5.8 acres) from residential to agricultural. After further discussion, motion by Black second by Williams to amend this motion to recommend to the Council the rezoning of just the building site parcel; and then request a variance from the Zoning Board for being less than the 5-acre minimum parcel size. Motion carried.

There being no further business for this meeting, motion by Williams second by Meister to adjourn the meeting at 6:33 PM. Motion carried.

CITY OF DARLINGTON

Philip A. Risseuw, Clerk-Treasurer