

Pursuant to due call and notice thereof, a Planning Commission meeting was held on Tuesday, April 20, 2010 at 6:30 p.m.

PRESENT: Rick Fischbach, Katie Reiling, Josh Thieschafer, Doug Millaway, Jeff Meyer

ABSENT: None

The meeting was called to order at 6:30 p.m.

### **MINUTES OF MARCH 16, 2009**

*Motion by Katie Reiling to approve the minutes as written, second by Rick Fischbach, all in favor and carried.*

### **AMENDED AGENDA**

*Motion by Rick Fischbach second by Josh Thieschafer to approve the amended agenda as follows:*

- Schmidty's Texaco/St. Benedict's--Public Hearing Subdivision/Lot Consolidation
- Amy Kramer Consolidating of Two Lots in Avon Estates
- 830 Chinook/Administrative Subdivision-Request was withdrawn
- Joint Planning Board Appointment
- Ordinance regarding steel roofs

### **830 CHINOOK-ADMINISTRATIVE SUBDIVISION**

On March 30 the Planning Commission did a site visit at 830 Chinook. Attached is an outline of the site visit submitted by Doug Millaway. The Gonyeas did withdraw their request for an administrative subdivision. No further action is needed.

### **SCHMIDTY'S /ST. BENEDICTS--PUBLIC HEARING SUBDIVISION/LOT CONSOLIDATION REQUEST**

*Motion by Katie Reiling to open the public hearing, second by Rick Fischbach, all in favor and carried.*

Tom Schmidt attended the meeting to present the subdivision/lot consolidation request to the Planning Commission. Tom Schmidt wants to know why the city is not stepping in to purchase this land. He does not feel that he should have to buy this property and pay taxes on it. The road was created as part of Tom Schmidt's property with TIF funding. Curb and cutter was constructed using TIF funds. Tom Schmidt purchased a small house that was on this property. He also purchased property from the county, the City of Avon and St. Benedict's church to have a enough area to construct Schmidty's.

It came to St. Benedict's attention after the most recent survey was done that on the original survey some of the land was not accounted for and some of the survey work was not acquired. At that time, St. Benedict's asked Mr. Schmidt if he would be interested in purchasing the property. The city was also asked to purchase the property. This is something that should have been done right away when the lot lines were established. If this would have been caught in the beginning they would have had to put it into the TIF. Tom Schmidt is planning to purchase the property but he would like the Planning Commission to look into this a little more to see if the city should be responsible to purchase this land. The Planning Commission feels this is a reasonable offer.

There will have to be two recommendations for this subdivision/lot consolidation: approving the transaction so the church can part with the property and the second recommendation would be to look into the city purchasing the property. We need to find out if this road is a boulevard or a street. Does Blattner end at County Road 9? Can we possibly get a hold of the developers' agreement to see if there is any mention in those documents as to whom the road belongs to? We should try to find out where the street stops and at what point the city called it a dead end.

***Motion by Katie Reiling to table the subdivision/lot consolidation until the May 18, 2010 Planning Commission meeting so additional information can be obtained regarding the road on the south side of the property, second by Josh Thieschafer, all in favor and carried.***

***Motion by Katie Reiling to close the public hearing, second by Rick Fischbach, all in favor and carried.***

#### **AMY KRAMER—CONSOLIDATING OF TWO LOTS IN AVON ESTATES**

Amy Kramer, the property owner was present at the meeting. She stated that she called the county and there should not be any problems with combining the lots. Some of the questions that were raised: Will there be one SAC/WAC fee or two if they combine the lots? It should be the owners responsibility to pay for the fee to cap. Also, how will these lot consolidations affect the income generated monthly from sewer and water usage? We also need to figure out what would be a reasonable amount for the SAC/WAC fees for the second lot. The Planning Commission doesn't feel it is fair for them to have to pay two SAC/WAC fees. How much lost revenue will this mean to the city?

***Motion was made by Rick Fischbach to allow Block 3, Lot 23 and Lot 24 of Avon Estates to be combined to make one lot with one PID number. Recommendation would be for the property owner to pay the full SAC/WAC fee on the first lot and half of the SAC/WAC fees of the second lot, there would be no revisions to the setbacks or impervious surface requirements (standard R1 setbacks and Chapter 21 General District Provisions, Accessory Buildings performance standards would apply), second by Katie Reiling, all in favor and carried.***

*Motion was made by Doug Millaway to recommend that the Avon City Council consider allowing up to 20 lot consolidations in Avon Estates over a 24- month trial period. After the end of this 24 month period there should be review and discussion to either allow further consolidation or to terminate lot consolidation (all plans will need to be reviewed by the Planning Commission before any lot consolidations are made), second by Rick Fishbach, all in favor and carried.*

**JOINT PLANNING BOARD**

Motion by Jeff Meyer to appoint Rick Fischbach to the Joint Planning Board, second by Josh Thieschafer, all in favor and carried.

**STEEL ROOFING LANGUAGE IN THE ZONING ORDINANCE**

Get ordinances regarding roofing materials from other cities so language can be added to our ordinance allowing steel roofs.

*Motion by Josh Thieschafer, to adjourn the meeting at 8 p.m., second by Jeff Meyer, all in favor and carried.*

Respectfully submitted,  
Amy Pogatchnik  
Zoning Administrator