

The Wahoo Planning Commission met in regular session and in accordance with agenda posted at City Hall, Post Office, and First National Bank with each board member being notified of the agenda prior to the meeting. Meeting was called to order by Vice Chair Scott Nielson at 7:02 p.m. and opened with the Pledge of Allegiance. The Chair advised the public of the posted information regarding State Open Meetings Act and Title VI. The following board members were present answering to roll call: Nielson, Cady, Vculek, Blum, Phelps and Wilcox. Absent: Libal, Wiebold, and Bunjer. Also present: Travis Beavers, Building Inspector/Zoning Administrator.

Election of chair. Cady recommended Wilcox for chair, seconded by Phelps. Moved by Blum, seconded by Cady to close nominations and elect Wilcox as chair. Roll call vote: all yes. Motion carried.

Election of vice chair. Wilcox recommended Nielson for vice chair, seconded by Blum. Moved by Cady, seconded by Wilcox to close nomination and elect Nielson as vice chair. Roll call vote: all yes. Absent and not voting: Libal, Bunjer, and Wiebold. Motion carried.

New chair will start at the October meeting.

Discussion opened regarding approval/disapproval for waiver or exception for sign (Kelly Devlin). Devlins were present for the discussion. Phelps stated that the sign looks nice and is similar to the other signs in the area. Other members agree that it does not look out of place and matches existing signs. Devlin added that it has had a very positive effect for business. Moved by Wilcox, seconded by Phelps to recommend approval for waiver or exceptions regarding signs. Roll call vote: Wilcox, yes; Phelps, yes; Nielson, yes; Cady, yes; Blum, yes; Vculek, yes. Absent and not voting: Bunjer, Libal, and Wiebold. Motion carried. This will now be heard by the City Council.

Public hearing opened at 7:18 p.m. on amendment of zoning regulations regarding setback of accessory uses in residential zoning districts, fence and security requirements for swimming pools, spas and hot tubs, required parking spaces and parking provided within sidewalk space and definitions. No public comments were offered. Moved by Cady, seconded by Blum to close public hearing at 7:19 p.m. Roll call vote: Cady, yes; Blum, yes; Vculek, yes; Nielson, yes; Phelps, yes; Wilcox, yes. Absent and not voting: Wiebold, Libal, and Bunjer. Motion carried.

Nielson questioned where the setback problem arose from. Beavers stated cases where a detached garage was proposed and with the fifty foot setback requirement, many can't be compliant. The setback would be changed from 50 feet to 25 feet or to match setback of primary structure, whichever is greater.

Discussion opened regarding pool enclosures. Beavers stated cases where there was confusion over what is required for pool enclosures. Regulations were reviewed and determined that the language should refer more to the 2009 International Residential Code regulations, stating firmly that a fence or barrier is required, and if the dwelling is used as one side of that fence/barrier then additional safety features are required.

Discussion opened regarding definitions. The definitions were reviewed and was stated that this will make the subdivision regulations and the zoning regulations match.

Moved by Wilcox, seconded by Blum, to recommend amendment of zoning regulations regarding setbacks of accessory uses in residential districts, fence and security requirements for swimming pools, and definitions. Roll call vote: Wilcox, yes; Blum, yes; Nielson, yes; Cady, yes; Vculek, yes; Phelps, yes. Absent and not voting: Libal, Bunjer, and Wiebold. Motion carried.

Discussion opened regarding parking requirements and parking provided within sidewalk space. There were many cases brought to attention where parking is in the public ROW other than just the ones in the down town area. It was stated that this can cause liability for the city and some changes need to be made. Wilcox stated it is difficult to regulate this due to the different situations in town, Cady agreed. The street committee needs to meet and come up with some ideas. This will be discussed further.

Discussion opened regarding amendment of Subdivision Regulations. Nielson noted that much more time is needed to review proposed regulations, others agreed. Moved by Cady, seconded by Phelps to schedule public meeting of Subdivision Regulations for October. Roll call vote: Cady, yes; Phelps, yes; Blum, yes; Nielson, yes; Wilcox, yes; Vculek, yes. Absent and not voting: Wiebold, Libal, and Bunjer. Motion carried.

Discussion opened regarding section 5.12 C-1 zoning (parking and access). Beavers stated there are some issues regarding C-1 zoning, especially for instance on 15<sup>th</sup> street. Allowing the zero setback in these areas, in some cases, has made access to other lots difficult. This will also be discussed further by the street committee and planning commission.

Beavers presented his July and August report, and discussed current projects: Omaha Steel

A motion was made by Wilcox, seconded by Phelps, to approve the minutes of the July 5, 2012 meeting as presented. Roll call vote: Wilcox, yes; Phelps, yes; Vculek, yes; Blum, yes; Nielson, yes; and Cady, yes. Absent and not voting: Libal, Bunjer, and Wiebold. Motion carried.

Meeting adjourned at 8:17 p.m.

Travis Beavers, Building Inspector/Zoning Administrator

Approved: