

Plan Commission Meeting November 2, 2009

Cal Oldenburg called the regular monthly Plan Commission meeting to order at 7:00PM in the meeting room at the Town Hall. Present were Cal Oldenburg, Dan Krowas, Ken Uhlhorn, James Schorer, Peter Jacobs, Douglas Smith and 8 visitors. Gene Stanis was absent.

Clerk took roll call.

Clerk verified posting. Motion made/second Ken/Jim to accept the agenda. Carried.

Accept minutes – Motion made/second Dan/Jim to accept the minutes. Carried.

Citizen input – None.

Discuss/decide Petition for Grant of Variance for Ray & Mary Spangler, 8006 Hwy 57, Parcel #002-22-0106 – Mr. & Mrs. Spangler were present. When they bought the property it was multiple use and were in correct compliance with the state, but they didn't know they had to do anything with zoning. It was a duplex when they bought it. It's been a duplex since 1992. If they get the grant of variance, they will also have to apply for a Conditional Use Permit. They didn't know there was a big difference between a duplex and a MOD. There were no renovations done since they've owned it. The sections are rented out. Sections 1 and 3 are rented out together.

Cal stated a hardship that is self-created isn't really grounds for granting a variance. Mary explained that the 20 feet that is needed for an MOD is between the original duplex and the gas station. For a duplex, you only need 10 feet. There is 11.5 feet between the stairway and the gas station. If they don't get the variance, they would have to go back to a duplex, which, Cal stated, wouldn't be a problem for them since they didn't do any renovations to make it a MOD. In Jim's opinion, they should have gotten into the detail of what Mixed Commercial means.

Motion made/second Jim/Ken to recommend to the Town Board that the Grant of Variance not be approved. Carried.

Consideration of Door County Zoning Ordinance 3.15(6)(b)-Town of Baileys Harbor Special Development Requirements regarding the use of metal siding in certain zoning districts – Terry Jerabek was present. This topic was discussed briefly at the last Town Board meeting. The intention was to keep metal sided buildings out of the downtown area, but it got attached to certain zoning districts. It's probably something that will need to be changed, but it will take a while. Terry gave an example of the product he uses. The section of the ordinance in question was put in place in 1998. The product is always installed vertically. The Plan Commission will review the ordinance next month.

Quarterly review of Baileys Harbor Smart Growth/Comprehensive Plan – On page 89 of the plan, it states that the Plan Commission should be reviewing the plan quarterly. Clerk

spoke to Mariah to get an idea of what, exactly, that means. Essentially, it's a review of how the implementation process is going and if any changes are needed. If changes are needed, we would then begin the process, including public hearings, newsletters, etc. Cal stated Land Use is probably the first thing that should be looked at. Clerk said one idea that Mariah had was to take sections and have it on the agenda monthly. That way it doesn't turn out to be such a tedious task. Plan Commission will separately look through the Land Use section of the plan over the next month and highlight things they want to talk about at the next meeting.

Jim Parent was in attendance and explained the handout the Plan Commission got, which is a proposed outline from Bill Jacobs for the process of changes to the Smart Growth/Comprehensive Plan. Jim sent him a response thanking him for taking the time to do that and for getting involved. He also said it's something that will be taken very seriously, but it's not set in stone. Both the Plan Commission and Town Board will consider it.

Recommendations for next month's agenda – Metal siding will be on the agenda, as well as the Land Use section of the Smart Growth Plan.

Motion made/second Ken/Dan to adjourn at 7:31PM. Carried.

These minutes are subject to correction at the next regular monthly Plan Commission meeting.

Douglas Smith
Town Clerk