

PLANNING & ZONING COMMISSION
OCTOBER 27, 2009
MINUTES

A duly noted and advertised meeting of the Planning & Zoning Commission of the City of Milford, Nebraska was held at the Webermeier Community Room, 617 2nd Street in the City of Milford, NE at 7:00 P.M., Tuesday, October 27, 2009. Notice of the meeting was published in the Milford Times as required by law.

Notice of the meeting was simultaneously given to the members of the Planning & Zoning Commission. Availability of the agenda was communicated in advance notice and in the notice to the members of the meeting. All proceedings hereinafter shown were taken while the meeting was open to the attendance of the public.

Roger Kontor called the meeting to order at 7:09 pm and publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Community room.

ROLL CALL: Members present: Jean Ferrill, Roger Kontor and Kevin Wingard. Absent: Sue Fortune, Teresa TeSelle and Building Official Bill Fuelling.

MINUTES: A motion was made by Wingard and seconded by Ferrill to approve the minutes of the February 18, 2009 Planning and Zoning Meeting. Motion carried.

PUBLIC HEARING: Request change of setback in TA District from 100' to 50' for accessory buildings. Roger Kontor opened the floor for comments: Why 100'? Is this excessive? Applicant stated he was changing address to County Road. Question: Why each situation could not be looked at on a case by case basis. Explanation: That the ordinance states setbacks, etc. and must be followed. Discussion on buildings becoming nonconforming if TA changed to R2? Mayor Bruha showed aerial photo of Troyer property. Question from floor to address three issues: 1. Why 100' setback. 2. Precedents in past have been more lenient. 3. Why Milford more stringent than other communities. A motion was made by Wingard and seconded by Kontor to close the public hearing. Motion carried.

Recommendation to the City Council: A motion was made by Kontor and seconded by Wingard to recommend to the City Council that Milford conform our zoning setbacks closer to our neighboring communities and form a committee to study setback requirements with 50' being one option for TA accessory buildings. Motion carried.

PUBLIC HEARING: Amend section 4.20.03 #3 in the Zoning Regulations Section of the Comprehensive Plan. Public Hearing was opened: Question by Wingard as to define issue brought to Committee. Bruha explained item 4.20.03 is now in the ordinance since 5.17.08 was omitted on 10/7/08. Kremer feels 4.20.03

is not clear as to setbacks of existing or replacement trailers. Committee discussed change in language. Kremer wants to realign trailers so committee discussed setbacks and nonconforming issues. Committee feels that nonconforming trailer parks need more defined setback standards. A motion was made by Ferrill and seconded by Wingard to close the public hearing.

Recommendation to the City Council: A motion was made by Wingard and seconded by Ferrill to recommend to the City Council not to adopt changes proposed by Kremer but to look at setback guidelines for individual parks that are nonconforming.

ADJOURNMENT: Motion was made by Wingard and seconded by Ferrill to adjourn the meeting.

Respectively Submitted

Jean Ferrill