

FAIRBURY PLANNING COMMISSION

MINUTES

Meeting
April 12th, 2021
6:30 p.m.

Member Cody Moyer read the statement regarding the Open Meetings Act, called the meeting to order at 6:30 p.m. and asked for roll call. Other members present were: Doyle Buchmeier, Cathy Kleine, Ron Schacht, Peter Renn, Karl Hoeting, Paul Schramm.

1. Next, was the approval of the minutes from the February 8th, 2021 Meeting. Discussion, taking of any necessary or desired action.

Member Schacht made the motion to approve the minutes of the February 8th, 2021 meeting. Member Renn seconded the motion. By roll call, the vote was: 7 - "yes" (Buchmeier, Schramm, Hoeting, Moyer, Schacht, Renn and Kleine) / 0 - "no". The motion passed.

2. **Public Hearing** regarding Conditional Use Permit (CU-2021-001) from Spencer Brown at 1204 Tilden Street, Fairbury, Nebraska. The request is to allow for the construction of an accessory building on a lot without a primary structure in the R-2 – Medium density zoning district as provided for in Article 4, Section 4.12 and Article 6, Section 6.01 of the Zoning Ordinance of the City of Fairbury, Nebraska – 2013 Edition. The legal description of the property is described as: Lot 2, Baker Addition, Fairbury, Jefferson County, Nebraska. Discussion, taking of any necessary or desired action.

Member Moyer opened the hearing at 6:33. Bedlan explain the information that was in the packets noting that this is similar to others that have been done in the past and that there appears to be plenty of room on the lot for ingress and egress. Member Kleine asked about Mr. Browns plan for vegetation. Brown stated that he has cleared the lot and plans to plant back with a low cover crop. Member Moyer asked if the neighbors knew about Browns plans for the property and Brown stated that the ones he knows that live there are aware but he does not know if the other adjacent properties are occupied. Several commission members stated that they thought it would be an improvement to the area. Member Moyer closed the hearing at 6:37. Member Moyer read through the conditional use standards and there were no issues brought up by the commission members. Member Schacht made the motion to recommend council approve Conditional Use Permit (CU-2021-001) from Spencer Brown at 1204 Tilden Street to allow for the construction of an accessory building on a lot without a primary structure in the R-2 – Medium density zoning district. Member Buchmeier seconded the motion. 7 - "yes" (Buchmeier, Schramm, Hoeting, Moyer, Schacht, Renn and Kleine) / 0 - "no". The motion passed.

3. Next, was discussion and recommendations regarding changes to sections of the Fairbury Zoning Regulations – 2013 Edition. Specifically, section 9.20 regarding Outdoor Storage Containers. Discussion; taking of any necessary or desired action.

Bedlan explained that the previously proposed ordinance died at council and Administrator Renn explained that there are some existing containers in town that fall under the 2005 zoning regs that are ok and some that do not that will need to be addressed. Moyer questioned if the fire department containers needed to be addressed and it was clarified that

the fire department containers fall under governmental offices and necessary secondary uses so are permitted. Renn stated that the attorney suggested Planning and Zoning review and recommend changes to 9.20 to provide clarification on what will be allowed for storage containers allowed in the I-1 and I-2 districts and removing the reference back to 4.12. The commission discussed removing some of the restrictions in 9.20 because the containers will only be allowed in the industrial districts. Use of containers, existing property uses in the industrial district, location of the industrial areas, vacant lots, storage sites, number of allowed containers, additional containers by conditional use and the aesthetics of the containers was discussed and it was agreed that the commission does not want to restrict the business in these areas or chase business and revenue away. For that reason, they suggested removal of the most restrictive requirements in section 9.20, referring specifically to removal of subpoint number 2 and 3 but keeping number 4 and 5. Moyer noted that if, in the future, they are allowed in the residential or commercial districts the commission should re-review 9.20 and adjust for the new allowed use locations. The commission requested staff set a hearing at the next regularly scheduled meeting to make changes to 9.20 and 5.06 in regards to storage containers. There was no action taken on this item.

4. Next, were comments from the public on non-agenda items.

With no comments from the public on non-agenda items member Schramm made the motion to adjourn. Member Schacht seconded the motion. By roll call, the vote was: 7 - "yes" (Buchmeier, Schramm, Hoeting, Moyer, Schacht, Renn and Kleine) / 0 - "no". The motion passed

Laura K. Bedlan
Planning Commission Secretary