

ADAMS CITY COUNCIL COMMITTEE REPORT

Name of Committee: City Planning Commission

Date: October 8, 2009 – 6:00 p.m. – City Municipal Building

Members Present: Williams, Jensen, White, Janssen, Scott, Davis, and Ranta

Others Attending: Administrator Ellisor, Joe Kierstyn, and Carol Rausch

AGENDA ITEMS: As Printed

Public Hearing

Chairperson Williams called the Public Hearing to order at 6:00 p.m. on October 8, 2009. The above were present.

The Public Hearing is being held to consider two requests for changes in zoning. The first being a Change in Zoning from Commercial District (C1) to Highway Commercial District (C2) with a Conditional Use for Property Located in Block 9, Lots 40-48 in Central Subdivision.

The petitioner, Joe Kierstyn, explained his request. He is requesting this change to accommodate the needs of a business, specifically auto parts, scooter & moped sales and service, and engine repair. Explained he feels the image of the City and the image of the building is primary, so cleanliness would be a priority. The building where the business would be conducted would be positioned the same as the Dollar General Store with parking in the front and on the side of the building.

Williams questioned the possible noise level. Mr. Kierstyn responded that GMJ Automotive is located nearby and is not a problem, so he sees no noise problem.

Burt Morris, an adjoining property owner, voiced his concerns that this business could adversely affect the neighborhood.

Davis and Scott indicated they thought this business would be more appropriately located on Main Street.

The second change is a Zoning Amendment to Authorize Boarding of Horse on Acreage for Property Located in Block 2, Lot 2 in Sherman Subdivision (137 W. Sherman St.)

The petitioner, Carol Rausch, presented a letter from her Doctor stating that keeping the horse is medically therapeutic. When she bought the property she assumed it was permitted to keep a horse as there was an electric fence. There are no complaints from any of her neighbors.

Williams explained there is an ordinance prohibiting keeping a horse in the City as well for the use of barb wire fencing. Other property owners in the City have had to abide by the ordinance prohibiting horses. He also addressed the issue that Rausch had the horse before she bought the property in the City and didn't question whether it was allowed or not. Rausch responded that she assumed it was ok.

An adjacent property owner questioned why the horse couldn't be kept on the acres behind the petitioners property. White responded that the property behind Rausch is located in the Town of Adams and we have no jurisdiction there.

Davis said there was some concern on his part that there was a signed statement from a doctor that the horse was medically necessary. However, an option might be to lease some land from the Town of Adams where there were no restrictions. There is the concern that if we allowed the horse to be kept in the City of Adams, someone would then petition to keep other livestock on their property.

An adjoining property owner asked if there were any plans to rezone that area of the City back to Agricultural. Williams replied there are no plans for rezoning at this time.

Motion by White, second by Janssen to adjourn from Public Hearing and Immediately Reconvene in Open Session. All voted aye.

Open Session

Chairperson Williams called the Open Session to order. The above were present.

Motion by Jensen, second by Scott to approve the minutes of the June 18, 2009 meeting as printed. Roll call vote, all voted aye.

Petitions and Communications:

Administrator Ellisor indicated another meeting would be scheduled in the next few weeks regarding approval of a certified map from MSA.

Agenda:

- 1. Recommendation by Jensen, second by Dr. Janssen to approve a Change in Zoning from General Commercial District (C1) to Highway Commercial District (C2) with a Conditional Use for Property Located in Block 9, Lots 40-48 in Central Subdivision. Roll call vote, Jensen, White, Janssen, Ranta-aye. Williams, Scott, Davis-nay.**
- 2. Recommendation by Davis, second by Scott to disapprove Zoning Amendment to Authorize Boarding of Horse on Acreage for Property Located in Block 2, Lot 2 in Sherman Subdivision (137 W. Sherman St.). Roll call vote, all voted aye. Williams advised petitioner that she has 15 days to relocate the horse and take down the barb wire or a citation will be issued.**

Motion by Scott, second by Jensen to adjourn. Roll call vote, all voted aye.

Jeanne G. Gostomski
Dep. Clerk/Treasurer