

Minutes of the Plan Commission – May 14th 2012

A meeting of the Plan Commission of the City of Prairie du Chien was held on Monday May 14th 2012 at 7:00 PM in the Council Chambers of City Hall. Mayor Dave Hemmer called the meeting to order.

1. CALL TO ORDER/ROLL CALL

PRESENT – Dave Hemmer (Chairperson), Linda Munson, Dan Key, Roger Grunow, Tom Nelson

ABSENT - Curt Kramer, Ross Ritchie

ALSO PRESENT – Zoning Administrator Julie Jackson, Attorney Tom Peterson, City Administrator Aaron Kramer, City Planner Garth Frable

2. Certification of the open meeting law agenda requirements and approval of the agenda

MOTION: Munson SECOND: Grunow VOTE: 5-0

3. APPROVAL – Minutes of the March 19th 2012 meeting

MOTION: Nelson SECOND: Munson VOTE: 5-0

4. PUBLIC HEARING - Application of Darren & Becki Radloff of Big River Campground, LLC, 106 W. Paquette St., for a Conditional Use Permit to expand the existing campground in a RF River Front Zoning District for purposes of constructing an addition on their (the campground manager's) home

No further approval required by Council. Hemmer opened the public hearing at 7:02 PM. Jackson provided an overview of the application, and said she had received no public comments. Darren and Becki Radloff were present to answer questions from the Commission. Hemmer closed the public hearing at 7:04 PM.

5. ACTION on aforesaid agenda item

ACTION: To approve the application of Darren & Becki Radloff of Big River Campground, LLC, 106 W. Paquette St., for a Conditional Use Permit to expand the existing campground in a RF River Front Zoning District for purposes of constructing an addition on their (the campground manager's) home

MOTION: Grunow SECOND: Key VOTE: 5-0

6. PUBLIC HEARING - Application of Elizabeth Knutson, 1407 S. 1st Street, for a Conditional Use Permit for a professional home office to operate a tattoo parlor in the lower level of their home in an R-1 Low Density Residential Zoning District

No further approval required by Council. Hemmer opened the public hearing at 7:05 PM. Jackson provided an overview of the application, and said she had received no public comments. Kramer said he had received a phone call from a neighbor, who did not wish to be identified, who expressed opposition to the request and the other application filed by Knutson for this meeting. Nelson said he had also received a call from a person expressing opposition. Knutson and Lenny Sells were present to answer questions from the Commission. Hemmer closed the public hearing at 7:09 PM.

7. ACTION on aforesaid agenda item

ACTION: To deny the application of Elizabeth Knutson, 1407 S. 1st Street, for a Conditional Use Permit for a professional home office to operate a tattoo parlor in the lower level of their home in an R-1 Low Density Residential Zoning District MOTION: Hemmer. Motion died for lack of a second

ACTION: To approve the application of Elizabeth Knutson, 1407 S. 1st Street, for a Conditional Use Permit for a professional home office to operate a tattoo parlor in the lower level of their home in an R-

1 Low Density Residential Zoning District, with a review by the Plan Commission in one year (May 2013) MOTION: Key SECOND: Nelson VOTE: 4-1 (Hemmer opposed)

8. DISCUSSION AND ACTION - Request from Elizabeth Knutson, 1407 S. 1st Street, for variance approval to install a second business identification sign for their tattoo parlor that's currently operating in the lower level of their home as a home occupation in an R-1 Zoning District

No further approval required by Council. Knutson and Sells explained they are requesting the sign so patrons can more easily find their business. ACTION: To deny the request from Elizabeth Knutson, 1407 S. 1st Street, for variance approval to install a second business identification sign for their tattoo parlor that's currently operating in the lower level of their home as a home occupation in an R-1 Zoning District MOTION: Key. Motion died for lack of second ACTION: To approve the request from Elizabeth Knutson, 1407 S. 1st Street, for variance approval to install a second business identification sign for their tattoo parlor that's currently operating in the lower level of their home as a home occupation in an R-1 Zoning District MOTION: Hemmer SECOND: Munson VOTE: 4-1 (Key opposed). Following the vote, Jerry Kratz (1617 South 11th Street) questioned what the impact of the vote would have on other signs in residentially-zoned properties.

9. DISCUSSION AND ACTION - Request from St. Peter's Evangelical Lutheran Church, 201 S. Michigan Street, for variance approval to replace their existing sign with an electronic/digital message sign for their existing conditional use (church) in an R-3 Zoning District

No further approval required by Council. Pastor Joe Irvin was present to answer question on behalf of the church. Considerable discussion was held on the digital sign, including its brightness and the frequency of the message changing. ACTION: To approve the request from St. Peter's Evangelical Lutheran Church, 201 S. Michigan Street, for variance approval to replace their existing sign with an electronic/digital message sign for their existing conditional use (church) in an R-3 Zoning District, and to direct staff to work with the church to establish requirements for the sign and bring those requirements back to the Plan Commission in June for action MOTION: Hemmer SECOND: Key VOTE: 5-0

10. DISCUSSION AND ACTION - Review and action on request from Dan & Kathy Hawes to extend/enlarge two existing nonconforming structures at 309 S. Illinois Street, for purposes of constructing an addition and restructuring a roof on their detached garages in an R-1 Zoning District

No further approval required by Council. Dan and Kathy Hawes, and Shawn Hawes, were present to address the Commission. The Board of Zoning Appeals last week voted to deny the application of Dan and Kathy Hawes, 309 S. Illinois Street, for a variance from the maximum lot coverage requirement in an R-1 Low Density Residential Zoning District for construction of a deck and garage addition, and that the property must be compliant with the Zoning Code within thirty (30) days of this hearing. Discussion was held on the work, which has been done. Hemmer expressed concern that residents are doing work without the proper permits, then coming to the Commission for variances. MOTION: To approve the request from Dan & Kathy Hawes to extend/enlarge two existing nonconforming structures at 309 S. Illinois Street, for purposes of constructing an addition and restructuring a roof on their detached garages in an R-1 Zoning District ACTION: Grunow SECOND: Key VOTE: 5-0

11. DISCUSSION AND ACTION - One year review of Home Occupation permit for vacuum sales/repair shop in garage - Bryan Irvine, 329 S. Ohio Street

Jackson said she had received no complaints on the operations. ACTION: To approve the one-year review of the Home Occupation permit for vacuum sales/repair shop in garage - Bryan Irvine, 329 S.

Ohio Street, with another review to be held in November 2012 MOTION: Hemmer SECOND: Munson VOTE: 5-0

12. DISCUSSION AND ACTION – Request from Tom Nelson to change his recorded vote

On March 19th, Nelson voted in favor of the proposed changes to the temporary signs and banners ordinances. On April 4th, he emailed the City Administrator requesting to change his vote. Per Robert’s Rules of Order (Section 46 – Voting), a member can make the change only by permission of the assembly, which may be given by general consent; that is, by no member's objecting when the chair inquires if any one objects. If objection is made, a motion may be made to grant the permission, which motion is undebatable. Munson asked Nelson to explain why he wanted to change his vote. Nelson said he was uncomfortable with the changes being made by the ordinance. Hemmer asked if there were any objections to Nelson changing his vote. With no objections being made, the vote will be officially changed to read as follows:

ACTION: To recommend the Council approve the recommended changes to the temporary signs and banners ordinances and hold a public hearing at the April 17th Council meeting
MOTION: Hemmer SECOND: Key VOTE: 5-1 (Nelson opposed)

13. ADJOURNMENT (8:05 PM)

MOTION: Grunow SECOND: Hemmer VOTE: 5-0

Submitted by City Administrator Aaron Kramer