

**CITY OF SWISHER
PLANNING & ZONING
MARCH 27, 2017 MINUTES**

Planning & Zoning Meeting was called to order at 7:01 p.m. by P & Z Chairperson Randy Hurlbert at Swisher City Hall, Swisher, IA on March 27, 2017.

Planning & Zoning Members Present: Randy Hurlbert, Kenny Feldmann, Josh Pfannebecker, Kathy Riggle, Dean Sturtz, Lori Wiles.

Also Present: City Clerk Tawnia Kakacek, City Attorney Mark Parmenter, Nikki Hynek, Sonja LaGrange, Gene Beard, Rob Pudil, and Steve Pudil.

Agenda and Minutes: Motion moved by Sturtz, seconded by Wiles to approve the agenda. Call for vote. All ayes. Motion carried. Motion moved by Wiles, seconded by Riggle to approve the February 27, 2017 Planning & Zoning Minutes. Call for vote. All ayes. Motion carried.

Business:

Public Hearing and Recommendation to Council-BC-1 and BC-2 Districts: Public hearing was held with the following discussions. Feldmann recommended change to current zoning to have 28 feet maximum or 2 stories height for BC-1 and all business commercial zoning should have zero feet for side yard setbacks unless next to residential zoned lot. Rob Pudil inquired what changed from the public meeting to the published proposed changes. Wiles and Sturtz noted the P & Z goal is to create a Downtown District in accordance with the Comprehensive Plan. Steve Pudil stated that he thought the public meeting in January was the final decision, to have zero feet for side yard setbacks for all business commercial zoning. Planning and zoning members noted that was an informational meeting to get citizens input, and would be further discussed at the following P & Z meeting that was posted. Wiles asked City Attorney Parmenter to explain to the public the role of Planning & Zoning Commission. Parmenter noted the Planning & Zoning Commission is appointed by the Swisher City Council and to make recommendations to the Council for the betterment of the City. Steve Pudil asked the purpose of public hearings. Parmenter stated that the public hearing is to hear opinions of the citizens, not to make a decision. Steve Pudil stated he wants BC-1 to have zero feet side yard setbacks, not just BC-2. Rob Pudil asked who started all this rezoning issue. It was noted this was brought up by businessperson who was interested in increasing the downtown appeal of Swisher that coincided with the city's Comprehensive Plan. Gene Beard stated that he could not rebuild his house if it burned down and his lot size was less than the required 12,000 square feet. Parmenter stated that if it burned down over 50% and more than 50% replacement cost at time of destruction he could not rebuild as is but per Chapter 165.07, Beard can rebuild despite a nonconforming lot, if he meets all the current requirements (setbacks, etc.). Nikki Hynek noted there are some houses in the business commercial zoning. Riggle noted she didn't want to see zero frontage on Rose Avenue. After discussion, Feldmann moved, seconded by Wiles, to recommend to Swisher Council to have BC-2 District for properties with frontage on 2nd Street from Rose Avenue to Summit Avenue and BC-1 District for all other current BC zoning districts; BC-1 District to have minimum front yard of 10 feet, minimum side yard of none, unless it is adjacent to lot zoned residential in which case, the side yard shall be equal to the minimum side yard required in the adjacent zoned lot, maximum height of 2 stories or 28 feet; BC-2 District to have minimum front yard of zero feet, minimum side yard of none, unless it is adjacent to lot zoned residential in which case, the side yard shall be equal to the minimum side yard required in the adjacent zoned lot, and maximum height of 3 stories or 45 feet. Roll call vote. All ayes. Motion carried. Planning and Zoning directed City Attorney to draft definition of height for the zoning code for next regularly scheduled P & Z meeting.

Correspondence: Hurlbert read correspondence from Iowa State University of Planning & Zoning Workshop and if members would like to attend, contact the city clerk to register them.

Adjournment at 8:24 p.m. by Riggle, seconded by Feldmann. Call for vote. All Ayes. Motion carried.

Tawnia Kakacek, City Clerk

Randy Hurlbert, P & Z Chairperson