

The meeting of the Town of Meeker Planning Commission was called to order by Vice Chairman Terry Goedert, Tuesday, October 12, 2010, at Town Hall at 5:33 p.m.

Members Present:	Vice Chairman Terry Goedert Jerry Belland (arrived late) Oran Rundberg Martha Griffin
Members Absent:	Keith Rholl
Others Present:	Sharon Day, Town Administrator
Citizens present:	Katie Ford, Owner /Applicant

### **ROLL CALL**

All Commissioners present except Commissioner Rholl. Commissioner Belland arrived late at 5:34 pm.

### **APPROVAL OF AGENDA**

Vice Chairman Goedert asked if there were any changes to the agenda, with none noted.

A motion to approve the agenda was made by Commissioner Griffin, seconded by Commissioner Rundberg. All ayes, motion carried.

### **APPROVAL OF THE MINUTES**

Vice Chairman Goedert inquired if there were any changes, corrections or additions to the September 13, 2010 Planning Commission minutes with no changes noted.

A motion to approve the minutes of September 13, 2010 was made by Commissioner Rundberg, seconded by Commissioner Griffin. All ayes, motion carried.

### **PUBLIC PARTICIPATION**

None

### **PUBLIC HEARING**

*Applicant Katie Ford, 891 4<sup>th</sup> Street (Lot 8, Block 106 Town of Meeker) is requesting a 16-ft variance from the required 25-ft corner street setback from Pine Street to install an 8'x22' metal roof overhang on the north side of the existing residence and an 8-ft variance from the same required 25-ft corner street setback to install a 5'x18' covered front porch on the east side of the residence.* Vice Chairman Goedert opened the Public Hearing at 5:34 p.m. Roll call was conducted with all members present except Commissioner Rholl. Commissioner Belland arrived prior to roll call being completed.

Administrator Day read the following into the record: Per 18.1.115(E) of the Meeker Municipal Code, the property is subject to the following R-1 setbacks: front yard – 25 feet; corner street – same as front yard setback; side yard – 10 feet; rear yard (abutting an alley) – 5 feet. The northern 8 feet of the existing residence already encroaches into the required 25-ft corner street setback, with the attached carport encroaching 12 feet further to be located 5 feet (not including roof eaves) from the north property line adjacent to Pine Street. (Administrator Day clarified that the roof eaves were 18"). The applicant is requesting two variances from the required 25-ft corner street setback from Pine Street in order to install roof coverings which would eliminate snow and rain drainage on the north and east sides of the house which in turn would enhance accessibility and onsite use. The first metal roof overhang that is 8'x22', is proposed to be located on the north side of the residence and to the west of the carport to cover a portion of the existing concrete pad located there. The entire width and length of this overhang, along with the northern 8 feet of the residence, encroaches a total of 16 feet into the required 25-ft corner street setback. The second metal roof overhang that is 5'x18', is proposed to be located on the east side of the residence

## Regular Planning Commission Meeting – October 12, 2010

over an existing concrete walkway and will replace the existing covered area at the front door. It will also tie into the roof line of the existing attached carport to provide a covered pathway from the front door to the carport. Only the northern 8 feet of this overhang will encroach in the required 25-ft corner street setback.

The request has been advertised in the paper as mandated in the Meeker zoning ordinance. A sign has been posted on the site and letters have been sent to adjacent property owners. At this time, the Town has received no comments from the public.

Staff recommends approval of the applicant's request for a 16-ft variance from the required 25-ft corner street setback from Pine Street to install an 8'x22' metal roof overhang on the north side of the existing residence and an 8-ft variance from the same required 25-ft corner street setback to install a 5'x18' covered front porch on the east side of the residence at 891 4<sup>th</sup> Street (Lot 8, Block 106 Town of Meeker).

The recommendation is based on the Code as described below:

### **SECTION 18.1.146 FINDINGS**

**That the variance granted is without substantial detriment to the public good and does not impair the intent or purpose of the Code and Comprehensive Plan, including the specific regulation in question;**

The request is without substantial detriment to the public good. The proposed variance does not create a situation that impairs the intent of the applicable ordinance beyond what currently exists since the existing carport is located 5 feet from the north property line adjacent to Pine Street and the proposed improvements would be located farther back inside the property.

**That there exists on the subject property exceptional topography, shape, or other extraordinary and exceptional situation, or a condition, such that strict application of the zone district requirement would result in peculiar and exceptional practical difficulties to or exceptional undue hardship upon the owner of the subject property;**

The exceptional condition/situation arises from the location of the existing residence and carport, which were built in 1963 on the subject property and the fact that they already encroach into the current required setback. The applicant is proposing to install metal roof overhangs on the north and east sides of the residence in order to avoid snow and rain drainage in the walkway areas adjacent to the house. The roof drainage from these additions will be maintained onsite and will not negatively affect adjacent properties. It should be noted that prior to the establishment of the current R-1 setbacks, the 1967 and 1979 Zoning Codes established the corner street setback for the R-1 zoning district as half the required distance of the front yard setback, which was (and still is) 25 feet, while the 1950 Zoning Code only required 7 feet for corner lot setback. The property of 890 4<sup>th</sup> Street, directly across the street from this site, requested and obtained in 1994 a similar encroachment into the required 25-ft setback to install a roof overhang above an existing concreted area to avoid snow and rain drainage immediately adjacent to the house.

**That the exceptional situation or condition, pursuant to paragraph B of this Section above was not induced by any action of the applicant and is not a general condition throughout the zone district;**

The existing residence with attached carport was established on the lot in 1963 prior to the current owner, so the current onsite conditions were not induced by any action of the applicants. On the older platted Town lots of 1885 and 1888 where residences have already been established in the R-1 district prior to the current setback standards, it is likely this issue may arise again.

**That the hardship, pursuant to paragraph B of this section, cannot practically be corrected by means other than a variance;**

## Regular Planning Commission Meeting – October 12, 2010

In order to accommodate the proposed 8'x22' and 5'x18' metal roof overhangs on the north and east sides of the residence, there are no practical means other than a variance to address this request.

Vice Chairman Goedert asked for additional comments or questions with Commissioner Griffin inquiring about the actual distance of the carport from the property line and the required setbacks in previous codes. Administrator Day clarified that the proposed roofs would not extend as far as the carport nor was there any documentation in the file regarding why the carport was so close to the property line. Discussion ensued regarding the lot width and setback requirements for the zoning district. The Public Hearing was closed at 5:45 p.m.

A motion was made by Commissioner Belland to approve the applicant's request for a 16-ft variance from the required 25-ft corner street setback from Pine Street to install an 8'x22' metal roof overhang on the north side of the existing residence and an 8-ft variance from the same required 25-ft corner street setback to install a 5'x18' covered front porch on the east side of the residence at 891 4<sup>th</sup> Street (Lot 8, Block 106 Town of Meeker), seconded by Commissioner Griffin. All ayes, motion carried.

Administrator Day explained to the applicant that there was a 10-day appeal period and that a letter would be sent out explaining the matter further.

### **OTHER PLANNING COMMISSION MATTERS**

Administrator Day encouraged the Commission members to attend the upcoming RBC Master Plan meeting on October 28, 2010 at 6pm. Discussion ensued regarding the issues being considered in the County's proposed Master Plan.

The issue of filling the vacant Chair position was raised by Vice Chairman Goedert with Commissioner Rundberg making a motion that Terry Goedert fill the open Chair position for the Planning Commission, seconded by Commissioner Belland. All ayes, motion carried.

To fill the now vacated position of Vice Chairman, Commissioner Rundberg made the motion that Jerry Belland fill the role of Vice Chair, seconded by Chairman Terry Goedert. All ayes, motion carried.

### **ADJOURNMENT**

Commissioner Belland made a motion to adjourn the Planning Commission meeting, seconded by Commissioner Griffin. All ayes, motion carried.

Planning Commission Meeting adjourned at 6:03 p.m.

---

Terry Goedert, Chairman

---

Martha Griffin, Secretary