

TOWN OF CAMPBELL  
PLANNING AND ZONING COMMISSION  
JUNE 6, 2012

PRESENT:

Steve Hockenbery  
Scott Johnson  
Pat Post  
Jeff Schroeder  
Helen Vitale  
Chadwick Hawkins, Town Clerk/Treasurer

EXCUSED:

Steve Earp  
Joe Weitekamp

Chairperson Pat Post called the meeting to order.

Jeff Schroeder moved we approve the minutes of the May meeting as presented. Scott Johnson seconded the motion. The motion passed unanimously.

Because there was no Old Business the chairperson opened the meeting to New Business.

Chairperson Post called for item 3 on the agendum because the Clerk Hawkins has information to share and has another appointment shortly.

Clerk Hawkins said the changes to our comprehensive plan is a lengthy process, possibly taking about 4 months. The first step is to let the public know we plan to change some plats from current use to future use. At the next commission meeting we need to have a written amendment to the comprehensive plan stating the which plats we intend to change. Thirty days later we have to have a public meeting. Because the process takes so long, Mr. Hawkins suggested we consider changing zoning on more than one lot.

Chairperson Post reminded the commission that we are not changing the plan but the incorrectly drawn map.

Because he was unaware the map was incorrect, the clerk said he would research the problem to see if we had to go through the whole process to change the plan if it was only correcting the map and not the plan.

Scott Johnson said waiting to go through the change process would not affect the one lot that needed change because the county had approved the change contingent upon our changing the comprehensive plan. The commission has agreed to work on correcting and/or changing the comprehensive plan and this has allowed the construction on and use of the one lot appeal that came before the commission in May, 2012.

The chairperson said considering additional changes will have to wait until we get the exact descriptions of the lots under consideration. Other members of the commission agreed that we should look at the entire town map to see if there are other areas needing change at this time. The changes will be discussed at the next commission meeting.

Since there was no further discussion of plan changes, the chairperson moved to the first appeal of Maripat Coughlin, 2535 Baumgartner Drive seeking a variance for a retaining wall and other landscaping that will lie within the 75' set back from the high water mark and a special exemption permit for filling and grading in connection with building the retaining wall. Maripat Coughlin appeared on behalf of her appeal.

Ms. Coughlin said the high water of 2011 began to destroy the existing retaining wall. To prevent erosion, she wants to build a sea wall and do rip rapping and landscaping. Neighboring properties have various set backs. Markgren Landscaping drew the plans for the project and consulted government agencies involved. These agencies had no problem with the plan and thought it was a good solution to erosion control.

Steve Hockenbery moved we grant the variance and special exception permit as requested by Ms. Coughlin. Scott Johnson seconded the motion. The motion passed unanimously.

The second appeal was from Jolene and Fred Schwingle, 2509 Thomas Court asking a variance for a family home on Lakeshore Drive that will lie within the required 50' set back from the road by averaging from high water mark. The Schwingles represented themselves.

The lot is now owned by Ernie Padgett. Purchase of the property is contingent upon approval of the variance. Mr. Padgett was denied permission to build a pole building to house his tour bus on the lot because the lot is zoned residential.

There was a lengthy discussion concerning an existing drainage pipe that would run under the house and there is no registered easement for the pipe. Steve Hockenbery said the county agreed to Mr. Padgett filling in parts of the lot in return for the county running a drainage pipe through the lot.

Mr. Hockenbery said you could not build a house over the pipe because there is danger to the foundation should the pipe break. A large volume of run-off water travels through the pipe. Mrs. Schwingle questioned why the county did not run the drainage pipe through an existing ditch that runs between this lot and the adjoining one.

Chairperson Post said the county recently denied a variance to a property owner close to this lot to build within the required set back from the center of the county road. She questioned the town's liability should we approve the request, knowing the drainage problems that could cause possible future damage to the home. This is not a good site on which to build a home as the current situation exists.

Scott Johnson said the only two things in the request is a variance to build within the required set back from the center of the county road and within the required set back from the high water mark.

Jeff Schroeder moved we approve the variances to build within the required set back from the center of the county road and within the required set back from the high water mark. Scott Johnson seconded the motion.

The motion carried on a three to two vote. Pat Post voted not to approve on the grounds it is not a suitable lot for a home while current drainage pipe problem exists. Helen Vitale abstained. It was suggested the problem be resolved before the Schwingles purchase the lot.

The consensus was the county is responsible for the drainage pipe problem and its solution.

Scott Johnson reported he contacted several towns and there seems to be no consistent opinion on whether or not to do their own zoning. He suggested Campbell move forward on exploring the possibility of doing our own zoning. It appears the county is reluctant to change their requirements, especially on road set backs. Campbell is an urban town and does not need many of the requirements designed to meet the needs of rural towns.

Mr. Johnson will explore the process of doing our own zoning. Do we need to have our zoning process in place before we hold a referendum or should we hold the referendum first? He will have answers before our next meeting.

Chad Hawkins provided the commission with copies of the zoning maps that were included in our published comprehensive plan. Members of the commission requested larger copies with plat details. Scott Johnson will investigate the possibility of obtaining larger maps from the county.

Scott Johnson moved we adjourn. Steve Hockenbery seconded the motion. The motion passed unanimously.

These minutes have not been approved.

Helen Vitale

