



**PLANNING & ZONING COMMISSION**

City of Johnston  
 6221 Merle Hay Road, Johnston, IA 50131

Minutes  
 Regular Meeting: Monday, May 27, 2008

**AGENDA:**

**1. Call to Order**

Petersma called the meeting to order at 7:00 p.m.

**2. Roll Call**

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Seel
<b>Present</b>		X	X	X		X	X
<b>Absent</b>	X				X		

**City Staff Present:** David Wilwerding, Ashley Moncado, Steven Witmer

**3. Approval of Agenda**

Motion by Wiskirchen to approve the agenda.

**Voice Vote:**

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Seel
<b>Aye</b>		X	X	X		X	X
<b>Nay</b>							
<b>Abstain</b>							

**4. Approval of Meeting Minutes:** Regular meeting of April 28, 2008.

Motion by Seel to approve the minutes of May 12, 2008.

**Roll Call Vote:**

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Seel
<b>Aye</b>		X	X	X		X	X
<b>Nay</b>							
<b>Abstain</b>							

**5. PZ Case No. 08-25; Rezoning Request to add A Animal Keeping Overlay for 8533 NW Beaver Drive;** Consider an amendment to the Official Zoning Map for 11.8 acres from R-1(100) Single Family Residential to R-1(100) Single Family Residential with Animal Keeping Overlay District. The subject property is located along Northwest Beaver Drive, north of NW 84<sup>th</sup> Street approximately 240 feet east of NW Beaver Drive

Ashley Moncado presented the staff report.

Temple commented that there was discussion when the A Overlay was added to the Zoning Ordinance regarding appropriate locations for using it. Wilwerding responded that the A Overlay is only applicable to larger lots and that is why it is only applicable to the larger-lot zoning districts, from R-1(100) or larger. In this case the applicant is in an R-1(100) district and has a large acreage.

Petersma asked if the new building would replace an existing building. Pat Hines, 8533 NW Beaver Drive, explained that there is an existing shelter but the new building will replace it. Temple asked how large the new building will be. Hines answered that it will be thirty by forty feet which is well within the size allowed. Temple asked how many horses the applicant has. Hines replied that they own three horses. Hines explained that their neighbors are supportive of their keeping of horses.

Petersma opened the meeting to public comment at 7:12 p.m.

Carre Trude, 8506 NW Beaver Drive, advised that she is a neighbor to the applicant and supports adding the overlay district.

Petersma closed the meeting to public comment at 7:14 p.m.

Motion by Temple seconded by Seel to approve PZ Case No. 08-25; Rezoning Request to add A Animal Keeping Overlay for 8533 NW Beaver Drive.

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Seel
<b>Aye</b>		X	X	X		X	X
<b>Nay</b>							
<b>Abstain</b>							

**6. PZ Case No. 08-12; West Prairie Townhomes Plat 2 Preliminary and Final Plat and Site Plan;** The applicant, Greg Judas, wishes to replat a portion of the West Prairie Townhome lots to accommodate third car garages for some units. This change will alter the shared property line between some units and also the outlot area, but will not alter the layout or character of the development. The subject property is located east of NW 96<sup>th</sup> Street and north of NW 54<sup>th</sup> Avenue.

David Wilwerding presented the staff report.

Motion by Temple seconded by Moran to approve PZ Case No. 08-12; West Prairie Townhomes Plat 2 Preliminary and Final Plat and Site Plan with the following conditions:

1. The project shall conform to the requirements, standards and regulations of the City of Johnston.

2. All final plat documentation shall be fully executed and delivered to City Staff (originals) and the City Attorney (copy) for review and approval at least six (6) working days prior to the City Council meeting at which the final plat will be considered for approval.

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Seel
<b>Aye</b>		X	X	X		X	X
<b>Nay</b>							
<b>Abstain</b>							

- 7. PZ Case No. 08-18; Text Amendment;** Consider amending Section 166.23, Accessory Buildings and Garages to include setbacks for detached accessory buildings in the R-2 Zoning District and for detached accessory buildings for animal keeping purposes in the A Animal Keeping Overlay District.

Steve Witmer presented the staff report.

Temple inquired about the need for a front yard setback if it structures are required to be in the rear yard. Wilwerding replied that the restriction is that the accessory structure cannot be in front of the front building line of the primary structure, so if the primary structure is set back further than the front yard setback it would restrict the accessory structure from being placed in front of it.

Temple asked about the need for the special exceptions for size of accessory structures in the current ordinance. Wilwerding explained that that provision has been used on occasion in recent years and the Board of Adjustment has given serious consideration to those applications and rejected one such request and added conditions onto another. The applicant for such an exception must justify a need for the additional size in order to get approval.

Motion by Wiskirchen seconded by Seel to approve PZ Case No. 08-18; Text Amendment.

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Seel
<b>Aye</b>		X	X	X		X	X
<b>Nay</b>							
<b>Abstain</b>							

## 8. Other Business

Wilwerding advised the Commission that a hearing will be held by the City Development Board on May 28<sup>th</sup> regarding the northwest annexation.

## 9. Adjournment.

Petersma adjourned the meeting at 7:24 p.m.

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Dick Robertson, Chairman

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David Wilwerding, Secretary