

MINUTES OF THE PLANNING COMMISSION  
MEETING HELD ON May 9, 2022

The meeting was called to order by Chairman Rau at 7:31PM.

Roll call was taken: **Present:** Rau, Lutz, Hicks, Gaitsch, Pittman  
**Absent:** Voelker

Rau asked if there were any additions or corrections to the minutes from April 11, 2022 Planning Commission meeting. A motion was made by Gaitsch and seconded by Pittman to approve the minutes of the April 11, 2022 meeting minutes. **Motion carried.**

Rau asked if there were any citizens to address the Planning Commission. There were none.  
Rau asked if there were any corrections or deletions to the agenda. There were none.

**OLD BUSINESS:** Rau asked if there was any old business. There was none.

**PETITIONS:**

**Z-22-05-01**

**Review and Recommend to the Zoning Board of Appeals a Petition for a Special Use Permit to allow a Residence Use in a B-3 Zoned District located at 4505 HH Road, Parcel No. 07-13-300-002-000, as requested by the owner, Human Support Services.**

Ann Riley, the Executive Director for Human Support Services (HSS) was present to represent the petition. Human Support Services currently owns the property located at 4505 HH Road. In 2018 HSS purchased the property to continue the previous use as a Bed and Breakfast (B&B). Their intent at the time was to have 2 or 3 HSS clients live and operate the B&B. The State Fire Marshal inspected the property and it was estimated that it would cost \$250,000.00 to bring the building up to fire code. Having HSS employees living and operating inside the house created unexpected additional fire code expenses. To avoid such cost HSS went to "plan B" which was to demolish the existing garage and add on a separate living quarters behind the B&B. This also became cost prohibited. "Plan C" was to have an inn keeper live on site which worked out well until the Pandemic came and the Board of Directors decided to close the B&B and put the property up for sale. HSS had buyers interested in B&B and as a "single family residence" so to help the sale of the property HSS wanted to petition for a Special Use Permit (SUP) for a "residence" use.

Rau questioned Krebel if the SUP runs with the property or the petitioner. Krebel noted that historically The City of Waterloo's SUP's run with the property, however, every municipality rules on this differently. The Planning Commission felt like this should be addressed clearly in Special Use Permit Section in the Zoning Chapter. Krebel stated that he will pass this on to the City Attorney's and the Planning Committee. Rau also mentioned that SUP's expire after two years if no action is taken per 40-9-10(B)(3).

Hicks commented that the abutting properties on the North and West of the subject property is residential/agricultural use which would conform well to the proposal.

Pittman commented that the B&B is already a permitted use and residency is a requirement therefore a "residence" use is not much different.

Gaitsch commented that before the B&B the property was used as a single family residence.

Rau commented that the proposed SUP should be used as a single family residence not a multi-family residence.

Lutz and Gaitsch made the comment that allowing SUP makes sense and the Planning Commission should give this a favorable recommendation.

**Recommendation: A Motion was made by Hicks and seconded by Gaitsch to recommend the Special Use Permit to allow a residence use at 4505 HH Road.**

**Members voted as follows:**

**YES – Hicks, Lutz, Pittman, Gaitsch, Rau**

**Z-22-05-02**

**Review and Recommend to the Zoning Board of Appeals a Petition for a Zoning Text Amendment to modify the current “Home Occupation” definition in zoning section 40-1-15.**

At the April Planning Commission Meeting Rau commented that the Home Occupation definition was conflicting with the business sign code 40-4-15(P).

**Current Ordinance**

**HOME OCCUPATION.** A domestic activity carried on by no more than two individuals, one of whom is an occupant of the dwelling, but excluding music schools, convalescent or nursing homes, tourist homes, or other establishment offering services to the general public, and providing that there are no signs nor any display that will indicate from the exterior of the building that it is being utilized, in whole or in part, for any purpose other than that of a dwelling; providing, also, that there is no stock-in-trade or commodity sold upon the premises.

**§ 40-4-15 SIGNS: BUSINESS.**

(P) In any residential district where urban home occupations are permitted, the only sign permitted shall be an identification sign of not more than one square foot that is attached to the residence. Said sign shall be flush with the facade and shall not extend past the facade edge in any way.

Krebel took this to the Planning Committee and their recommendation to the Planning Commission was to modify the definition to allow 1 square foot of signage.

Planning Commission discussed that illumination of the sign would not be an issue and a sign would be help clients see which house to go to.

**Recommendation: A Motion was made by Lutz and seconded by Pittman to recommend adding one square foot of signage to the Home Occupation Definition.**

**Members voted as follows:**

**YES –Lutz, Pittman, Gaitsch, Rau, Hicks**

**NEW BUSINESS:** There was none.

**COMMENTS:** Rau emailed Mayor Smith about the vacant seat and Mayor Smith replied that he has someone in mind. Krebel said the updated ordinance books are at City Hall and Tammy Kujawa needs to make copies for the Planning Commission and the Zoning Board of Appeals.

**Motion to adjourn the meeting at 8:15 PM was made by Hicks and seconded by Lutz. Motion carried.**  
Minutes submitted by Nathan Krebel.