

TOWN OF FULTON
Planning & Zoning Committee

Tuesday, December 11th, 2007
6:00 PM

1. **Call to Order** - by Sayre at 6:00 pm. Present were Sayre, Lichtfuss, Farrington, Clift, Rebman, Sautin and Clerk Zimmerman. Teubert was absent.
2. **Confirmation of Meeting Notice** – Zimmerman advised the notice was posted at CKSD, Edg. City Hall, Town of Fulton and the Town’s website on Dec. 5th, and published in the Edgerton Reporter on Dec. 5th.
3. **Approval of Agenda** - **Motion** (Clift, Sautin) to approve the agenda. Carried.
4. **Approval of Nov. 13th, 2007, Meeting Minutes** - **Motion** (Rebman, Clift) to approve minutes of 11/13/07. Carried.
5. **Public Participation** – Citizen Dave Brown asked if he could save his participation and speak when we come up to item 6 b on the agenda. Sayre advised he could.
6. **Discussion/Possible Recommendation to Town Board for Approval of Proposed Ordinances**
 - a. **Town Ordinance amending Section 425-12I Zoning Ordinance of the Town of Fulton regulating semi trailer boxes to include wording of the districts they are not allowed in.** – Sayre explained this is basically a house keeping so the wording includes the districts that they are not allowed in. Lichtfuss said that makes it real clear. **Motion** (Lichtfuss, Sautin) to recommend approval of the amendment to the Town Board. Carried.
 - b. **Town Ordinance creating Section 425-102.2 of the Zoning Ordinance of the Town of Fulton regulating Outdoor Furnaces** – Sayre advised Citizen Brown he could speak on this matter now as previously requested. Brown pointed out the ordinance does not address grandfathering, and asked to insert a date of after Jan. 1, 2008. He also asked the board to consider changing the 400 feet from any residential structure on any parcel other than a parcel on which the furnace is located to 300 feet. Farrington advised when we were drafting this ordinance it was suggested between 300-500 feet, and we decided to use 400 feet. Sayre advised someone can always apply for a variance. **Motion** (Sautin, Clift) to recommend approval of the ordinance to TB with leaving the amount of feet at 400. Farrington advised he doesn’t think 300’ is enough. Carried.
7. **Final Certified Survey Map-Land division, property owner Nina Finucan, 2939 W Cox Rd.** – Ron Combs advised the 100’ wide width is where the building line is, not at the front of the lot. Combs advised the County did approve this and the CSM hasn’t changed from the original CSM. **Motion** (Sautin, Rebman) to recommend to TB approval of final CSM
8. **Request from Carl’s Shell/JNB Signs for a redesign of the previously approved sign** - Sayre advised he feels this design is improved from the previously submitted design, but advised he wouldn’t want to see the brick area filled up with bushes. Jon Meyers from JNB Signs explained the brick base doesn’t have enough capacity enough to plant bushes and explained that it could possibly have flowers. Jon explained the previously approved sign Shell didn’t approve. He explained the new sign will now face the street. Lichtfuss said the ordinance states one sign is allowed in that district, and the new design is now two signs. Lichtfuss stated they have created two very separate signs, and asked if six businesses came in, then would there be six

different signs. Amy Sund said she understood that the original sign was approved by the board, but stated it hadn't and wasn't approved by Shell. Rebman stated there has to be some way this could be done, possibly with one base going into the ground. Amy asked if it could be done like a goal post. Farrington said that the new drawing would have to be brought back to us for approval, but that a goal post sign would most likely work. **Motion** (Farrington, Clift) to table this until next month so that a new drawing of one sign can be brought back to P&Z. Carried.

9. Discussion re: amending the wording in Town Zoning Ordinance 425-33(B)(3) – Permitted Uses - Sayre explained we need to re-visit some of the wording in the ordinances. He explained at the last Smart Growth meeting it was mentioned that some of the wording is outdated. Lichtfuss suggested that we should deal with the things as they come up. Farrington agreed there were some rules in the ordinances that applied to things 25 years ago and are not to present date. Sayre suggested having workshop meetings to review some of the wording not in just the A2 zoning, but in quite a few things. Combs asked if the approved CSM for the Finucan property now has an unbuildable lot. Sayre said if you apply the part of the ordinance that states you have to make a substantial part of your income off of the land or if you are a hired hand, then you probably couldn't. Sayre advised that is a gray area. Combs asked if this ordinance wording could be corrected at the Jan. or Feb. meeting. Sayre said it was on the agenda tonight to talk about it, but we cannot make a decision tonight. **Motion** (Lichtfuss, Farrington) to recommend to TB to get a work group together to work on this issue and others in the ordinances. Carried.

10. Discussion re: amending the wording in Town Zoning Ordinance 425.12(H) Use Restrictions – Access to public road – Sayre explained that citizen Bob Rippberger requested to be on the agenda for this. Rippberger explained this could possibly be considered house keeping and advised that RR, R1 and R2 don't allow for a second access. He explained previously, before the ordinance was amended, it read that there wasn't a 2nd access allowed in any districts. Rippberger stated he is asking tonight to re-look at this ordinance and amend the wording. He explained that surrounding cities and towns do not have restrictions, or do have restrictions but if there is a need for it they will send out an engineer to evaluate the situation, and a second one could be issued. He suggested that Farrington could review the second driveway application and then have the board review it and then possibly grant a second access driveway. Lichtfuss said this might be something that would need to be looked at, stating she recalled it was amended for farm set ups. She stated a while back we were encountering problems with getting a lot of circular driveways and things, she said this ordinance was done because there were problems. Rippberger asked when this could be reviewed. Sautin advised that Rippberger has continued to bring this issue up, and in the process has slandered and belittled people on this board, and advised if we discuss this, he would have to excuse himself. Lichtfuss said this doesn't appear to be a rush item, and this could be reviewed at the work group meetings. Sayre said we would work on this when we can and said we cannot give an exact timeframe. Farrington said he can bring this up at the next fire district meeting because he recalled that public safety was an issue with emergency vehicles responding to residences, but couldn't recall what the issue was. Lichtfuss said there are a lot of issues involved that need to be looked into and there are things that need to have a lot of thought put into them. Sayre advised Rippberger we would let him know when we are going to work on it.

11. Discussion re: Creating/Amending ordinances more efficiently. Lichtfuss advised this issue is covered with starting up a workgroup.

12. Zoning Board member vacancy – Sayre advised Teubert has to step down, therefore creating an opening. Sayre advised citizens who are interested can come to the next board meeting and give a short 3 minute presentation to the Board, and the Board can appoint some one

at January's meeting. Zimmerman said if anyone interested they should contact the Town Hall and give their name so she can send them a copy of the agenda and we know how many people are interested.

13. Correspondence – none.

14. Adjournment – **Motion** (Lichtfuss, Farrington) to adjourn at 7:00 pm.

Submitted by,

Connie Zimmerman
Clerk/Treasurer

**These minutes are not official until approved by the P&Z committee.