

Regular Meeting (Cont.)

3-6-2000, Page 8

She noted that anyone could ask for an alley vacation at any time, and it was not addressed by the Village Study.

No one else wished to be heard, and the public hearing was closed.

Mr. Persson indicated that Mr. Dye made a valid point in terms of the delegation to the Town Attorney for approval; he suggested that the problem could be avoided by deleting the word "Attorney" so that it would be a form approved by the Town. He said the Town Attorney could then provide a standard form to be used for conservation or utility easements to be approved by the Town.

Discussion ensued regarding alley closures, proposed conservation and utility easements, and approvals.

Mr. Black noted there had been a series of property owners looking at closing existing alleys that were fully passable, as well as alleys where only the ends may be open or, in some cases, only one end of the alley was open. He advised that during a 15- to 16-month period monthly meetings were conducted with residents of the community who identified their concerns for eventual development and redevelopment of the Village; alleys were included in those discussions, along with vegetation, architectural style, buildings, and storm water drainage. He said that as a result of reviewing these issues the Town staff worked with residents to develop an overall report that highlighted and addressed making it more difficult to open up those alleys; this Ordinance addressed this. He stated awareness of the policy of the Town Commission not to simply give away this property or vacate, but that the four items outlined must first be considered before permission was granted. He noted that the second component pertained to street access that specified lots may allow vehicular access but not be expanded, because it would create additional liabilities to the Town to maintain those alleys as passable, such as with reshelling and trimming vegetation.

Motion to approve 2000-03, as amended, carried on roll call vote: Haglund, aye; Redgrave, aye; Lenobel, nay; Legler, aye; Metz, aye; Patterson, aye; Johnson, aye.

10. Ord. 2000-04, Amending Chapter 157, SUBDIVISION REGULATIONS, Amending §157.14(A), STREET ACCESS Required to Implement Recommendations of the Village Study Relating to Alley Access

Ord. 2000-04 was placed on second reading and public hearing by title only.

It was moved by Legler, seconded by Johnson, to adopt Ord. 2000-04.

Pursuant to published notice, the public hearing was opened.

Mr. Black reported that Ord. 2000-04 defined properties to which legal access could be met for new home construction, and it mapped the Village overlay areas.

No one else wished to be heard, and the public hearing was closed.

Regula. Meeting (Cont.)

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Motion carried unanimously on roll call vote: Legler, aye; Johnson, aye; Patterson, aye; Lenobel, aye; Redgrave, aye; Metz, aye; Haglund, aye.

11. Ord. 2000-05, Amending Chapter 158, ZONING CODE, Amending §158.006, DEFINITIONS, by Adding a Definition for Porches; Amending §158.150, YARD REGULATIONS, Subsection 158-.150(A)(1), To Establish New Subsection (b), Porches in the Village Study Area

Ord. 2000-05 was placed on second reading and public hearing by title only.

It was moved by Johnson, seconded by Metz, to adopt Ord. 2000-05.

Pursuant to published notice, the public hearing was opened.

Mr. Black reported the intent of Ords. 2000-05 and 2000-06 was to provide incentives for development and redevelopment in the Village: Ord. 2000-05 provided that porches may encroach up to ten feet into front yards and established restrictions to regulate the bulk and mass of those; Ord. 2000-06 provided that up to 2 feet of overhang may encroach into setbacks as a means to provide additional safety and protection from the environment for new homes and construction in the Village.

No one else wished to be heard, and the public hearing was closed.

Motion carried unanimously on roll call vote: Johnson, aye; Metz, aye; Patterson, aye; Legler, aye; Lenobel, aye; Redgrave, aye; Haglund aye.

12. Ord. 2000-06, Amending Chapter 158, Zoning Code, Amending §158.006, DEFINITIONS, by Adding a Definition for Building Overhangs; Amending YARD REGULATIONS, to Establish a New Subsection, BUILDING OVERHANGS AND PORCHES IN THE VILLAGE STUDY AREA

Ord. 2000-06 was placed on first reading by title only.

It was moved by Metz, seconded by Johnson, to adopt Ord. 2000-06.

Pursuant to published notice, the public hearing was opened. No one wished to be heard, and the public hearing was closed.

Motion carried unanimously on roll call vote: Metz, aye; Johnson, aye; Patterson, aye; Legler, aye, Haglund, aye; Redgrave, aye; Lenobel, aye.

13. Ord. 2000-07(D9), Amending Chapter 158, ZONING CODE, Amending §158.128(F), OFF-STREET PARKING, Collective Provision, To Define Same Type of Zoning Classification
Ord. 2000-07(D9) was placed on second reading and public hearing by title only.

Pursuant to published notice, the public hearing was opened.