

**HARRISBURG PLANNING COMMISSION
APPROVED MINUTES OF THE REGULAR MEETING OF SEPTEMBER 8, 2020
HELD AT 6:00 P.M. IN THE LIBERTY ELEMENTARY SCHOOL COMMUNITY ROOM**

CALL TO ORDER

Chairman Bicknase called the meeting to order at 6:00 p.m. Present were Commission members Bicknase, Doyen, Hogan, Kindt, Larson, and Schipper as well as McMahon, Tank, and 7 guests.

APPROVAL OF AGENDA

1. To approve the agenda for the September 8, 2020 regular meeting.

Kindt moved, with Doyen seconding, to approve the agenda as presented. The motion was approved by a unanimous vote.

OLD BUSINESS

2. Approval of the minutes of the July 14, 2020 regular meeting.

Schipper moved, with Doyen seconding, to approve the minutes of the July 14, 2020 Commission meeting as presented. The motion was approved by a unanimous vote.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment was offered.

CONVENE BOARD OF ADJUSTMENT

Chairman Bicknase recessed the Planning Commission meeting and convened the Board of Adjustment at 6:02 p.m.

3. A Public Hearing has been scheduled for 6:05 p.m. to accept public input on a request for a Variance to Setback Regulations by KN Construction, Inc. to allow a 20 foot front yard setback for 513 Legendary Drive (Lot 4 of Block 16 of the Legendary Estates Addition to the City of Harrisburg).

Chairman Bicknase called the Public Hearing to order. Damien Greble, surveyor for KN Construction, explained that the front of the house had been properly staked for the 25' front setback with the expectation that the garage was 5' behind the front of the house. When the foundation was set the garage was 5' in front of the front of the house but this was not discovered until the foundation for the adjacent home was installed. By the time the setback error was discovered the home had been framed and enclosed. He stated that it would be a financial hardship to bring the home into compliance with a 25' front setback and requested that a 20' front setback be allowed. No other public comment was offered. Chairman Bicknase closed the Public Hearing at 6:08 p.m.

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4. Consider a request for a Variance to Setback Regulations by KN Construction, Inc. to allow a 20-foot front yard setback for 513 Legendary Drive (Lot 4 of Block 16 of the Legendary Estates Addition to the City of Harrisburg).

The Board asked Mr. Greble a number of questions and discussed possible alternatives. After consideration, Hogan moved with Kindt seconding, to approve the requested Variance to allow a 20' front yard setback on Lot 4 of Block 16 of the Legendary Estates Addition. The motion was approved by a unanimous vote.

Chairman Bicknase adjourned the Board of Adjustment at 6:12 p.m. and reconvened the Planning Commission.

PUBLIC HEARING

5. A Public Hearing has been scheduled for 6:15 p.m. to accept public input on a request for a Condition Use Permit by Dean Marshall to allow a Major Home Occupation at 407 Claudia Avenue (Lot 2 of Block 11 of Harrisburg Homesites Addition) for food truck parking and preparation.

Chairman Bicknase called the Public Hearing to order at 6:15 p.m. Mr. and Mrs. Marshall described their food truck business and the actions they have taken to respond and address code enforcement complaints about parking and cooking oil spills. A neighbor expressed concern over the appearance of the spilled cooking oil and the mess this had made on Claudia Avenue. Chairman Bicknase closed the Public Hearing at 6:42 p.m.

NEW BUSINESS

6. Conditional Use Permit Application by Dean Marshall to allow a Major Home Occupation at 407 Claudia Avenue (Lot 2 of Block 11 of Harrisburg Homesites Addition) for food truck parking and preparation.

The Commission asked several questions of Mr. Marshall about proposed conditions of approval for the CUP. After review and discussion, Kindt moved with Hogan seconding, to approve a Conditional Use Permit for a Major Home Occupation subject to the following conditions:

1. The applicant widen the driveway by May 1, 2021 to provide a parking pad for the food truck so parking on the lawn will not continue;
2. That employee parking be confined to the driveway of this home;
3. That food waste must be properly disposed of at a site other than this property as much as possible;
4. That storage of all items to be used in the food truck must be done inside the residence
5. That used cooking oil must be properly disposed of at a site other than this property;

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6. That the applicant immediately report any spills of cooking oil to the Harrisburg Public Works Department and clean up the spill as soon as possible. The applicant shall be liable for any City cleanup costs;
7. This CUP may be reviewed annually by the Planning Commission for compliance beginning in May, 2021. Additional conditions of approval may be required as a result of this review.

Mr. Marshall stated that he understood and will comply with these conditions. The motion was approved by a unanimous vote.

ADMINISTRATIVE REPORTS AND COMMISSION INPUT

7. Building and development activity reports for August, 2020.

McMahon provided activity reports to the Commission and discussed current development projects.

8. Commission Member input.

No Commission input was offered.

ADJOURNMENT

Hogan moved, with Doyen seconding, to adjourn. The motion was approved by a unanimous vote. The Commission meeting adjourned at 6:48 p.m.

Respectfully submitted,

Michael McMahon
Planning & Zoning Administrator