

CITY OF ITHACA
PLANNING COMMISSION MEETING MINUTES

Tuesday, October 8, 2024 @ 5:00pm

The regular meeting of the Ithaca Planning Commission was called to order by Mayor Baublitz at 5:00pm, followed by the Pledge of Allegiance to the American Flag.

Present: Commissioners George Bailey, Jared Macha, Mary Beth Mates and Mayor Brett Baublitz

Absent: Jerry Timmons and Richard Teal

Staff Present: City Manager Jamey Conn and City Clerk Cathy Cameron

Audience Present: Robert Bennett, Derryl & Kim Leonard, Marci Bellinger, Brenda Whitmore, Elizabeth Palmer and Adam & Brandy Harger.

Approval of Minutes

Minutes from the Regular Meeting held August 13, 2024.

Moved by Bailey, second by Macha to approve minutes of the regular meeting held August 13, 2024. Motion carried.

Public Comments

Mayor Baublitz asked for any public comments. Residents (Robert Bennett, Derryl & Kim Leonard, Marci Bellinger, Brenda Whitmore, Elizabeth Palmer) who live within Westwind Estates addressed the Commissioners on the proposed accessory building requested by their neighbors, Adam & Brandy Harger. Of those in attendance, there was support for approval and others that were against having an accessory building of that size within the subdivision.

Unfinished Business

There was none.

New Business

Manager Conn presented the special use permit request submitted by Adam and Brandy Harger who reside at 720 Leeward Court. The proposed plan is for a 24' x 48' accessory building. The property is located within Westwind Estates, a subdivision, which is governed by its covenants and restrictions.

Under Section 14. Exterior Storage; it is written "Garden sheds or outbuildings will be permitted with the following restrictions; minimum area 10' x 12' frame construction on a cement slab, shingled roof and keeping with the aesthetics of the primary structure. Exterior storage is limited to the rear yard of any lot and must be located on a cement slab."

Manager Conn noted that a minimum is listed, however no maximum limitations. This would then revert to the city ordinance on accessory buildings.

§ 4.05 Accessory buildings. *Except as otherwise permitted in this ordinance, accessory buildings shall be allowed as permitted uses, subject to the following regulations. (d) In the R-1, R-2, R-3, R-4 and R-O Districts, the maximum allowable size for the total of all accessory buildings on a developed lot shall be 864 square feet. A special use permit shall be required if the total area of all accessory buildings is larger than 864 square feet.*

Discussion was held. Commissioners requested Manager Conn seek legal counsel advice of the Westwind Estates Covenants & Restrictions vs. City Zoning Ordinance; for determination to be applied in this case.

Moved by Bailey, second by Mates to deny the special use permit of an accessory building within the subdivision and request Manager Conn seek a legal counsel decision in this matter. Motion carried by Roll Call vote: Deny (4) Bailey, Macha, Mates, Baublitz: Approve (0) None.

Public Comments

There was none.

Moved by Bailey, second by Mates to adjourn the meeting at 5:33pm. Motion carried.

Cathy Cameron, City Clerk