

The Development Appeal Board of the Foothills County met via Zoom video conferencing platform at 1:00 p.m. on September 10, 2020. Present were Chairman G. Beacom; Board members, L. Spilak, B. Meyers, R. Percifield, T. Mills and Clerk, J. Clement.

MEULLER - 20D 129 – RELAXATION OF SETBACKS

The hearing was opened at 1:07 p.m. In attendance were Landowners Joseph and Rita Kerleroux, appellants Paul and Anne Morris, gallery member Darrel Perlau, and the Development Authority for Foothills County, Brenda Bartnik.

The appeal was received from the appellants on August 14, 2020, against the approval of Development Permit 20D 127 for a Home Based Business Minor – Residential Framing Services on PLAN 9813170, BLOCK 1, LOT 11; PTN. SW 32-19-29 W4M.

Upon having read the materials provided, and upon having heard the representations from the Appellant and the Development Authority for the Foothills County with respect to the appeal filed by the Appellant in accordance with Section 685 of the Municipal Government Act against the refusal of Development Permit 20D 129, the Subdivision and Development Appeal Board for the Foothills County has decided to:

Deny the appeal and uphold the Development Authority's decision to approve Development Permit 20D 127 for a Home Based Business Minor – Residential Framing Services on PLAN 9813170, BLOCK 1, LOT 11; PTN. SW 32-19-29 W4M.

The application is thereby APPROVED subject to the following REVISED conditions:

PRE-RELEASE CONDITION:

(Pre-release Conditions must be fulfilled before the Development Permit will be signed and released. Unless a time extension is issued under agreement between the Development Authority and the Applicants, failure to complete the pre-release condition on or before January 5, 2021 will see this approval be deemed null and void).

1. The applicant is required to submit a revised site plan and a screening plan, for review and acceptance by the Development Authority. The plans shall include: dimensioned location of the parking/loading area that is to accommodate the storage of business related trailers; dimensioned location of one parking stall for a non-resident employee; and detail with respect to proposed screening (including maintenance & timeline) that will be installed in order to obscure the view of the trailers from area lands (ie. vegetation, fencing). The fencing for screening purposes within the subject property shall not exceed the requirements as listed within the Foothills County Land Use Bylaw.

ADDITIONAL CONDITIONS:

1. This approval is for a Home Based Business, Minor for business operations supporting a residential framing company that operates primarily off site. A

business office is to be located within the Dwelling, Single family on the property and business-related utility trailers and flat decks may be parked on the parcel.

The applicant shall maintain business operations in accordance with the application for development permit and those conditions as contained herein.

Addition to, or revision to the uses approved herein may occur only upon obtaining appropriate municipal approvals;

2. all business materials or goods related to the business shall be contained within the principal dwelling, or a permitted accessory building on the property;
3. a maximum of 3 vehicles and/or equipment (ie: the identified trailers) specific to the business may be stored outdoors at any given time. Any such equipment and/or vehicles shall be located so as to not be generally visible from a public road or adjacent property. The plan accepted by the Development Authority under the pre-release condition to this permit **shall be installed within 12 months of the date of this decision**, and maintained for the life of this approved development;
4. the development and use of the land are to comply with all requirements of the Alberta Building, Safety, and Fire Codes at all times. Any future installation of a building used in conjunction with the home based business shall comply with the requirements of the Land Use Bylaw; and all related Alberta Codes for the intended use and occupancy, to the discretion of the County's Safety Codes Officer;
5. the applicant must maintain an annual Business License from Foothills County. Failure to obtain this each year will result in this permit being considered null and void;
6. one business identification sign, no larger than 5.92 sq. ft. in area, is permitted to be placed within the legal ultimate property boundary, at the entry to the lot;
7. there shall be no long term storage of waste materials on the property, nor burning of waste materials on the property. All garbage and recycling materials shall be stored in weather-proof and animal-proof containers, and subsequently disposed of at an approved facility;
8. no more than four business related visits to the property are permitted on any given day;
9. a maximum of one non-resident employee is permitted to attend the property at any given time;
10. no offensive noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot to be produced by the business;
11. any new installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Foothills Dark Sky Bylaw;
12. it is the applicant's responsibility to provide notification to the Development Authority upon completion of the development;
13. issuance of a development permit by the County does not relieve the applicants of the responsibility of complying with all other relevant municipal bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land;
14. the applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the development

approved on this permit.

ADJOURN

Mr. Mills moved that the meeting be adjourned at 2:27 p.m.

CARRIED

CHAIRMAN

SECRETARY