

PLANNING COMMISSION MEETING MINUTES AUGUST 4 , 2009

The Planning Commission held its monthly meeting Tuesday, August 4, 2009 at 7:00 P.M. in the City Council Room at the Municipal Complex. The following items were on the agenda:

1. Approval of minutes from the last meeting

**PLANNING COMMISSION ADJOURNS
BOARD OF ADJUSTMENTS CONVENES:**

2. Variance request by Kevin Porter in order to build a storage building on the backyard property. Petitioner is within two (2) feet of meeting the 15 feet clearance requirement of existing power lines and needs variance to proceed. All utilities have sent letters stating this is permissible by their office.

**BOARD OF ADJUSTMENTS ADJOURNS
PLANNING COMMISSION RECONVENES:**

3. Discussion with commission by Teresa Leonard about property located at 606 Pointer Trail East. Property was recently rezoned R-2, Ms. Leonard would like to discuss the possibility of rezoning to C-2 for purposes of selling the property. C-2 rezone is upon suggestion of her realtor.
4. Review of plat on conditional use agreement for B & W Plating from last month
5. Continuation of public hearing tabled from last meeting on language for Chapter 9.04, Streets, Alleys, Gutters or Ditches
6. Any other business that comes before this commission

PRESENT: Andrew Dibble, Chairman
Philip Bagby, Vice Chairman
Jay White
John Symonds
Mark Evans
Dorvan Wiley
Sue Moore
Woody Nelson
Cami Brown, Recording Secretary
Brad Baldwin, City Engineer
David Martin, Chief Inspector

ABSENT: Clark Moore

OTHERS

PRESENT: Teresa Leonard
Kevin and Joan Porter

Chairman Andrew Dibble called this meeting to order at 7 P.M. First order of business was to approve minutes from the last meeting. A motion was made by Mark Evans to accept the minutes as written, and Dorvan Wiley gave the motion a second. This motion carried with a unanimous vote.

PLANNING COMMISSION ADJOURNS
BOARD OF ADJUSTMENTS CONVENES:

Next item for consideration was a variance request by Kevin Porter to build a storage building on property within 2 feet of meeting the 15 foot clearance requirement of existing power lines. All utilities signed off on this request. A motion was made by Dorvan Wiley to approve this request, and the motion was seconded by Woody Nelson. This motion carried with a unanimous vote.

BOARD OF ADJUSTMENTS ADJOURNS
PLANNING COMMISSION RE-CONVENES:

Teresa Leonard approached the commission about property located at 606 Pointer Trail East. Property was recently rezoned R-2, and Ms. Leonard was curious if the commission might consider a C-2 rezone for it. Ms. Leonard has the property up for sale, and her realtor suggested the rezone. Property across the road is zoned C-2, but property on the same side of the road, the South side, is all residential. After some discussion the commission determined until land to the West of her property was rezoned to C-2, they would not be able to do so.

Next item discussed was confirmation on a conditional use permit that was granted the previous month to B & W Plating with condition of the owner doing a replat of all the property located in this area into one piece of property. This was completed and proof of this action was dropped off to the Planning Office for verification.

Next item was continuation on public hearing tabled from last month for Chapter 9.04 for streets, alleys gutters or ditches. The changes to this section are to more clearly define language definition. After some discussion a motion was made by Woody Nelson to make a recommendation to City Council to make suggested changes to this language. John Symonds gave this motion a second and the motion carried with a unanimous vote.

David Martin brought to the Planning Commission Working Group the issue of multi-duplexes are built on one lot, and wanted to determine what exactly the planning commission would suggest to do as far as fire regulations on this matter. Andrew Dibble

commented it had been discussed that with multi-family or even single homes, there be at least 20 feet to allow enough room for firefighters to be able to safely maneuver when necessary. John Symonds commented David Martin was working to be proactive on this matter, and have the decision(s) of how the city would handle this made before it comes into affect. The way the new codes read anything with three or more living spaces has to be sprinkled, so duplexes wouldn't have to be sprinkled, and an individual could start cramming duplexes on one lot. After speaking with Stanley Clark, the group commented that the firefighters would rather have the room to get through and fight the fire. The question here is whether to put something in the local regulations to demand sprinkling in such a situation, or to put in the local regulations for the 20 feet between buildings to be required. Woody Nelson asked if the commission was looking to do this "either or". Brad Baldwin commented that sprinkling is actually a way to get individuals out of a building in time, not to fight the fire. He also commented in this community we have gotten more pro-active to protect our firefighters. Brad commented the separation was more for the intent of protecting the firemen. The PCWG and the commission agreed the 20 feet between buildings would be the best suggestion. Philip Bagby commented that it is real clear what it intends, but looking at it from an attorney's point of view, he wanted to make sure there was no room for an attorney come in and pick it apart. After some discussion, it was determined that a public hearing will be held in September on this matter.

With no other business Sue Moore made a motion to adjourn, motion was seconded by Jay White, and the motion carried with a unanimous vote.

Andrew Dibble, Chairman

Cami L. Brown, Recording Secretary