

Planning and Zoning Commission Meeting - Minutes

August 19, 2019

Attendance: Nick Polk
Jim Bailey
Kelly Rather
Marcia Chaney
Shane Eoff
Karen Dill
Jimmy Von Tungeln – Consultant

Marcia Chaney called the meeting to order.

A public hearing was held regarding a Conditional Use Permit to allow the reconstruction of a “C Store” in the Central Business District at 504 N. Center Street. Terry Burruss, a representative for the “C Store” was in attendance. There was no one in attendance to make comments or objections and the public meeting was closed at 6:35pm.

Minutes from July were reviewed and Motioned by Kelly Rather and 2nd by Jim Bailey to approved. Approved unanimously.

Permits for C Store were reviewed. Kelly Rather questioned the underground gas tanks. Terry Burruss was in attendance and answered that the company was complying with ADEQ and the State Health Department and will comply to all environmental regulations regarding the tanks. Nick Polk motioned to approve the conditional permit and Kelly Rather 2nd the motion. The conditional permit was approved unanimously. The building permit was motioned by Karen Dill and 2nd by Kelly to approve. The permit was approved unanimously.

Permit for ChemoFast remodel as reviewed. Karen Dill motioned to approve the permit. Nick Polk 2nd. Permit was approved unanimously.

Discussion regarding fences was led by Karen Dill. Karen cited 5.9.17 of the UDC specifying that no building may be erected over or in an easement. The definition of building is anything with a roof supported by walls. See the definition of Building on page 99 of the UDC. A fence does not have a roof and is not an enclosure. The definition of Structure would be anything constructed or erected, the use of which requires a fixed location on the ground or attached to something having a fixed location on the ground. A fence would be considered a structure, not a building. Karen stated that the UDC shows this definition as structure or building. Karen believes that this definition should only be for a structure, not a building. All buildings are structures, but not all structures are buildings. Jim Kelly was in attendance and Kelly Rather asked Jim about the issues the city has removing fences to work in these easement areas. Jim replied that it can be an issue either way. They either have to remove a fence, or clear unmaintained areas to work. Jim said that people do not maintain areas outside their fences and grass, bushes, and even trees are allowed to grow in these areas. Marcia Chaney said to change the UDC, a recommendation would need to be made to the City Council and approved by them. Jim Von Tungeln added that there are items in the UDC that need to be addressed and possible changes made. Karen suggested a working meeting to go over the UDC to address issues. Nick Polk suggested an independent review of the UDC. Karen disagreed and said that we as the Planning and Zoning Commission should know the UDC and therefore should be able to review the UDC and make recommendations for corrections or changes. No date was set for a working meeting.

Marcia Chaney announced that she had tendered her resignation as a Planning and Zoning Commission member to the city and that tonight would be her last meeting.

Motion to adjourn was made by Kelly Rather and Jim Bailey. Marcia Chaney adjourned the meeting.