



PLANNING AND ZONING COMMISSION February 21, 2023

1. Call to Order: 7:02p

Roll Call- Commissioners present: Derek Flake, Reid Stinnett, and Michael Lunt. Jeff Greer and Justine White absent

Staff present: Scott Allen, Joseph Jarvis

2. Pledge and Prayer: Prayer: Stinnett Pledge: Flake

3. Call to the Public:

Bill Turley- West Gardens has only one way in and out. Stinnett explained that ADOT has provided three crossings and an additional one is cost and administratively challenging. Jarvis mentioned that Town Manager Richards has attempted to negotiate with the owner of the railroad to allow an additional crossing.

Keith Anderson- Please clarify, is ADOT or railroad the greater hold up? The Commissioners stated that it appears to be the railroad.

4. Commissioner Reports:

None

5. Approval of Previous Meeting Minutes:

A. MEETING MINUTES- January 17, 2023

Stinnett moved to approve the meeting minutes as presented. Seconded by Lunt. The motion was approved unanimously with Greer and White absent.

6. Discussion/ Action Items:

A. DEVELOPMENT REVIEW: 202-10-046B & 057: POINTE COMPANIES, INC

Wilcock provided background. If a fence were constructed on the corner, it would block the line of site. They are asking to not be required to construct a fence and will instead use the money on landscaping. The adjacent homes' elevation is higher than the required fence which they feel mitigates the purpose of the fence. The Commissioners and applicant discussed additional details about their request and parameters of the development. Staff also provided comments. The applicant stated that they now intend on constructing four structures with four units in each structure. Staff pointed out that this is a change from what was previously presented, during the development review process. Staff will research this further.

Stinnett moved to allow the second building permit to proceed. Upon completion of the second building, the applicant is to schedule meetings with individual Commission members so that their request to install a fence can be analyzed further. Seconded by Lunt. The motion was approved unanimously with Greer and White absent.

7. Open Public Hearing:

A. SPECIAL USE PERMIT: 202-36-035D: BYRCE & APRIL HUNT: SECONDARY RESIDENCE

Applicant wants to remodel the first and second floor of an existing garage to accommodate an immediate family member. The County has authorized an additional septic system for the

secondary unit. The Commissioners, applicant, and Allen discussed details about the request. This included the setback and driveway requirements.

Bill Turley- is a resident of the area and he supports this request.

B. SPECIAL USE PERMIT: 202-33-010: STEPHENSON: CONSTRUCTION OF A SECONDARY RESIDENCE IN THE GARAGE

Applicant explained why he did not attend last month's meeting. He stated that the Town Code requirements are met, but the structure to be remodeled is within 10' of the primary structure. The applicant shared photographs of his property. Discussion between the Commissioners, staff and the applicant about how the fire code will be implemented for the remodeled structure because of its distance from primary structure.

Two neighboring property owners expressed concern with traffic and creating a multi-family unit within a single-family neighborhood.

C. ZONING CHANGE REQUEST: 202-35-002K: QUENCA (TINGEY): REZONE FROM GC TO RT

Applicant provided additional details about his request. Additional housing options are needed in our community. This could be apartments, duplexes, or senior housing. Discussion about how the development would work around the existing utilities. The Commissioners are supportive of the plan.

D. ZONING CHANGE REQUEST: 202-39-002U & 2T: DENISE & JUSTIN BINGHAM: REZONE FROM LI TO RT

Applicant provided additional details. He rezoned the property twelve years ago with the hope that it would be developed. However, the property has not be developed or sold. He is now wanting to rezone it so that it will be developed and/or sold.

8. Close Public Hearing: (Each item was discussed after the open public hearing was completed)

A. SPECIAL USE PERMIT: 202-36-035D: BYRCE & APRIL HUNT: SECONDARY RESIDENCE

Stinnett supports this request. *Lunt moved to recommend the request for approval. Seconded by Flake. The motion was approved unanimously with Greer and White absent.*

B. SPECIAL USE PERMIT: 202-33-010: STEPHENSON: CONSTRUCTION OF A SECONDARY RESIDENCE IN THE GARAGE

Stinnett is concerned with the precedence that this may set. He is also concerned with how close the structure's eaves are. Additional comments were accepted from members of the audience. Greer and Stinnett are not supportive of this request. *Flake moved to not recommend this request because the proposal does not seem to meet the building code. Seconded by Stinnett. The motion was approved unanimously with Greer and White absent.*

The applicant stated that he will withdraw his request. Therefore it will not be presented before the Town Council.

C. ZONING CHANGE REQUEST: 202-35-002K: QUENCA (TINGEY): REZONE FROM GC TO RT

Lunt moved to recommend the request for approval. Seconded by Flake. The motion was approved unanimously with Greer and White absent.

D. ZONING CHANGE REQUEST: 202-39-002U & 2T: DENISE & JUSTIN BINGHAM: REZONE FROM LI TO RT

Flake moved to recommend the request for approval. Seconded by Lunt. The motion was approved unanimously with Greer and White absent.

9. Adjourn 8:25p