



PLANNING AND ZONING COMMISSION August 16, 2022

1. Call to Order: 7p

Roll Call- Commissioners present: Michael Lunt, Justin White, Derek Flake

Commissioners absent: Reid Stinnett, Jeff Greer

Staff present: Scott Allen, Joseph Jarvis

2. Pledge and Prayer: Prayer: White Pledge: Lunt

3. Call to the Public:

None

4. Commissioner Reports:

Lunt- will be submitting a complaint about a property to staff

5. Approval of Previous Meeting Minutes:

A. MEETING MINUTES- July 19, 2022

Flake moved to approve the meeting minutes as presented. White 2nd the motion. Unanimously approved with Stinnett and Greer absent.

6. Discussion/ Action Items:

None

7. Open Public Hearing: (The applicable Item 8 was discussed after Item 7 was discussed)

A. SPECIAL USE PERMIT: 202-07-038A: JODI & KEITH FLAKE: SECONDARY RESIDENCE **Discussed third**

A representative was not present. Staff provided background. SUPs are considered are only considered when an application is submitted. Commissioners shared their perspective on the request and discussed the size of the parcel and how much of the property would be covered by structures.

B. SPECIAL USE PERMIT: 202-42-019A: WILLIAM LADUKE: SECONDARY RESIDENCE **Discussed second**

A representative was not present. Staff provided background. Staff received two emails expressing opposition to this request, they were read.

Resident- has been there for 33 years. If something small is built, that would not be an issue, ^{but} they are worried about the potential size of the property. He also expressed issues with the size and maintenance of Porter Rd.

Resident- lives to the north of the property. Only supports something nice and small.

Resident- asked questions about the CCRs of the neighborhood. Expressed concerns with Porter Rd. He is concerned with the precedence that this approval would set. He mentioned that the Baldwins previously requested a secondary residence on their property and their request was not approved.

C. VARIANCE REQUEST: 202-41-072: GARY & BETTY GRAHAM: RECEIVE APPROVAL FOR ENCROACHING ON THE FRONT SETBACK WITH AN INSTALLED CARPORT **Discussed fourth**

Staff mentioned that they received six letters of support for this request. The applicant provided additional details about their request.

D. VARIANCE REQUEST: 202-11-018: SANDI & DAVID FERRELL: MODIFICATION TO SETBACK REQUIREMENTS FOR THE CONSTRUCTION OF A GARAGE **Discussed fifth**

Applicant discussed their request. Their neighbor mentioned that there may be a septic tank where they want to build the garage. She also clarified that the easement for the power pole will not be an issue. Further discussion between the Commission, applicant, staff, and those in the audience.

E. ZONING CHANGE REQUEST: 202-38-008B: ANTHONY BURK: REZONE FROM R-1 TO AG **Discussed first**

A representative was not present. Staff provided background. Three emails in opposition were read.

Resident- wants to maintain the culture of the community.

Resident- does not support the request for they view the request as a way to skirt the rules

Resident- does not believe that the property will get better

Resident- his current zoning would not prohibit him from doing what he is proposed rezoning is not needed

Resident- the owner appears to be building a compound and the resident does not support this this plan

Resident- the Town needs to enforce the codes that are in place

Resident- the property is an eye sore and does not have the appropriate permits. The owner's representative has on occasion trespassed on the resident's property.

Resident- opposes the rezone. Mentioned trailers, vehicles, fences, and lack of utilities

Resident- the applicant came and visited with the resident. The resident wonders why he cannot do what the applicant proposed right now. The resident is concerned about the inaccurate information provided by the applicant.

Resident- the applicant stated to her that he is building a compound for "prepers". Concerned with the impact that the change will have on the existing residences.

8. Close Public Hearing:

A. SPECIAL USE PERMIT: 202-07-038A: JODI & KEITH FLAKE: SECONDARY RESIDENCE **Discussed third**

White does not support this request based on the information that was presented.

White moved to table this item until a representative can be present to discuss the request. The motion was 2nd by Flake. Unanimously approved with Stinnett and Greer absent.

B. SPECIAL USE PERMIT: 202-42-019A: WILLIAM LADUKE: SECONDARY RESIDENCE **Discussed second**

White stated that he understands the application, but is concerned about Porter Rd. The location of the request is the narrowest part of Porter Rd. Flake stated that the application is for the right purpose but is concerned about what happens to the secondary residence in the future. The Commissioners discussed the location of a potential driveway and septic tank.

Resident- expressed concern with the size and quality of W Putter Dr.

The Commission discussed road easements for expanding Porter Rd and how the public can advocate for improvements to Porter Rd. The Commission also requested clarification on the SUP process.

White moved to table the item until a representative can be present and requested a site plan from the applicant. Flake 2nd the motion. Unanimously approved with Stinnett and Greer absent.

C. VARIANCE REQUEST: 202-41-072: GARY & BETTY GRAHAM: RECEIVE APPROVAL FOR ENCROACHING ON THE FRONT SETBACK WITH AN INSTALLED CARPORT **Discussed fourth**

White mentioned that the structure is not permanent. He received a complaint but is not concerned about the structure for it is not permanent. Discussion about the setback requirements of this property. The structure is smaller than 200 sq ft and does not require a building permit. Accessory structures cannot be placed in the front yard and within the setbacks. Flake discussed the idea of a stipulation.

Flake moved to recommend the motion for approval with the stipulation that the structure be removed upon the applicant moving out of the home. 2nd by White. Unanimously approved with Stinnett and Greer absent.

D. VARIANCE REQUEST: 202-11-018: SANDI & DAVID FERRELL: MODIFICATION TO SETBACK REQUIREMENTS FOR THE CONSTRUCTION OF A GARAGE

Discussed fifth

White moved to recommend the request for approval. 2nd by Flake. Unanimously approved with Stinnett and Greer absent.

E. ZONING CHANGE REQUEST: 202-38-008B: ANTHONY BURK: REZONE FROM R-1 TO AG **Discussed first**

Allen mentioned that the rezoning requests in this area generally going from AG to R. White asked about the size of neighboring properties and the data was provided during the meeting. Flake asked if any of the purposes on his application are prohibited in R-1. Staff stated that according to the application, all of the purposes are permitted under the current zoning.

Flake moved to not recommend this request for approval. 2nd by White. Unanimously approved with Stinnett and Greer absent.

9. Adjourn 8:29p