

Town of Tyrone
Planning Commission Minutes
March 13, 2013

Present: Gordon Shenkle, Chairman
David Nebergall, Vice Chairman
Judy Jefferson, Commissioner
Chris Wigginton, Commissioner
Kyle Hood, Town Manager
Dennis Davenport, Town Attorney
Dina Rimi, Zoning and Development Coordinator

Absent: Michael Sanak, Commissioner

Call to Order

Chairman Shenkle called the meeting to order at 7:00 pm.

Approval of Agenda

Vice Chairman Nebergall made a motion to approve the agenda as written. Commissioner Jefferson seconded the motion; approved 3-0.

Approval of Minutes – February 28, 2013

Commissioner Jefferson made a motion to approve the minutes from the February 28, 2013 meeting. Commissioner Wigginton seconded the motion approved 3-0.

Retreat

1. Policy and Procedures for the Town of Tyrone Planning Commission.

The Planning Commission along with staff and Mr. Davenport reviewed the policy and procedures of how a Planning Commission meeting is to be done. Some of the items that were covered are as follows;

- a) In order for the Planning Commission to have a quorum there must be at least three commissioners present.
- b) The Chairman only votes if he/she is one of the only three commissioners in attendance.
- c) When voting on an item the discussion comes after the motion and a second has happened; the commissioner that made the motion cannot speak against the motion they made.

- d) When a motion is made for an item to be tabled there does not need to be a second just a vote.
- e) Point of order is when a Commissioner has a question as to the procedure being followed or wishes the discussion to end. The Point of Order will then require a vote addressing the Point of Order.
- f) Adjournment requires a motion, but not a second and then it must be voted on.

2. Jurisdiction of the Planning Commission

a) Re-zonings

b) Variances

c) Plats

The Planning Commission, town staff and Mr. Davenport addressed policy and procedures regarding rezoning and variances in the Town of Tyrone. Mr. Davenport explained that rezoning is addressed in Article III and variances are addressed in Article IV of the Tyrone Zoning Ordinance. The criteria's for these items are what the Planning Commission needs to use to make their decision whether or not to recommend approval or denial to the Town Council. Mr. Davenport also explained that an applicant has the right to withdraw an application either before the advertisement goes in the legal organ or before the Planning Commission or before Mayor and Council. If the applicant decides to withdraw their application before either the Planning Commission or the Mayor and Council it must be done at the beginning of the presentation and not once the applicant has started to address the application. Mr. Davenport also explained that each side has the right to speak for ten (10) minutes addressing their position on the Public Hearing item. Another item that was addressed was that the Planning Commission, after the Public Hearing portion is closed, has the right to ask questions of parties in the audience to get clarification on items if needed. Mr. Davenport and the Planning Commission engaged in a conversation regarding what situations could warrant an approval of a variance and the fact if there are requests for a variance due to the same restriction in the zoning ordinance repeatedly then the Planning Commission may want to re-address that section of the zoning ordinance.

3. Current Events

Mr. Davenport briefly discussed some items that are being addressed by other jurisdictions regarding zoning issues and how the Commissioners and the staff members need to stay up to date on these items.

Mr. Hood explained that recently Mr. Reams, a Fayette County resident, requested approval to locate a retail furniture studio in a C-1 zoning category property. Mr. Hood explained that Mr. Reams designs and assembles furniture this will include cutting sanding finishing and assembling the furniture on site. Mr. Hood explained at this time numerous individuals, including interior designers have shown an interest in purchasing his furniture. The Planning Commission expressed that there were concerns over smells from paint and varnishes that could leak into neighboring businesses, since some of these locations are in adjoining spaces. The Planning Commission directed staff to explain to Mr. Reams what zoning category would be eligible for this type of business.

Public Comments- None

Staff Comments

Ms. Rimi informed the Planning Commission that at the next meeting on March 28, 2013 there will be a Variance for the south east corner of Dogwood Trail and Highway 74 on the agenda.

Commission Comments

Commission Jefferson asked if the Planning Commission can hold another meeting in regards to Downtown Development. Mr. Davenport explained that this would be best done through another committee since the Planning Commission has other items that need to be addressed.

Adjournment

Commissioner Wigginton made a motion to adjourn the meeting; approved 3-0.

Gordon Shenkle- Chairman

Attest:

Dina Rimi- Zoning and Development Coordinator