

Town of Tyrone
Planning Commission Minutes
April 25, 2013

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

Call to Order

Chairman Shenkle called the meeting to order at 7:05 pm.

Approval of Agenda

Vice Chairman Nebergall made a motion to approve the agenda. Commissioner Sanak seconded the motion approved 4-0.

Approval of Minutes – March 28, 2013

Vice Chairman Nebergall made a motion to approve the minutes with corrections. Commissioner Jefferson seconded the motion; approved 4-0.

Old Business

1. Discussion on zoning and conditions for Personal Care Home.

Ms. Dina Rimi introduced this item by informing the Planning Commission that this item was discussed at the January 10, 2013 and the February 14, 2013 Planning Commission workshops. She went on to explain that Attorney Stough has provided the Planning Commission with the items they requested.

Attorney Stough explained that the conditions and definitions that are presented to the Planning Commission today are in line with the Fair Housing Act. After a brief discussion the Planning Commission requested that a Group Home be added to this list of definitions and that this item be readdressed at the May 9, 2013 Planning Commission Workshop.

2. Discussion regarding Text Amendment for Article V Section 5-15 Highway Commercial District (C-2).

Ms. Dina Rimi introduced this item by informing the Planning Commission that this item was discussed at the February 14, 2013 Planning Commission workshops. Ms. Rimi has requested if everyone is satisfied with the draft of Article V Section 5-14 Highway Commercial to allow Tattoo Parlors and Hookah Lounges as a permitted use that this item be addressed at a Public Hearing at the May 23, 2013 Planning Commission Meeting. After

a discussion the Planning Commission instructed Ms. Rimi to move forward with a text amendment for this item.

New Business

3. Discussion Regarding Article I Section 1-2 Definitions item 58 Livestock.

Ms. Dina Rimi introduced this item by informing the Planning Commission that this item was discussed by the Mayor and Council at the March 21, 2013. The Mayor and Council requested that the Planning Commission re-evaluate the present definition in place.

After a brief discussion by the members of the Planning Commission requested that legal put together a draft definition to present at the May 9, 2013 Planning Commission Workshop.

Public Comments

Mr. Steve Gulas came forward to speak to the Planning Commission. Chairman Shenkle instructed Mr. Gulas that this is a time for the public to make comments. Chairman Shenkle stated that the Planning Commission will not negotiate or make any statements where it may seem like they are entering into negotiations or advising. Chairman Shenkle stated that Mr. Gulas may make a presentation but the Planning Commission will listen. Mr. Gulas explained his presentation is based on the property at the south east corner of Highway 74 and Dogwood Trail. Mr. Gulas presented some ideas that he has for developing this property and stated that he feels the new zoning ordinance that was adopted in 2011 has crippled this property. Mr. Gulas stated that he feels having the setbacks and the buffers setbacks makes this property unbuildable. By reducing these it will make the property more buildable. Mr. Gulas stated that he would like to propose some options for this property such as keeping all of the trees on Highway 74. He would also like to propose a berm in place of the zoning setbacks and zoning buffer on the portion of the property that adjoins residential. Mr. Gulas stated that he doesn't feel there is a problem having the landscape buffer in the setbacks. Mr. Gulas informed the Planning Commission that there are Department of Transportation trees on this property that cannot be cut down. Mr. Gulas stated that on Dogwood Trail he will place a 45 foot undisturbed landscape buffer , a 30 foot rear drive, a 100 foot proposed variance building limits with parking and a 60' foot undisturbed proposed landscape buffer. Mr. Gulas stated that the house behind this property is a good distance from the property line. Mr. Gulas stated that he is just asking for help and that he doesn't believe anything he is asking for is going to detrimental to the Public.

Commissioner Jefferson asked when the next meeting where a variance can be heard. Ms. Rimi stated that it would be the end of June and it would need to be submitted by May 20, 2013.

The Planning Commission thanked Mr. Gulas for coming to the meeting.

Staff Comments

Ms. Rimi informed the Planning Commission that at the next meeting on May 9, 2013 the agenda will have Personal Care Homes and Livestock for discussion.

Mr. Hood explained that the Council has requested that the Planning Commission revisits the definition for livestock that is located in Article I of the Tyrone Zoning Ordinance.

Commission Comments

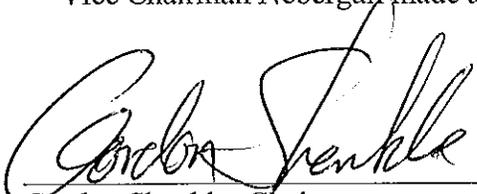
Chairman Shenkle made a motion to remove public comments from the Planning Commission agenda. Commissioner Wigginton seconded the motion. After a brief discussion the Planning Commission voted 3-2 in regards to removing public comments from the Planning Commission.

Vice Chairman Nebergall and Commissioner Sanak seconded the motion. The Planning Commission voted 2-3 in regards to reconsidering the removal of public comments from the Planning Commission Agenda. Chairman Shenkle, Commissioner Jefferson and Commissioner Wigginton voted against reconsidering the above mentioned item.

Commissioner Jefferson informed Mr. Hood that the house at 2210 Castle Lake Drive is a mess and would like it cleaned up.

Adjournment

Vice Chairman Nebergall made a motion to adjourn the meeting; approved 3-0.



Gordon Shenkle- Chairman

Attest:



Dina Rimi- Zoning and Development Coordinator