

Regular Minutes of the
Ashland City Planning Commission
July 1, 2013

The Ashland City Planning Commission met in regular session on July 1, 2013 at 5:30 p.m. in the Municipal Building.

Chairman Chris LaCrosse called the meeting to order at 5:30 p.m.

Commissioners present: Yvonne Stinnett, Hadley Williams, Gary Norwood, Melody Sleeper, Mayor Johnson, Chris LaCrosse

Commissioners Absent: None

Others Present: Michael W. Armstrong, Franklin Wilkinson, Rachael Ivie, Walter Luna, Don Bershears, Norma Bershears

Approval of Minutes

A motion was made by Mayor Johnson and 2nd by Williams to approve the minutes from the Planning Commission meeting from March 4, 2013. The motion passed by unanimous voice vote.

Public Forum:

A. Michael Highers

Armstrong addressed the Commission and stated Mr. Highers will not be here tonight.

B. Don Bershears

Don Bershears addressed the Commission and stated that he has commercial properties at different location in the City. He is interested in rezoning Map 62, parcels 44 & 45, along Highway 12 South, to a commercial zoning. He does not understand the interpretation of spot zoning. He owns 111 & 113 Cumberland St. and it is zoned C-1 and the use right next door is residential. 609 North Main St. is zoned C-1 and there is a residential use right behind it. 1219 Highway 12 South, tracks 3 & 4 is zoned C-1 and residential property is right behind it. 1825 Highway 12 South, was purchased March 11, 2002, from Marvin & Sue Smith, approximately ½ acre, and the block building on the lot had been previously used as a repair shop and paint shop. After purchasing the property he realized the zoning had changed on that end of town at Highway 12 South. At one time it was mixed as it is now. At one point, all the way to the County line it was commercial, and then, everything was rezoned back to residential. Even the present location of Cub Country Motors. Jackie Whitehead had a tire shop and they shut him down because to was zoned residential. There was an adjoining piece of State surplus property to the left, facing the building, .35 of an acre. The State required it to be appraised prior to them selling it and it was appraised as commercial property. The surplus property was purchased for \$9,750.00. County and City taxes have always been accessed at a commercial rate since March 11, 2002. He came before the group here one evening, paid the \$100.00 fee, and tried to get it rezoned commercial and was told he could not because

it would be a spot zoning and denied, but in the same meeting, Sheriff Holder rezoned his property, and was not even at the meeting. Then John Rankin rezoned a property on Highway 12 South, across from Hickory Hills Condos, where the old greenhouse used to be, to commercial and did not own the property. A local realtor was at the meeting and asked how he could rezone the property when he does not own it? Later at another meeting they rescinded the recommendation to rezone the property. During an appeal process, someone suggested purchasing surrounding property, rezoning more than one property, therefore it would not be a spot zoning. Mr. Bershears stated he would like to get the property rezoned to C-1, since everything he owns is C-1. Mr. Bershears stated that Rachael Ivie considered the request to be spot zoning. Numerous offers have been made to buy the property if it was commercial. At one time everything was zoned commercial all the way to the County line. After further discussion, the Commission suggested that Mr. Bershears make a formal application to the Planning Commission to rezone the properties to C-2.

New Business:

- A. Minor Subdivision / Plat Amendment – Map 62, Parcel #67 & #68. Arthur and Patricia Luna. 1101 Williamsburg Rd.

Rachael Ivie addressed the Commission and stated that the plat represents combining two lots for the purpose of selling. One lot has a house on it and the other is a vacant lot. The properties will be combined as one lot. No other primary structures can be built on the lot. The plat satisfies the subdivision regulations requirements for a plat. This property is served by a septic system instead of sewer. The only certificate not signed is the one for a Private Subsurface Sewage Disposal System. The State Environmentalist will require an inspection and documentation of approval from a soil scientist, and fill lines to be placed on the mylar, before he will sign the certificate. The applicant has an inspection letter from a State Licensed Plumbing Contractor verifying that the septic system is working properly. This letter is acceptable, in lieu of having the certificate signed, as proof of a working septic system and the certificate signature will not be required to approve the plat. After further discussion a motion to approve the subdivision plat, accepting the inspection letter in lieu of the signature of the Private Subsurface Sewage Disposal System certificate, was made by Mayor Johnson and 2nd by Norwood. The motion to approved passed by roll call vote. Yvonne Stinnett - yes, Hadley Williams - yes, Gary Norwood - yes, Melody Sleeper - yes, Mayor Johnson - yes, Chris LaCrosse – yes.

Old Business:

- A. Discussion of Land Use Plan

Rachael state that while reviewing Chapter 6, The Development Plan, and the rest of the document, it may be more productive to start over and go through the preliminary chapters with demographic information, background information, and existing conditions, that need to be included in the plan, that does not necessarily require the Commission's input but will require continued research to put it in a more workable, readable, simplified form. Something that is easier to understand without excessive extraneous information. The goal is to get to a more final draft for review instead of so many continued back and forth meetings on the plan at this time. Hopefully a draft will be available for review this Fall.

Other:

Gary Norwood inquired about the Charter Communications site. The site plan approval process called for removing the old existing Hub building. The old building is still there. Do we have any idea when that building will be removed? Armstrong stated that he will look into it and let the Commission know.

Adjournment:

A motion to adjourn was made by Williams and 2nd by Stinnett . The meeting adjourned at 6:21 PM.

Chairman Chris LaCrosse