

PLANNING & ZONING BOARD MINUTES
May 8, 2017

Planning and Zoning Board Members:

Regina Dunay, Chairperson (Quorum)
Chris Rader, Board Member
Marion Rayburn, Board Member
Ben Pierce, Board Member (absent)

Planning and Zoning Board Members after Administration of Oath of Office:

Regina Dunay, Chairperson (Quorum)
Chris Rader, Board Member
Marion Rayburn, Board Member
Ben Pierce, Board Member (absent)
Wade Fischer, Board Member

Staff:

Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Ray Bagshaw, Mayor
John Freeburg, Police Captain
Sandy Repp, Administrative Assistant

Applicants

Mark and Melissa Gibson

CALL TO ORDER

Chairwoman Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m., followed by the Pledge of Allegiance. Administrative Assistant, Sandy Repp, announced that there was a quorum with Board Member Pierce absent.

ADMINISTRATION OF OATH OF OFFICE

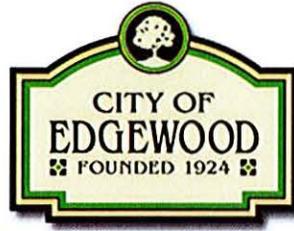
Administrative Assistant, Sandra Repp administered oath of office to instate Planning and Zoning Board Member Wade Fischer.

Wade Fischer is now seated at the dais.

APPROVAL OF MINUTES

- **March 13, 2017**

Chairwoman Dunay asked for a motion to approve minutes
Board Member Rayburn made the Motion to approve the March 13, 2017 minutes as presented; seconded by Board Member Rader. The motion was unanimously approved (4/0).



NEW BUSINESS

1. **2017-VAR-01 pickleball court** - Variance in Section 134-483 to allow a pickleball/basketball court, viewed as an accessory use, in front of the house

City Planner Ellen Hardgrove introduced the variance application on behalf of applicants Mark and Melissa Gibson who propose to build a pickleball court on a 2.4 acre lot that is located close to the lake. The property was split into two parcels in 1994 prior to annexation in the City of Edgewood; therefore the criteria were analyzed as parcels one and two. However, in order for the criteria for a variance to be met with the structure located in the front of the house, the lot has to be considered as one parcel.

Per City Planner Hardgrove, the proposed court meets the six criteria to approve a variance and recommends three conditions: (1) Lighting of the court will be prohibited, (2) fences on north side will be limited to 8 feet, (3) prior to permitting the applicant will provide the binding lot agreement from the County adjoining the lots.

Discussion ensued regarding conditions of the variance and the character of the lot.

Chairwoman Dunay invited the applicants, Mark and Melissa Gibson to the podium to provide support. The Gibsons said that they would like the pickleball court to be located five (5) feet from the property line and made reference to the email that was sent to City Hall from adjoining neighbors who do not oppose the five foot setback and the ten foot high fence. The Gibsons said that they will consider coming back for the additional variance for the ten foot high fence because with the court being located close to the neighbor, the eight (8) foot high fence is not sufficient to keep balls from going into the neighbor's yard.

Administrative Assistant, Sandra Repp noted that City Hall received an email on 5/7/2017 from the adjoining neighbor supporting the pickleball court and the ten (10) foot high fence. Also, a written comment from a property owner stating support for the pickleball court was delivered to City Hall on 5/8/2017 after the agenda was posted.

Chairwoman Dunay asked for motion.

Board Member Rader made the motion to recommend approval of the variance for the pickleball court with conditions; Board Member Fischer seconded the motion. The motion was unanimously passed (4/0).

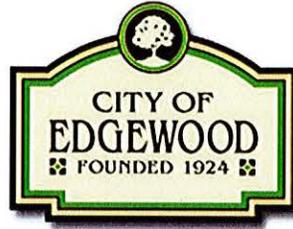
The motion was made as follows:

Board Member Rader moved that the Planning and Zoning Board recommend approval of the pickleball court with conditions; seconded by Board Member Fischer. The motion passed (4/0).

The recommended conditions were as follows:

Condition #1: Prior to permitting of the pickle ball/basketball court the owner shall cause to be recorded in the public records a binding lot agreement, tying the two parcels approved by Orange County into one development lot.

Condition #2: Lighting of the court shall be prohibited.



The recommendation will be forwarded to the June 20, 2017 meeting for City Council's decision.

2. Discussion of Fence Standards – City Code Sec. 134-517

City Planner Hardgrove introduced the discussion for fence standards. Per Planner Hardgrove, the Code needs to be rewritten for clarity purposes due to differences in interpretation for both residential and commercial privacy fences. There is a mixing of terms, particularly with the phrase “beyond the front building line”. Per City Attorney Smith, the history has been applying the height of fences to the building line; Planner Hardgrove is asking how the City wants to move forward applying this section of Code.

Mayor Bagshaw joined the meeting.

Discussion ensued amongst the Planning and Zoning Board Members regarding residential and commercial setback options and uses, particularly shielding fleets, and certain commercial uses that may require high fences.

City Planner Hardgrove presented two options:

Option 1: For all property, fences or walls located within the established minimum building front setback shall be limited to a maximum height of four feet.

Option 2: For all property, fences located in the front yard, that area between the front lot line and the front elevation of the principal structure onsite shall be limited to a maximum height of four feet.

Discussion continued regarding the options. City Attorney Smith suggested that this should be refined for the next meeting and be compared to the code of other jurisdictions.

COMMENTS/ANNOUNCEMENTS

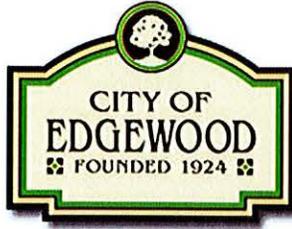
City Planner Ellen Hardgrove said that design standards for Orange Avenue are on hold as the City is utilizing an architect firm to do a visioning exercise.

Mayor Bagshaw added that it is a good opportunity to have a developer and architect all in one place to give us a vision for the city. Mayor Bagshaw said that a survey will be sent out to commercial businesses and residents for their input on the Orange Avenue corridor.

Mayor Bagshaw introduced Captain Freeburg and announced Chief Francisco's retirement. Sergeant Jackson was promoted to Lieutenant. Mayor Bagshaw said that he has a goal for an inner structure with placeholders with the positions of Chief, Captain and two Sergeants in the City.

Chairwoman Dunay asked Administrative Assistant, Sandy Repp for the next meetings who confirmed that the next Planning and Zoning dates would be June 12, 2017 and July 10, 2017.

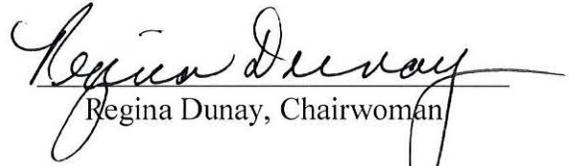
City Attorney Smith said the sign ordinance should come back to Planning and Zoning in the June meeting.



ADJOURNMENT:

With no further business or discussion, Chairwoman Dunay asked for a motion to adjourn the meeting.

Board Member Fischer made the Motion to adjourn the Planning and Zoning Board meeting, seconded by Board Member Rader; motion unanimously approved (4/0). The meeting adjourned at 7:29 p.m.


Regina Dunay, Chairwoman

ATTEST

Sandra Repp, Administrative Assistant