

# MINUTES OF REGULAR MEETING

December 27, 2016

## MONTGOMERY PLANNING AND ZONING COMMISSION

### CALL TO ORDER

Chairman Nelson Cox declared a quorum was present, and called the special scheduled meeting to order at 6:00 p.m.

Present: William Simpson, Nelson Cox, Jeffrey Waddell and Carol  
Langley

Absent: Arnette Easley

Also Present: Jack Yates, City Administrator  
Ed Shackelford, City Engineer

### VISITOR/CITIZENS FORUM

**Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. Commission may not discuss or take any action on any item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.**

No comments were made.

#### 1. Public Hearing

Public hearing regarding granting of a Special Use Permit to Mary Eckhart Sims to operate a Bed and Breakfast at 811 Caroline Street.

Chairman Cox called the public hearing to order and will at 6:01 p.m. Jack Yates gave a brief report that one response had been received from the letters sent to the neighboring property owners. He said one response from Andy and Norma Dean who said that they had no problem with what Mary Simmons is proposing to do.

The Public hearing was closed by the Chairman Cox at 6:03 p.m.

### CONSIDERATION AND POSSIBLE ACTION

2. Consideration and possible action regarding November 28, 2016 minutes

Motion by Mr. Waddell, seconded by Mr. Simpson to approve the minutes as presented. All in favor.

3.Consideration and possible recommendation to City Council regarding an amendment to the Corridor Enhancement Ordinance

Jack Yates reported that in reviewing the Corridor Enhancement Ordinance that was noticed that cement blocks construction is not expressly prohibited as a method of construction. He said the proposal was to add the words "cement blocks" in Ordinance 98 – 364 second line after the word "panels". Mr. Simpson suggested that the word "exposed" before the words "cement blocks".

Motion by Mr. Simpson, seconded by Mr. Waddell to recommend to the city Council to add "exposed cement blocks" to ordinance 98 – 364 (a) after the words "metal panels". All in favor.

4.Consideration and possible action regarding Construction plans and Final Plat of Villas of Mia Lago, Phase II.

Ed Shackelford reported that this item was not ready for Commission action. No action was taken on this item.

5.Consideration and possible action regarding granting of a Special Use Permit to Mary Eckhart Sims to operate a Bed and Breakfast at 811 Caroline Street

Jack Yates said that Mrs. Sims had the same use of this property from 2007 to 2014. Mrs. Sims was present. Mr. Simpson asked about off-street parking and her answer was that they were eight off-street parking spaces. Mr. Waddell asked about the recent changes to the building and the answer was that after renting the house for several years that the recent work were cosmetic but nothing structurally changed in the building.

Motion by Mr. Simpson, seconded by Mr. Waddell to recommend approval for the Special Use Permit at 811 Caroline Street to Mary Sims. All in favor.

## 6.Consideration and possible action regarding Stylecraft Final Plat of Hills of Town Creek, Section 2

Ed Shackelford presented a memo recommending approval of the construction plans and the final plat. If approved, the owner can start building on the lots. Mr. Shackelford said that the plat met all city standards. Mr. Waddell asked about the size of the houses, the answer from Jonathon White, engineer on the project, was around 2,000 square feet.

Motion by Mr. Simpson, seconded by Mrs. Langley to approve the construction plans and final plat for Hills of Town Creek Section 2.

## 7.Presentation regarding Camillo 33 acre tract next to eastern city limits

Ed Shackelford presented this item. He said that an economic and utility feasibility study was completed about 18 months ago on this property with no action from the owners at that time. The current owners have expressed a renewed interest, but were not present. Chairman Cox asked about annexation and Mr. Shackelford replied that the owner was planning on annexing to the city.

No action was taken.

## 8.Consideration and possible action regarding a building line setback of Living Savior Lutheran Church Preliminary Plat

Doug Krenz, Chairman of the Building Committee for the Church, Pete Ames, Chairman of the Board at the Church, and Jonathon White, Engineer for the project presented the item in behalf of the Church.

Mr. Krenz presented plans for the building improvements planned for the Church. The one point since the project is to utilize the existing structure. Since it is in the historic district that churches choosing to maintain the historic appearance of the improvements. Mr. Krenz said the main entrance to the Church will be on the west side immediately adjacent to the new parking lot. The new sanctuary will seat approximately 225 persons.

The variance request is for a five foot building line on the south side of their property, in order to allow construction as planned. The Commission briefly discussed the five foot variance. Ed Shackelford said that the driveways for the parking lot were less than the ordinance required 175 feet and the drainage was also an issue, leading to the question of whether more variances may be necessary. The Commission agreed with the traffic issue review and the drainage issue. Discussion followed regarding the wisdom to

approve the five foot building line variance with the question that other variances may be forthcoming.

Motion by Mrs. Langley, seconded by Mr. Simpson to approve the variance with the condition that the Church get all variances needing approval before a building permit is issued. All in favor

#### 9.Consideration and possible action regarding Preliminary Plat of Living Savior Lutheran Church

Mr. Frenz said that due to the abandonment of Cemetery Street and the purchase of additional property was the reason for the re-platting of the property.

Motion by Mr. Waddell, seconded by Mr. Simpson to approve the Preliminary Plat on the condition that required variances get the needed approval before a building permit is issued. All in favor.

#### 10.Report regarding possible zoning changes throughout the city

Jack Yates gave a report and presented a map to the Commission showing planned zoning changes. He said the status is that the City Engineer is helping to provide who the owners of the properties were, but that the Engineer has been busy on other pressing city issues. He said that by the January meeting he expected to have the ownership and either would have already started the re-zoning process or be very close to beginning the process.

#### 11.Discussion of potential areas of annexation into the city

Jack Yates presented a report regarding various issues involving annexation. He reported that he had met with the City Attorney in the past month. He also reported that a Development Agreement or a Tax Increment Reduction Zone (TIRZ) is a way of negotiating with property owners to make annexation more attractive. He also reported that the City Attorney, City Engineer and himself would be meeting during early January to begin to design a Development Agreement and TIRZ proposal for possible annexation might be. He said that would probably be his report in January – the result of that conversation. He noted to the Commission that it may seem to be a slow process to annexation but that each month is meaningful progress.

12. Adjournment

Motion by Mr. Simpson, seconded by Mr. Waddell to adjourn the meeting at 7:45 p.m. All in favor.

Submitted by: Jack Yates  
Jack Yates, City Administrator

Date approved: 01/23/2017

Nelson Cox  
Chairman Nelson Cox

