Walker County Planning Commission

Minutes
January 20, 2022
Walker County Civic Center
6:00 PM

ATTENDEES:

Planning Commission Members
Todd Holt
Stan Porter
Zack Chapman
Michael Hicks
Daryl Brooks
Jack Mullinax
Michael Haney
Cindy Askew
Jon Hentz
John Morehouse
Robert Carter

Walker County Planning Staff
David Brown, Director of Codes, Inspections & Planning
Kristy Parker, Planning Commission Secretary

I. CALL TO ORDER:

Chairman Michael Haney called the meeting to order at 6:00 P.M. Chairman Haney asked for the Planning Commission members to introduce themselves. Chairman Haney asked for an amendment to the agenda to vote for a Vice Chairman. Michael Haney made a nomination for Michael Hicks as vice chairman. With no other nominations Chairman Haney asked if there was a motion. Robert Carter made a motion to approve Michael Hicks as Vice Chairman. Todd Holt seconded the motion. Vote was unanimous for Michael Hicks as Vice Chairman.

II. MOTION TO OPEN THE PUBLIC HEARING: Chairman Haney asked if there was a motion to open the public hearing. Todd Holt made a motion to open. Daryl Brooks seconded the motion.

III. PUBLIC HEARING:

A. Conditional Use Variance:

1. Terry Tucker & Jeff Knittel: Mr. Tucker came forward and stated that he would like to continue to operate an indoor firing range that was Tail Spinner and will now be Shooters Depot. There were no other comments from the public.

2. DFP, LLC: Harold Danks came forward and stated that they were approved to build data process container there and would like to build more. There were no other comments from the public.

3. Martin Coffeen (Chickamauga Construction): Mr. Coffeen came forward and explained that the property on Wilson Road that he has purchased is zoned residential, but he would like to store his equipment and materials on the property and maybe build a building later. Michael Hicks asked about the flooding that goes on in that area. Mr. Coffeen stated he would like to clean out the drain tile to keep the water flowing. Cindy Askew asked about the property being in a flood zone and the areal looks like dirt has been brought in and Mr. Coffeen stated that it was brought in by the previous owner. There was discussion on the filling in of a flood area and impact on other properties. He stated that he has consulted with an engineering firm to look at the water issue.

B. <u>Rezone:</u>

1. Kristy Galyon: Ms. Galyon was not present. Chairman Haney stated that even with Ms. Galyon not present there was people that has signed to speak on the matter. Mr. Herb Lea came forward and expressed his concern that if the property is rezoned it could open the area up to other things such as mobile home parks. He also stated that if the property is rezoned the right runs with the land. Susan Lea came forward and stated that she was not in favor of the rezone because it could lead to a lot of other changes in the area. Ms. Candy Frederick came forward and stated that she had talked to Ms. Galyon, and she had told her that she wants to just bring in a new mobile home. Ms. Fredrick asked was there something else Ms. Galyon could do besides rezoning and still be allowed to put a third home on the property. Cindy Askew asked could she replace an existing home with a new one. Planning staff stated that she was asked about a variance and Ms. Galyon chose to rezone. There were no other comments from the audience.

2. MGM Development: Ty Edwards came forward on behalf of the MGM Development and stated that they would like to rezone the property to commercial for a light manufacturing on the thirty-eight acres and use it for outdoor storage. He passed out some plans showing what they are proposing. Chairman Haney asked if they have already started moving dirt and David Brown stated that yes, but they were issued a verbal stop work order. Cindy Askew asked why they started grading without any soil & erosion plans. Mr. Glenn Holland came forward and stated that they were only taking off the topsoil and packing the ground and they were going to come back and ask for another variance. Cindy Askew stated that a soil and erosion plan should have been done before anything else. David Brown stated that they have been complying with the stop work order. Zack Chapman stated that it looks like there is only a small portion of the property that is not in the flood area. There were no other comments from the audience.

C. <u>Variance:</u>

1. Robert Franks: Robert Franks came forward and explained that they were given a conditional use variance to relocate their business on the Hwy 27 bypass but when the got to looking at where to place the office there are powerlines and the property to the west is steep. The lady at the north property line signed a statement saying she was ok with them being closer to her property line than what is required with the building. There were no other comments from the audience.

2. Reita Goins: Mrs. Goins came forward and stated that she would like to add another mobile home on her property that in one acre for her daughter. Michael Hicks asked what was requiring the variance. Planning staff stated that Webb Drive is a private drive and even though the ordinance has recently changed to one acre on a private drive in a R-2 zone she only has the one acre, and she was wanting to share the drive. Zack Chapman asked what the lot size was in an R-2 and Planning staff stated if on septic it would be half an acre with Environmental Health approval. Jack Mullinax said that it looked like the house that uses Webb Drive sits very close to the road and could they not make a different drive. Zack Chapman said so if they had two drives coming off at different locations they would be ok and Planning staff said yes. Cindy Askew asked if the road had any issues to where there could not be two drives and she was told no. There were no further questions from the audience.

3. Johnny & Ruth Cameron: Mr.& Mrs. Cameron came forward and stated that they would like for their granddaughter to be to place a home on the back of their property and use their driveway so she could help take care of them. Cindy Askew asked if the two houses in front of them use that drive and they said no but it was clarified that the two house do not use their personal driveway but does use the alleyway. Chairman Haney stated that the alleyway is not a private drive. Zack Chapman asked if they would need seventy-five feet of road frontage for each. Planning staff said yes and pulled it up on the website and it looks like they have a total of one hundred and fifty feet of road frontage. There were no further questions from the audience.

4. Carlton Riffel: Carlton Riffel came forward and stated that he would like to build a two hundred and sixty-five square foot home with a garage on bottom and have it about seventy-five feet from his home that sits on the property. Jon Hentz asked why this was considered a tiny home. Michael Hicks stated that anything under five hundred square feet was considered a tiny home. Cindy Askew stated that looking at the topography maps that this would be the best location for the house to sit. Todd Holt asked what the intentions for the home would be and Mr. Riffel stated for friends and family to stay in when visiting. It was asked that because the garage is not living space this is considered a tiny home and Chairman Haney said yes. Todd Holt asked Mr. Riffel if the bottom would have any other entry door besides a roll up door and he said yes it could. And Mr. Holt asked if the bottom would be heated, and Mr. Riffel said they might put wood heat in it. One neighbor stood up and asked if this home would use his drive and Mr. Riffel said no. There were no further questions from the audience.

IV. MOTION TO CLOSE PUBLIC HEARING:

Chairman Haney asked if there was a motion to close the public hearing. Stan Porter made a motion to close the public hearing. Daryl Brooks seconded the motion. Vote was unanimous. Motion to close the public hearing carried.

V. READING AND APPROVAL OF THE MINUTES FOR OCTOBER 21, 2021

Chairman Haney asked if there was any questions or comments and if not was there a motion. Daryl Brooks made a motion to approve the minutes as submitted. Jack Mullinax seconded the motion. Vote was unanimous. Motion to approve minutes carried.

V. MOTION TO OPEN NEW BUSINESS:
Chairman Haney asked if there was a motion to go into new business. Michael Hicks made a motion to go into new business. Stan Porter seconded the motion. Vote was unanimous to go into new business. Vote carried.

VI. NEW BUSINESS:

1. Terry Tucker & Jeff Knittel: Chairman Haney asked if there was a motion. Daryl Brooks made a motion to approve as submitted. Jack Mullinax seconded the motion. Vote to approve was unanimous. Vote to approve as submitted carried.

2. DFP, LLC: Chairman Haney asked if there was a motion. Jack Mullinax made a motion to approve as submitted. Daryl Brooks seconded the motion. Vote to approve was unanimous. Vote to approve as summitted carried.

3. Martin Coffeen (Chickamauga Construction): Chairman Haney asked if there was a motion. Jack Mullinax made a motion to approve with the conditions that he come back before the Planning Commission before any buildings can be constructed. Daryl Brooks seconded the motion with conditions. Vote to approve with conditions was unanimous. Vote with the condition that they come back before the Planning Commission before any buildings can be constructed carried.

4. Kristy Galyon: Chairman Haney asked if there was a motion. Zack Chapman made a motion to deny the request. Todd Holt seconded the motion to deny. Vote to deny was unanimous. Vote to deny the request carried.

. MGM Development: Chairman Haney asked if there was a motion. Robert Carter made a motion to approve. Chairman Haney asked for a second. Being no second the request did not pass.

6. Robert Franks: Chairman Haney asked if there was a motion. Todd Holt made a motion to approve the request as submitted. Jon Hentz seconded the motion to approve. Vote was eight in favor and one (Daryl Brooks) against. Motion to approve as submitted carried.

7. Reita Goins: Chairman Haney asked if there was a motion. Jack Mullinax made a motion to approve as submitted. Jon Hentz seconded the motion to approve. Vote was seven in favor and three (Zack Chapman, Michael Hicks and Cindy Askew) against. Motion to approve as submitted carried.

8. Johnny & Ruth Cameron: Chairman Haney asked for a motion. Jon Hentz made a motion to approve contingent upon approval from Environmental Health on a second septic system. John Morehouse seconded the motion with conditions. Vote was eight in favor to approve and two (Todd Holt & Zack Chapman) to deny. Vote to approve with conditions approved.

9. Carlton Riffel: Chairman Haney asked for a motion. Jack Mullinax made a motion to approve as submitted. Stan Porter seconded the motion to approve. Vote was nine in favor to approve and one (Zack Chapman) against. Vote to approve as submitted carried.

IV. ADJOURNMENT:

Chairman Haney adjourned meeting.

02-17-2022
Date Submitted

Planning Commission Chairman

2-17-2022
Date Submitted

Kristy Parker, Planning Commission Secretary

02/17/2022
Date Submitted

David Brown, Director of Codes, Inspection & Planning

These minutes are also available in the Planning Office.