

Walker County Planning Commission

Minutes

September 16, 2021

Walker County Civic Center

6:00 PM

ATTENDEES:

Planning Commission Members

Terry Newberry
Todd Holt
Susan Tankersley
Elliott Pierce
Michael Hicks
Daryl Brooks
Jack Mullinax
Michael Haney
Stan Porter

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 if there was a motion to open the public meeting. Stan Porter made a motion to open the meeting. Susan Tankersley seconded the motion. All members voted to approve moving forward with the meeting.

III. NEW BUSINESS:

A. Rezone:

1. Mr. John Beard came forward on behalf of the Marion Hutcheson Estate. He stated that this has been before the Planning Commission before, and he feels like the property has been properly rezoned. He stated that they along with Gateway would like to show that they are a good neighbor, so they are willing to go through the zoning process again. Mr. Beard talked about the change and area and felt like the Gateway Development would be a good fit for that property. Josh Mandell then came forward and explained the Gateway development that they are looking at building. Chairman Haney then asked if anyone in the audience was there against that would like to speak. Keshia Parker came forward and discussed the concerns that the neighborhood has regarding this development. She spoke about the impact on the schools, traffic and taxes. Ms. Parker also provided a list of names from the neighborhood of people not in favor of the development. Mike Baker, Ed Ledford, Shannon Greg, Bobby Walston, Jenny Barrett, Bob Guffey, Paul Wells all came forward to speak against the rezone with concerns of traffic issues, crime, and overpopulated schools. Mr. Steven Myers then came forward to discuss the traffic study that was done for this project.

2. Jerry Johnson (Terri Johnson trustee): Teresa Tatum came forward and said that she would be representing Ms. Johnson due to her mobility issues. No one had any questions, so Chairman Haney asked if anyone was against this rezone request. Wendall Cornett came forward and stated that this was on a back road and did not understand why anyone would want is zoned commercial. He also stated that he had asked for his property to be rezoned to commercial beside this and he was denied so why would this be approved. Ms. Tatum came back up and stated that there was commercial to the front and north of this property.

*Chairman Haney stated that he would like to make an amendment to the agenda and move item D. Amendment to the Land Development Regulations to the next item on the agenda. He then asked if there was a motion to amend the agenda. Daryl Brooks made a motion to amend the agenda as stated. Terry Newberry seconded the motion. All in favor and amending the agenda approved.

B. Amendment to Land Development Regulations:

The draft on Ordinance O-02-21 was read by Chairman Haney. He asked if there were any comments. Perry Lamb came forward and was concerned about the 500' setback from another residential structure. Karen Bradley came forward and was concerned about the more than four on a private drive and who is going to maintain the drive. Daryl Brooks stated that the Planning Commission had already voted to leave the private drive at a maximum of four homes on the five acres each so why was this being heard again. If the Planning Commission is not going to be heard then what the point in them being there. Chairman Haney said that this must be brought back before the Planning Commission again. Niki Christopher came forward and expressed concern about private drives crossing or running through other people's property and being junked up and no upkeep. Gary Williams came forward and stated that he had concerns about the why the Planning Commission was not looking at the whole section of this ordinance and just parts of it. He also had concerns about the 500'setback. Michael Brewer came forward and stated that he was not in favor of the more than five on a private drive.

C. Variance:

1. Randall Morgan came forward and stated that he would like to place a modular home on their property for his mother-in-law. Susan Tankersley asked if this was due to a medical issue. Mr. Morgan stated that yes it was. He said that his mother-in-law nor her husband can no longer drive and are both in bad health. Chairman Haney then asked if there was a motion. Elliott Pierce made a motion to approve. Stan Porter seconded the motion. Vote was unanimous. Motion to approve carried.

D. Preliminary Plat Approval:

1. Hawks Ridge Holdings LLC: Jack Mullinax stated that he would be recusing himself from this vote. Ben Hageman came forward with copies of the plat. He stated that these would all be single family homes. He said that they had added an extra entrance into the property. He also showed pictures of the proposed playground. Chairman Haney asked if there was a motion. Todd Holt made a motion to approve. Daryl Brooks seconded the motion. Seven members voted in favor to approve. Jack Mullinax recused himself. Vote to approve carried.

*Chairman Haney stated that they would now go back to item B. Amendments to Land Development Regulations. On item 1. Sec. 22-26(2)(b)(2) Chairman Haney asked if there were any changes that the board would like to make or leave it as written. Michael Hicks stated that he would like to change the word conditional use if build on a permanent foundation. Elliott Pierce stated that he would like to keep the conditional use but add a second section that if you had a tiny home built on a permanent foundation and you sold the whole property then the buyer would not have to ask for a conditional use variance. Michael Hicks stated that if you do that then we need to add something as an accessory dwelling. Jack Mullinax stated that in Section 22-401(3) that he feels like those seven parcels on a private drive is too many and needs to remain the same. Stan Porter also agreed that it needs to stay the same. Jack Mullinax stated that he would on this section make a motion to leave it as four on a private drive with five acres each. Stan Porter seconded the motion. Every member vote to approve the motion to leave this section as no more than four on a private drive at five acres each.

*Chairman Haney stated that they would now move back up to the rezone requests. On the Jerry Johnson rezone from R-2 to C-1. Chairman Haney asked if there was a motion. Terry Newberry made a motion to deny the request. Jack Mullinax seconded the motion to deny. Vote was unanimous. Motion to deny carried.

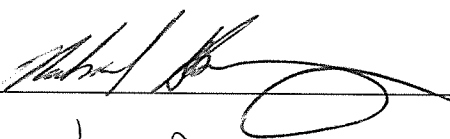
*Chairman Haney then went back to the rezone for the Marion Hutcheson Estate. Chairman Haney reminded everyone that this was just a vote on the rezone. He stated that the board could vote in favor, against, table or no recommendation. Jack Mullinax stated that in February of 2020 he made a motion to deny this same request and he will also make the same motion to deny today. Todd Holt seconded the motion to deny. All members voted in favor of denying the rezone request. Motion to deny carried.

IV. ADJOURNMENT:

Susan Tankersley made a motion to adjourn. Terry Newberry seconded the motion. Motion carried. Meeting adjourned.

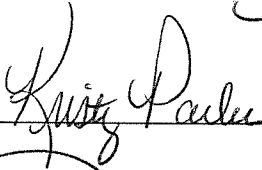
10-21-2021

Date Submitted


Planning Commission Chairman

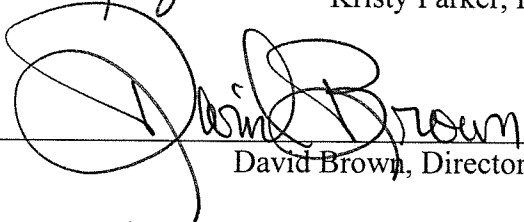
10-21-2021

Date Submitted


Kristy Parker, Planning Commission Secretary

10-21-21

Date Submitted


David Brown, Director of Codes, Inspection & Planning

These minutes are also available in the Planning Office.