

FRANKLIN COUNTY PLANNING COMMISSION

PUBLIC MEETING MINUTES

6:30 P.M., APRIL 20th, 2017 AT THE COUNTY COMMISSIONERS MEETING ROOM
FRANKLIN COUNTY ANNEX

ATTENDANCE:

MEMBERS: L. Spencer, R. Welton, Chair, R. Bowers, L. Thurston and D. Barkley were present. J. Peckham, K. Jones and S. Valencia were excused. D. Stottlemire was absent.

STAFF: Larry D. Walrod, Planning Director and Deann Farrell were present

COMMISSIONERS: None were present.

ADMINISTRATOR/CO COUNSELOR: None were present.

PUBLIC: Two (2) people signed in. Sign-in list is part of the official file copy located in the Planning Office.

NOTES: Chair called the meeting to order at 6:30 p.m.

GENERAL BUSINESS:

ADOPTION OF THE AGENDA: Chair asked if there were any amendments to the April 20, 2017 Agenda. Staff stated there were none. L. Thurston made a motion to approve the agenda as presented. The motion was seconded by L. Spencer. The Chair called for voice vote. All voted in favor. The agenda was approved 5-0 as presented.

APPROVAL OF MINUTES: March 16, 2017 Public Meeting

NOTES: Chair asked if there were any corrections to the March 16, 2017 Public Meeting Minutes. There were none. Chair asked for a motion. R. Bowers made a motion to approve the minutes of the March 16, 2017 Public Meeting as written. The motion was seconded by D. Barkley. The Chair called for voice vote. The minutes were approved 5-0 as written.

COMMUNICATIONS: Staff stated that the Planning Department had not received any communications that were not related to items on the agenda this evening.

EX PARTE COMMUNICATIONS: There were none.

PUBLIC MEETING ITEMS: The Chair opened Public Meeting Items.

1. *Application #1703-1472 (Williams) requesting to rezone approximately 5.00 acres from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District and to rezone approximately 1.00 acre from an R-3A (Single Family Residential Three Acre) Zoning District to an A-1 (Agriculture) Zoning District. Said property is located near the intersection of Pawnee Road and Florida Road, on the North side of Pawnee Road and approximately one-half (1/2) mile West of Florida Road, in the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of Section 21, Township 16 South, Range 18 East.*

Staff Presentation: The Chair opened Staff Presentation. Staff stated that the applicant is requesting to rezone approximately 5.00 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District and to also rezone approximately 1.00 acre from R-3A (Single Family Residential Three Acre) District to the A-1 (Agriculture) District. The property is located near the intersection of Pawnee Road and Florida Road, on the North side of Pawnee Road and approximately one-half (1/2) mile West of Florida Road, in the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of Section 21, Township 16 South, Range 18 East. The purpose for the rezoning would be to rezone these properties in order to create a 5.00-acre tract with the existing residence. Then the applicant would merge the 1.00-acre tract with the larger agricultural tract. The property is currently served with on-site water and on-site sanitation so it does satisfy the primary objectives of the County Comprehensive Plan and Zoning Regulations. It also meets the minimum lot size, lot length-to-width ratio and other requirements of the County Subdivision and Zoning Regulations. Staff finds that the rezoning request is substantially in compliance with the goals and objectives of the County Comprehensive Plan and the County Zoning Regulations. In consideration of the rezoning, the Planning Commission should look at the thirteen (13) findings of fact based on the guidelines that are listed in your Staff Report along with the factors from the Golden Case. Notice was sent to four (4) surrounding property owners. The Planning Department did not receive any comments for or against the proposed rezoning request. After reviewing the character of the surrounding area and the policies of the Comprehensive Plan, Staff recommends that the Planning Commission adopt the attached draft resolution recommending approval of rezoning application #1703-1472 to rezone approximately 5.00 acres from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District and to rezone approximately 1.00 acre from R-3A (Single Family Residential Three Acre) District to the A-1 (Agriculture) District based on the findings as set forth in the resolution and forward a recommendation to the County Commissioners to rezone the property and to amend the County Zoning Map accordingly. The Chair closed Staff Presentation.

Applicant Presentation: The Chair opened Applicant Presentation. John Williams, the applicant, was present. Mr. Williams stated he had nothing further to add unless the Planning Commission had any questions. Their intent was not to subdivide to make money off the sale. They purchased the property for their cattle herd. His mother-in-law then became ill and had to be placed in a nursing home. The people who are renting the residence were interested in purchasing the property so they are going to split off the 5.00 acres and the existing residence in order to sell to the renters in order to pay the bill from the nursing home.

Chair asked if there is an existing residence on the 1.00-acre tract?

Mr. Williams stated there used to be a mobile home there but it is now gone and there is only a garage existing.

L. Thurston asked about the long drive that goes across the 5.00-acre tract. Would this create an issue since that is the access to the large agricultural tract.

Staff stated that drive is to an agricultural structure that was used as part of the agricultural use when the parcel was one big tract with an existing residence. The applicant would have to obtain an easement granted in order to continue utilizing the drive to the agricultural structure. It would be more practical for them to develop their own driveway rather than utilize the existing one.

Mr. Williams stated that they told the prospecting buyer that if the land was divided this way they would need to install a new driveway. The Chair closed Applicant Presentation.

Public Comment: The Chair opened Public Comment. There were none. The Chair closed Public Comment.

Board Discussion. The Chair opened Board Discussion. There were none. The Chair closed Board Discussion.

The Chair asked for a motion. R. Bowers made a motion to recommend application #1703-1472 (Williams) requesting to rezone approximately 5.00 acres from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District and to rezone approximately 1.00 acre from an R-3A (Single Family Residential Three Acre) Zoning District to an A-1 (Agriculture) Zoning District. Said property is located near the intersection of Pawnee Road and Florida Road, on the North side of Pawnee Road and approximately one-half (1/2) mile West of Florida Road, in the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of Section 21, Township 16 South, Range 18 East, based on Staff recommendations and the findings as stated in the Staff Report. The motion was seconded by L. Spencer. Chair called for a roll call vote.

Welton	Yes	Spencer	Yes	Peckham	Excused
Thurston	Yes	Barkley	Yes	Jones	Excused
Valencia	Excused	Bowers	Yes	Stottlemire	Absent

Motion carried 5-0.

Staff stated that this matter will go forward to the Board of County Commissioners for final consideration in approximately three (3) weeks. There is a fourteen (14) day protest period that is provided by State Law. The County Commissioners cannot act on this matter until that fourteen (14) day time period has expired

NON-PUBLIC MEETING ITEMS: There were none.

PUBLIC COMMENT SECTION: The Chair opened Public Comment. There were none. The Chair closed Public Comment.

GENERAL BOARD DISCUSSION: The Chair opened General Board Discussion. R. Bowers asked if it was a requirement to recite the entire public notice description when making a motion for approval or denial of a rezoning or special use permit.

Staff stated he is not certain you would have to recite the specific locations because it has already been stated and also officially published in the newspaper as well as the information that was provided to the surrounding property owners.

R. Bowers stated he thought it would be acceptable just to make a motion to approval the application number to rezone based on staff findings.

Staff stated you could make a motion to approve or deny said application number to rezone so many acres to each zoning district because that needs to be cited. You also need to be citing the findings either by number as stated in the Staff Report or whether you verbally state each one on record. You want to make certain that you have made those findings because if the County is ever challenged, the first thing District Court will look at will be whether or not sufficient findings had been made. While the Planning Commission is not the one that takes the final action, you are the one that makes the recommendations to the County Commissioners and it is structured very specifically under State Law. The Chair closed Board Discussion.

CALENDAR: The next Planning Commission Public Meeting will be held **Thursday, May 18th, 2017, at 6:30 p.m.** in the **COUNTY COMMISSIONERS MEETING ROOM IN THE ANNEX BUILDING.**

ADJOURNMENT: With no further business to discuss, L. Spencer made a motion to adjourn. D. Barkley seconded the motion. All voted in favor 5-0. The meeting was adjourned at 6:43 p.m.



R. Welton, Chair

Attest:



Larry D. Walrod, Planning Director