

CYNTHIANA-HARRISON COUNTY-BERRY
JOINT PLANNING COMMISSION

REGULAR MEETING
MINUTES
NOVEMBER 18, 2019

Courthouse Community Room

6:30 P.M.

Chairman Kramer called the meeting to order at 6:30 P.M.

Present: David Kramer-Chairman, Daryl Northcutt-Vice Chairman, Mathew Harney-Secretary, Jill Stroub, Julie Muth, David Mellett and Re'Jeana Craft
Bonnie Skinner-Zoning Administrator
Rochelle Boland-Legal Counsel for Commission
Charlene Fuller-Recording Secretary

Minutes-July 15, 2019

Re'Jeana Craft made a motion to approve the minutes of July 15, 2019. David Kramer seconded. Stroub, Muth, Mellett, Harney, Kramer, Craft and Northcutt voted yes. None voted no. Motion Passed 7-0.

APPLICATIONS

1. Old Business

None.

2. New Business

- A. #ZMA-03-19: PUBLIC HEARING-AT Properties, LLC-Request Zone Change from A-1 (Agricultural One) to Rural Residential (RR) for 14.605 acres at 2088 Old Lair Road (Art. 10 Sec. 10.8)

Attorney Ed Culbertson, Legal representative for the applicant, AT Properties LLC. (Mark Taylor and Lucas Adams) stating the following: This was 14.605 acres. There would be no spec houses for sale but utilized by the principles of AT Properties. They are not asking for spot zoning but rather consistent to the development that is in this area. The lots proposed are the same or greater size to this area. The buildings would be utilized by the Taylors and there would be restrictions on the uses of the property. There would be no more divisions the property would be divided into 4 lots with underground sewer disposal systems. There would not be an above ground lagoon system. This would be AT Properties development for personal use as to construction.

Pat Darnell, surveyor for applicant presented a handout with aerial maps showing many subdivisions in the area. He then stated the applicants bought the 14.605 acres from the Rees Family. This is in the A-1 zone where the density of 1 house

per 5 residences would allow only 2 divisions. A zone change for R-R would allow 4 divisions of 3.3 acres or larger with 200 ft. road frontage would be consistent to the lot sizes to the surrounding area. Tracts 3&4 would be the only ones that would be divisible. The clients are willing to add an stipulation of no more divisions would be allowed. Lots 1&2 could not be divided based on the road frontage. He went over the subdivision handouts: Rees Property zone change location-Tract 1-3.3012 acs, Tract 2-4.212 acs, Tract 3-3.729acs & Tract 4-3.353 acs. Area A-Robynwood @ Judy Lane in city limits-0.18 acre lots. Area B-Randall Ashbrook Farm-1.7 to 3.1 acre lots. Area C-Harpe Subdivision-2.25 to 3.13 acre lots. Area D-Linehan Subdivision-2.11 to 6.08 acre lots and some flag lots. Area E-Lang Road Subdivision-2.50 to 3.34 lots. And The Colony PUD @ Jill Lane-1.20 to 3.03 acre lots. The whole area has change from agricultural to rural residential. The lot sizes proposing with this division is consistent with the area. Tracts 3 & 4 would be noted of no further divisions and Tracts 1 & 2 could not be divided because of the road frontage.

Public Comment

Chairman Kramer called for public comment against the proposed zoning map amendment.

George Argo, adjoining property owner at 2294 Old Lair Road was present and was in objection of the proposed zoning map amendment.

George Argo III, architect and representative for the Argo Family submitted a letter of opposition citing zoning, safety and environment. Mr. Argo then read the letter. The letter with photographs are attached as an exhibit.

Chairman Kramer called for other comments against. There was none, he then called for comment in favor.

Stacy Adams, At Properties LLC., That she, her son and Mark Taylor had planned to construct there homes here. That site evaluations for the septic systems have been conducted. The Harrison County Health Dept. has approved for normal septic systems. As part of the restrictions there would be no singlewide homes or manufactured homes but rather be stick built homes, no further divisions and no further homes, no commercial business and not a nuisance or eyesore. That she will be living there.

Re'Jeana Craft asked Lucas Adams and Mark Taylor the following: She wanted to make the owners aware that there was traffic from the airport that went over the property when taking off and landing. When bought was the land being farmed? When was the last time the land had been farmed?

Mark Taylor stated the following: The land was not being farmed it was just land. That he had purchased the property 8-9 months ago. The last time the property had been farmed was last year. The Rees Family had leased the farm to the Furnish's.

There were existing utilities and waterline on the property. That he wasn't there when the concrete was washed out from the concrete truck. That he had lived in that area for 13 years and had just sold that property across from this.

Lucas Adams stated they owned the property together and the land was to build on it. He then stated the property was farmed was last year.

Re'Jeana Craft stated the following: The concrete and debris will be removed by the new owners. That the possibility of 8 cars for the 4 lots would not be an issue, it would be less since the Furnish's that farmed it and had heavy farm equipment on the road to get to the property. The road was not an issue. The blind spot in the curve with a lane, that shouldn't be an issue. The driveway was not an issue. If the roads are damaged it is an issue that will go to fiscal court. The worry of sewage going into the creek that will be taken care of by the health department to meet the standards when building. There was subdivisions along there, it was not an issue with another subdivision being there.

Chairman Kramer called for other discussion. There being none, he closed public comment.

Motion

Daryl Northcutt made a motion for approval of ZMA-03-19 rezoning from A-1 to R-R 14.605 acres at 2088 Old Lair Road finding that the property involved is zoned inappropriately and that the proposed zoning to R-R is appropriate based on the following findings of fact: 1.) The current A-1 zoning is inappropriate due to the residential and PUD uses on neighboring property. 2.) The proposed zone change would be more appropriate considering the existing use of adjacent property in Green Meadows Estates, on Lang Road, in Linehan Estates and in Colony East. 3.) The zone change is also appropriate due to the size of the lots. 4.) More appropriate zoning because the size of lots make it an appropriate transition between the existing residential and the agricultural (A-1) around it. Jill Stroub seconded. A poll vote was taken: Jill Stroub-yes, Julie Muth-yes, David Mellett-yes, David Kramer-yes, Matthew Harney-yes, Daryl Northcutt-yes and Re'Jeana Craft-yes. None vote no. Motion Passed 7-0.

OTHER BUSINESS

1. Old Business

A. None.

2. New Business

A. Building Permits and Financial Report

Re'Jeana Craft made a motion to approve the building permit and financial report for July, August, September & October 2019. Daryl Northcutt seconded. Stroub, Muth, Mellett, Harney, Kramer, Craft and Northcutt voted yes. None voted no. Motion Passed 7-0.

Adjourn:

Re' Jeana Craft made a motion to adjourn being no other discussion. The meeting was adjourned at 7:15 p.m. Daryl Northcutt seconded. Stroub, Muth, Mellett, Harney, Kramer, Craft and Northcutt voted yes. None voted no. Motion Passed 7-0.



David Kramer, Chairman



Matthew Harney, Secretary