



## PLANNING COMMISSION ACTION MINUTES

Tuesday June 23, 2009, 7:00 pm

1. Invocation
2. Call to Order

*The meeting was called to order at 7:10 pm*

*Members Present:*

Cary Schlenke  
George Ragsdale  
Curtis Mills  
Jennifer Fletcher  
*Fred Edwards*  
*Paul Moore came at approximately 7:20 PM*

*Members Absent: Joe Creamer*

3. Pledge of Allegiance
4. Public Comment

***There was no public comment – A motion to close public comment was made by Fred Edwards and seconded by Cary Schlenke and passed unanimously by 5-0***

5. Approval of Minutes – May 26, 2009 Meeting

***A motion was made by Curtis Mills and seconded by Fred Edwards and passed unanimously 5-0.***

6. **U09-02/VC09-02** – To obtain a use permit for a landscaping business on 3.96 acres at a density of 187.62 square feet per acre (Article 19.4.27). Applicant is also requesting a 3 part-concurrent variance: 1) to allow access to Taylor Road, a local street. 2) to allow the existing structures, gravel drive and septic system to encroach into the 50-foot undisturbed buffer and 10-foot improvement setback along the south property line as shown on the site plan (Article 12H.3.1.C.1 and 3) to allow the existing structures along the south property line as shown on the site plan to remain within the 50-foot setback adjoining the AG-1 District (Article 19.4.27.).



**Staff Recommendation:**

**APPROVAL CONDITIONAL- U09-02**  
**APPROVAL CONDITIONAL -VC09-02- Part 1**  
**DENIAL – VC09-02- Parts 2 and 3**

*Staff presented the report for U09-02/VC09-02. The applicant did not make any further comment at that time.*

*Mr. Troy Hutchinson from Taylor Glen Subdivision spoke in opposition to the approval of the request for a Use Permit and Concurrent Variances for the landscape business.*

*A motion was made by Cary Schlenke to close the public hearing and seconded by Jennifer Fletcher. The motion passed unanimously 6-0.*

*There were questions from the Planning Commission to Staff and the Applicant. After further discussions, A motion was made by George Ragsdale and seconded by Fred Edwards. The following motion passed unanimously 6-0.*

*To APPROVE U09-02, a Use Permit for a Landscape Business and to APPROVE VC09-02, PARTS 1, 2, and 3 subject to Staff's Recommended Conditions and including the following additional conditions:*

- 3.d. All materials stored on site shall be placed in 3 sided bins not to exceed more than 300 square feet.*
- 3.e. Replace existing opaque privacy fence along Taylor Road after the required clearing of plant materials as required by the Public Works Department for site distance.*
- 3.f. Limit the site to one dumpster.*
- 3.g. Limit the number of deliveries to the site to 2 per week.*
- 3.h. Not to exceed 4 landscape vehicles on the site.*
- 3.i. The greenhouse and potting shed may encroach into the 50-foot undisturbed buffer and 10-foot improvement setback (VC09-02, Part 2)*
- 3.j. The greenhouse and potting shed may encroach into the 50-foot setback adjoining the AG-1 District (VC09-02, Part 3)*



7. Further discussion of Landscape Businesses and Agricultural Uses.

**The Planning Commission discussed a version edited by Joe Creamer of a Use Permit for Landscape Businesses from Danbury, CT. It was distributed via e-mail earlier in the day. George Ragsdale volunteered to track the suggested changes and modifications and distribute to the Commission. It was agreed that at the next regularly scheduled Planning Commission, this item will be further discussed and try to get it ready for review by the City Council in the near future.**

8. Adjourn

*A motion was made by George Ragsdale to adjourn the meeting and seconded by Fred Edwards and passed unanimously 5-0. Time of adjournment was 9:30 p.m.*

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Date Approve

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Paul Moore, Chairperson