

# Morgan County Planning Commission

Minutes  
Regular Meeting  
June 27, 2019  
7:00 p.m.

PRESENT: Brian Lehman, Connie Booth, Denny Myers, Doug Mundrick, Tara Dillard, Clint Milford, Faye Craft, Maryann Dartnell, John McMahon  
NOT PRESENT: Scott Campbell  
ALSO PRESENT: Chuck Jarrell, Tara Cooner, Members of the Public

## **PUBLIC HEARING**

### ADMINISTRATIVE BUSINESS:

#### I. Acceptance of Minutes from May 17, 2019 work session.

Motion: Ms. Booth made a motion to approve the May 17, 2019 Minutes as presented.

Second: Mr. Myers

Vote: 5:0 The vote to approve the May 17, 2019 Minutes as presented was unanimous. Ms. Booth, Ms. Dartnell and Mr. Milford abstained from the vote.

#### II. Acceptance of Minutes from May 23, 2019 regular meeting.

Motion: Ms. Booth made a motion to approve the May 23, 2019 Minutes as presented.

Second: Mr. Mundrick

Vote: 6:0 The vote to approve the May 23, 2019 Minutes as presented was unanimous. Ms. Dartnell and Mr. McMahon abstained from the vote.

#### III. Staff report on past zoning actions.

Mr. Jarrell reported that all previously discussed applications had been approved.

### UNFINISHED BUSINESS:

There is no unfinished business.

### NEW BUSINESS:

I. Ted Medford is requesting Conditional Use approval to operate a carpentry shop on .304 acres located at 159 Newborn Road (Tax Parcel R04-052).

II. Ted Medford is requesting a variance to the setback requirements in the C1 Zoning district on .304 acres located at 159 Newborn Road (Tax Parcel R04-052).

Mr. Jarrell presented the staff reports for both applications together. He reviewed the location of the property and the existing setbacks of the surrounding buildings. He

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explained that there were issues with split zoning on the property and that the proposed building would be partially on an adjacent parcel. Mr. Jarrell presented a schematic showing the size of the proposed building on the property's plat and the proposed setbacks and explained the how the project would be over the impervious surface maximum. Staff showed a video from the applicant's business website that demonstrated the process of building trailer rigs. The Planning Commission confirmed that no plans had been presented for parking areas and discussed how parking could affect the impervious surface percentage.

Ted Medford, Applicant, explained that his existing building was too small for his growing business and how he purchased the property from a neighbor. He stated he was unaware that it was zoned differently and knew that the lot would not accommodate his proposed buildings without setback relief. He explained how he wanted to use the proposed building for constructing the trailer rigs. Mr. Medford confirmed that he rented the adjacent property containing the existing Profoam business from his sister, but he expressed confidence that he could combine the properties if necessary. He stated that he was unaware of the split zoning issue.

No one spoke in favor of, or in opposition to, the conditional use application. The Chairman closed the meeting for public comment.

The Planning Commission stated that they did not see the proposed use as carpentry, particularly after watching the video showing how the trailer rigs were constructed, noting that the presence of wood did not constitute a carpentry shop. The members agreed that the business was a manufacturing use. It was also mentioned that the proposed use was not appropriate according to the character area map in the Comprehensive Plan and that traffic coming out of the existing business already created a hazard.

Motion: Ms. Booth made a motion to recommend denial of the conditional use application for a carpentry shop at 159 Newborn Road.

Second: Ms. Dartnell

Vote: 8:0 The vote to recommend denial of the conditional use application for a carpentry shop at 159 Newborn Road was unanimously approved.

No one spoke in favor of, or in opposition to, the variance application. The Chairman closed the meeting for public comment.

The Planning Commission debated the various issues that would need to be addressed, including rezoning a portion of the property and combining the parcel with the adjacent Profoam property. Mr. Jarrell was asked about the required 25 feet between commercial buildings, which led to a discussion regarding how much the proposed building would have to be reduced to fit within the miscellaneous parameters. The possibility of combining the buildings was mentioned, along with how the grandfathered status of the Profoam building would complicate that option. Mr. Jarrell confirmed that, if denied, the applicant would have to wait 12 months before submitting another application.

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Motion: Mr. Mundrick made a motion to recommend denial of the variance application at 159 Newborn Road, with the condition that the 12- month prohibition on resubmittal be waived.

The members discussed the wait time for a resubmittal. Staff suggested that, instead of waiving the 12-month requirement, Mr. Medford use the time between meetings to research options to present to the Rutledge Council, noting that he could withdraw his application till a later date if he needed more time prior to the Council hearing. Staff confirmed that the application would not have to come back to Planning Commission but could proceed to Council even if Mr. Medford changed his proposal.

Motion: Mr. Mundrick made a motion to recommend denial of the variance application at 159 Newborn Road.

Second: Mr. Myers


Vote: 8:0 The vote to recommend denial of the variance application at 159 Newborn Road was unanimously approved.

### ADJOURNMENT

Motion: Mr. McMahon made a motion to adjourn the meeting.

Second: Ms. Dartnell

Vote: 8:0 The vote to adjourn the meeting was unanimously approved.

  
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Brian Lehman, Chairman

Date 7/25/2019

  
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Tara Cooner, Secretary

Date 7-25-19

