

MINUTES  
PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT  
BETHEL HEIGHTS CITY HALL  
JUNE 20, 2016 @ 7:00 p.m.

The Bethel Heights Planning Commission met in a regular scheduled meeting in the Bethel Heights City Hall. Chairman Sam Black called the meeting to order at 7:00 p.m.

**Call to Order**

ROLL CALL: The following members answered the roll call: Jimmy Scott, Brian Wilson, Miles Chism, Ken Buchheit, Susie Wright, Sherry Tuck, and Sam Black were present.

**Roll Call**

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

**Pledge**

APPROVE AGENDA: Member Buchheit motioned to approve the agenda. Member Tuck seconded the motion. Motion passed without dissent.

**Agenda**

Motion to Approve  
Motion Passed

APPROVE MINUTES: May 16, 2016. Member Wilson motioned to approve the minutes from May 16, 2016. Member Chism seconded the motion. Motion passed without dissent.

**Minutes**

Motion to Approve  
Motion Passed

PUBLIC FORUM:

**Public Forum**

CURRENT BUSINESS:

**Current Business**

OLD BUSINESS:

**Old Business**

Conditional Use:  
Waste Management

1. **Conditional Use: Waste Management:** Ms. Jodi Taylor stated that Waste Management would like to use the current Transfer Station as a Container Repair Facility. Member Wilson asked what the hours of operation would be. Ms. Taylor stated that it would be Monday – Friday from 8-5 only. Member Scott asked what noise would be associated with the repair shop. Ms. Taylor stated that it should be less noise because of less traffic, however the bagging would still be there due to the containers being moved from one location to another, containers being painted, containers being welded and dents being knocked out. Member Scott asked if there would be paint booths. Ms. Taylor stated yes. Member Scott informed Ms. Taylor that if a conditional use is given that it could be revoked at any time upon complaints. Chairman Black asked where the work would be done. Ms. Taylor stated that the work would be done in the shop. Member Buchheit stated that all of the issues that Mr. Jackson had asked about have been addressed. Member Black asked is the containers would be dragged. Ms. Taylor stated that the trucks would lift the containers and that dragging shouldn't ever be done. Mayor Black asked how many containers would be at the location

at any given time and what size containers would be at the location. Ms. Taylor stated around 10-20 containers of all sizes. Mayor Black stated that she doesn't want the area to be used as a storage facility for the containers. Ms. Taylor stated that the containers wouldn't have trash in them and that the containers are stored at another facility. Member Buchheit moved to approve the conditional use. Member Tuck seconded the motion. Chairman Black called the roll and the following votes were recorded: Tuck -yes, Wright -yes, Buchheit -yes, Chism -yes, Wilson -yes, Scott -yes, and Black -yes. Motion passed without dissent.

Motion to Approve

Motion Passed

NEW BUSINESS:

1. **Conditional Use: 4960 N. Thompson:** Mr. Lonnie Hochstetler stated that he would like to display portable storage buildings on the property next to the fruit stand and sod yard. Chairman Black asked if a sales office or person would be on site and how many is he planning to place at the location. Mr. Hochstetler stated that at this time there wouldn't be anyone at the location with their information being available only and that he is planning on placing 10-20 buildings on the site. Chairman Black asked if gravel would be placed in the area. Mr. Hochstetler stated no, but that the grass would be kept mowed around the area of the buildings. Member Scott asked if the produce guy would be selling the buildings. Mr. Hochstetler stated no. Chairman Black informed Mr. Hochstetler that if a sales office was ever needed that he would have to meet the city's requirements including connecting to the sewer system. Member Scott asked how this is different from the prior request and how would we monitor the business. Chairman Black stated that the prior request for storage buildings wanted a sales office and that the city's code enforcer drives around the city for code enforcement issues or complaints. Member Scott asked if there would be a sign at the property. Mr. Hochstetler stated that he would be placing a sign at the location. Chairman Black stated he would need to follow the sign ordinance. Member Chism asked Mr. Hochstetler if there were any similar businesses around. Mr. Hochstetler stated that he has one in Cave Springs and Huntsville. Member Scott questioned if there was a problem using property as displaying items. Chairman Black stated no because the city has conditional uses where conditions are being placed on individual businesses. Member Chism motioned to approve the conditional use request with the conditions of no more than 20 storage buildings on the lot, the property must be kept presentable, and that no office shall be at the location. Member Scott seconded the motion. Chairman Black called the roll and the following votes were recorded: Tuck -yes,

**New Business**  
Conditional Use:  
4960 N. Thompson

Motion to Approve

Wright -yes, Buchheit -yes, Chism -yes, Wilson -yes, Scott -yes, and Black -yes. Motion passed without dissent.

2. **Rezoning A – R-1: 120 E. Morris Ave.:** Mr. Jesse Fulcher stated that he is requesting that the two acre property be rezoned from Agricultural to R-1 and that the surrounding properties are all residential. Chairman Black asked if the access would be off of Rosebud and how many houses would be placed on the parcel. Mr. Felcher stated yes and that 3-4 homes would be built. Chairman Black stated that the house plans wouldn't be the same as those being built in Heritage Heights and that the homes would conform to the Rosebud Subdivision. Mr. Felcher stated that he didn't know. Member Chism stated that the future land use map does show the area to be R-1. Mrs. Brittney Strasser from 3963 Rosebud stated that she is concerned about the added traffic within the Rosebud Subdivision, doesn't want rental properties, and concerned about her property value. Mr. Fulcher stated that he isn't aware of any rentals and doesn't have any idea for the plans if homes would be rentals or being for sale. Chairman Black stated that the two acres is currently zoned agricultural and it is a nonconforming lot with the current zoning and would expect that if homes are being placed along Rosebud that they would conform to the homes along Rosebud. Member Buchheit motioned to approve the rezoning of 120 E. Morris Ave. from A – R-1. Member Wright seconded the motion. Chairman Black called the roll and the following votes were recorded: Tuck -yes, Wright -yes, Buchheit -yes, Chism -yes, Wilson -yes, Scott -yes, and Black -yes. Motion passed without dissent.
3. **Faithful Gospel Church:** Member Buchheit asked what the correspondence was from the church at 5456 North Oak Street. Mrs. Fenton stated that she had received a call and that she had been informed that the church's parking lot has been scheduled for July 5<sup>th</sup> with a completion date of July 15<sup>th</sup>. Mrs. Fenton stated that she informed them that if for some reason that the parking lot isn't complete by the next scheduled meeting, that they would need to be present for the meeting.
4. **Municipal League Meeting:** Chairman Black stated that he attended the Municipal League Conference last week and it was explained from John Van Tuggle that a down zoning waiver is no longer being required and that delays should never be given on conditional uses due to it being so hard to get them to follow through.

ADJOURN MEETING: Member Wright moved to adjourn as the Planning Commission and reconvene as the Board of Zoning Adjustment. Member Buchheit seconded the motion. Motion passed without dissent.

Motion Passed  
**Rezoning 120 E. Morris Ave. – A -R-1**

Motion to Approve

Motion Passed  
Faithful Gospel Church

Municipal League Meeting

**Adjourn**  
Motion to Adjourn  
Motion Passed

BOARD OF ZONING ADJUSTMENT

The Bethel Heights Board of Zoning Adjustment met in a regular scheduled meeting in the Bethel Heights City Hall. Chairman Sam Black called the meeting to order at 7:55 p.m.

ROLL CALL: The following members answered the roll call: Jimmy Scott, Brian Wilson, Miles Chism, Ken Buchheit, Susie Wright, Sherry Tuck, and Sam Black were present.

APPROVE AGENDA: Member Buchheit motioned to approve the agenda. Member Tuck seconded the motion. Motion passed without dissent.

APPROVE MINUTES: May 16, 2016. Member Wilson motioned to approve the minutes from May 16, 2016. Member Chism seconded the motion. Motion passed without dissent.

PUBLIC FORUM:

CURRENT BUSINESS:

OLD BUSINESS:

NEW BUSINESS:

ADOURN MEETING: Member Wright moved to adjourn the Board of Zoning Adjustment. Member Buchheit seconded the motion. Motion passed without dissent. Meeting adjourned at 7:57 p.m.

APPROVED: Sam Black  
Chairman

ATTEST: Sherry Tuck  
Secretary

**Call to Order**

**Roll Call**

**Agenda**  
Motion to Approve  
Motion Passed

**Minutes**  
Motion to Approve  
Motion Passed

**Public Forum**

**Current Business**

**Old Business**

**New Business**

**Adjourn**  
Motion to Adjourn  
Motion Passed