

MINUTES  
PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT  
BETHEL HEIGHTS CITY HALL  
APRIL 18, 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.

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

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

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

APPROVE MINUTES: March 21, 2016. Member Davidson motioned to approve the minutes from March 21, 2016. Member Person seconded the motion. Motion passed without dissent.

PUBLIC FORUM: Mr. Kenneth Ellzey with the property at 4095 N. Oak St. stated that he has a site plan and that they are willing to do whatever is needed to get approval on the conditional use. Chairman Black questioned the plans for connecting onto the city sewer system. Mr. Ellzey stated that they are looking at using the facilities just twice a week for now and then connect onto the city sewer system at a later date. Chairman Black stated that a decision wouldn't be granted tonight due to him not being on the agenda. Chairman Black stated that a conditional use application would need to be filled out and complete along with a site plan and the adjacent property owners being notified. Mrs. Fenton stated that the deadline for the May meeting would be the 25<sup>th</sup> of April. Mr. Ellzey asked what all had to be done so that they could move forward and that he needs a specific list of things. Chairman Black stated that all of the issues that have been discussed for the last few months would need to be addressed. Chairman Black informed Mr. Ellzey, if he isn't planning to connect to the city sewer system now then when and a time frame would be needed. Mr. Scott asked what a post frame building was and if the building would be approved by the fire marshal. Chairman Black stated that it is a shop building. Mr. Ellzey stated that the fire marshal has told him he will have to add a door and some minor cosmetic things. Mrs. Loneta Blevins owner of the property at the corner of Graham and Thompson stated that she has a renter that rents month to month that would like to sell portable storage buildings at that location. Chairman Black stated a conditional use would have to be applied for and then it would come before the Planning

**Call to Order**

**Roll Call**

**Pledge**

**Agenda**

Motion to Approve  
Motion Passed

**Minutes**

Motion to Approve  
Motion Passed

**Public Forum**

Kenneth Ellzey –  
4095 N. Oak St.

Loneta Blevins  
Corner of Graham &  
Thompson

Commission. Mrs. Blevins stated that the young man that would be selling the portable buildings has paid the fee and filled out the paperwork and was told he would be on the agenda for tonight's meeting. Mrs. Fenton informed Mrs. Blevins and the commissioners that he did come in and pick up the application but has not turned in the application to be placed on the agenda. Mrs. Blevins stated that all she wants is to be able to have this man have his temporary business. Chairman Black asked how it would be a temporary business. Mrs. Blevins responded by asking how it wouldn't be if the highway department is going to be placing the new highway on her property and she is only renting to him month to month. Chairman Black informed Mrs. Blevins that no action could be taken tonight since the item isn't on the agenda. Mrs. Blevins asked to be given a list of uses for her property.

**CURRENT BUSINESS:**

1. **Reappoint Members Scotty Person, Butch Davidson, and Jimmy Scott:** *Reappoint Member Scotty Person-* Member Wright motioned to approve the reappointment of Scotty Person. Member Buchheit seconded the motion. Scotty Person accepted the reappointment. Chairman Black called the roll and the following votes were recorded: Scott-yes, Wilson-yes, Chism-yes, Buchheit-yes, Wright-yes, Davidson-yes, Person-abstained, and Black-yes. Motion passed. *Reappoint Member Butch Davidson-* Member Wilson motioned to approve the reappointment of Butch Davidson. Member Scott seconded the motion. Butch Davidson accepted the reappointment. Chairman Black called the roll and the following votes were recorded: Scott-yes, Wilson-yes, Chism-yes, Buchheit-abstained, Wright-yes, Davidson-abstained, Person-yes, and Black-yes. Motion passed. *Reappoint Member Jimmy Scott-* Member Buchheit motioned to approve the reappointment of Jimmy Scott. Member Wright seconded the motion. Jimmy Scott accepted the reappointment. Chairman Black called the roll and the following votes were recorded: Person-yes, Davidson-yes, Wright-yes, Buchheit-yes, Chism-yes, Wilson-yes, Scott-abstained, and Black-yes. Motion passed.

**OLD BUSINESS:**

1. **Ordinance No. 348 Driveways & Access of Property:** Member Davidson stated that he doesn't see the need for the 30 feet nor a benefit for the city and believes it will cause a hardship for property owners and that it isn't feasible. Chairman Black asked why it's not feasible. Member Davidson stated that he has measured several lots that wouldn't meet that requirement and you wouldn't want your master bedroom on the corner. Chairman Black suggested changing the house plan around. Member Davidson stated that he believes the city needs to require corner

**Current Business**  
Reappoint Members  
Scotty Person, Butch  
Davidson, Jimmy  
Scott

**Old Business**  
Ordinance No. 348  
Driveways & Access  
of Property

lots to be bigger. Chairman Black reminded Mr. Davidson that he was looking at the minimum requirements. Member Wright stated that developers aren't going to do anything bigger so variances would be requested. Member Scott asked if it was a safety issue. Mayor Black stated that the drawing came from the engineer and that the 30 feet was feasible with other cities that have the 30 foot requirement. Member Davidson stated that he doesn't see it as a safety issue because we haven't had an issue with it before but stated that he agrees that the 30 feet is workable but feels 25 feet is good enough. Mayor Black stated that she is just relaying information from the city engineer. Member Buchheit stated that engineers are quite often wrong and feels that the 30 foot requirement would make it difficult on property owners. Member Davidson stated that just because others are doing it doesn't mean we should. Member Wright stated that she doesn't see that it will be an issue based on the drawing. Member Scott stated he didn't see the reason why a variance would be given. Members discussed that the property owner may have to change the house plan around or get a different plan but that variances wouldn't be granted because it wouldn't be considered a hardship. Chairman Black asked for a motion and reminded the members that it would go to the council for final approval. Member Wilson motioned to change subsection 5 from 30 feet to 25 feet and due pass on all other items. Member Buchheit seconded the motion. Chairman Black called the roll and the following votes were recorded: Person-yes, Davidson-yes, Wright-no, Scott-yes, Wilson-yes, Chism-no, Buchheit-yes, and Black-no. Motion passed.

2. **Transfer Station:** Chairman Black informed the commissioners that the transfer station is no longer operating therefore the conditional use is gone.

#### NEW BUSINESS:

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.

#### 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 7:54 p.m.

#### New Business

**Adjourn**  
Motion to Adjourn  
Motion Passed

#### Call to Order

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

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

APPROVE MINUTES: March 21, 2016. Member Davidson motioned to approve the minutes from March 21, 2016. Member Person seconded the motion. Motion passed without dissent.

PUBLIC FORUM:

CURRENT BUSINESS:

OLD BUSINESS:

1. **R-3 Zoning:** Member Davidson stated that he didn't agree with the R-3 zoning behind Lexington Subdivision. Chairman Black stated that it has been zoned R-3 before the subdivision was developed.

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

**Roll Call**

**Agenda**

Motion to Approve  
Motion Passed

**Minutes**

Motion to Approve  
Motion Passed

**Public Forum**

**Current Business**

**Old Business**

R-3 Zoning

**New Business**

**Adjourn**

Motion to Adjourn  
Motion Passed