

MINUTES

**PLANNING AND ZONING BOARD
OCTOBER 21 2009
6:00 P.M.**

❖ **CALL TO ORDER:**

Chairperson Burt called the meeting to order at 6:00 p.m.

❖ **PLEDGE OF ALLEGIANCE:**

Board Member Hall directed the Pledge of Allegiance.

❖ **ROLL CALL:**

BOARD MEMBERS PRESENT:	Board Member Brooks Board Member Hall Board Member Davidson Chairperson Burt
BOARD MEMBERS ABSENT:	Board Member Percy (Excused-contacted Town Clerk)
STAFF MEMBERS PRESENT:	Town Clerk DeLegge Assistant Town Attorney Crawford Marlene Sanchez (CFRPC)

TAB 1: APPROVAL OF MINUTES:

A. APPROVAL OF MEETING MINUTES OF SEPTEMBER 16, 2009 AND MEETING MINUTES OF SEPTEMBER 17, 2009

MOTION by Board Member Hall, seconded by Board Member Brooks to approve the minutes of September 16, 2009.

AYE: Brooks, Hall, Davidson, Burt
NAY: None

MOTION by Board Member Davidson, seconded by Board Member Hall to approve the minutes of September 17, 2009.

AYE: Brooks, Hall, Davidson, Burt
NAY: None

TAB 2: PUBLIC HEARINGS:

- A. PETITION FOR FUTURE LAND USE AMENDMENT, KINGS PARTNERSHIP, REQUEST FOR MEDIUM DENSITY RESIDENTIAL (MDR) FUTURE LAND USE FOR 7.18 ACRES AND COMMERCIAL FUTURE LAND USE FOR 2.81 ACRES LOCATED ON THE NORTHEAST CORNER OF SCENIC HIGHWAY AND TINDEL CAMP ROAD.**

Marlene Sanchez (CFRPC) explained that this is a request for a Future Land Use Amendment that is a result of a voluntary annexation of 9.99 acres that was approved by the Town Council. She showed the areas on a map to the Board.

Dennis Wood, McVay-Wood Engineering was present to represent the owner/developer. He explained the layout of the commercial and residential areas, and showed the layout on the map.

Board Member Hall asked about the density of eighty-four units and whether each duplex was considered one unit or two units. Ms. Sanchez replied that each duplex was two (2) dwelling units. Mr. Wood explained that the maximum density is eighty-four (84) units but that they would not be able to put that many on this site.

Chairperson Burt opened the public hearing, and hearing from no one he closed the public hearing.

- B. PETITION FOR ZONING, KINGS PARTNERSHIP, REQUEST FOR GENERAL RETAIL COMMERCIAL (CC) ZONING FOR 2.81 ACRES AND TWO-FAMILY RESIDENTIAL (RTF) ZONING FOR 7.18 LOCATED ON THE NORTHEAST CORNER OF SCENIC HIGHWAY AND TINDEL CAMP ROAD.**

Marlene Sanchez (CFRPC) explained that this was the companion re-zoning request that will go along with the land use. She said they requested a General Retail Commercial (CC) and a Two-family Residential (RTF).

Assistant Town Attorney Crawford reminded the Chair that a separate vote should be taken for each request. He informed the Board that there is a current zoning in progress by the Polk County to promulgate rules for the Scenic Highway and that it is the intent of Town staff that Dundee will seek to adopt the same code and standards that Polk County does. He recommended that if they approve the zoning request and recommend it to the Town Council that it be subject to any zoning amendments that may arise from the Scenic Highway planning process. A brief discussion followed.

Chairperson Burt opened the public hearing, and hearing from no one he closed the public hearing.

MOTION by Board Member Davidson, seconded by Board Member Brooks that the Planning and Zoning Board recommend approval to the Town Council of a change in Future Land Use from an unincorporated Polk County Future Land Use designation of Agricultural/Residential-Rural (A/RR) to a Town of Dundee Future Land Use designation of Medium Density Residential (MDR) for 7.18 acres and Commercial for 2.81 acres for a combined total of 9.99 acres owned by Kings Partnership.

Discussion by Board Member Hall concerning mobile homes followed.

AYE: Brooks, Hall, Davidson, Burt

NAY: None

There was a brief discussion of the permitted uses in a RTF zoning classification.

MOTION by Board Member Brooks, seconded by Board Member Hall that the Planning and Zoning Board recommend approval to the Town Council of a change from an unincorporated Polk County zoning designation of Rural (A/RR) to a Town of Dundee zoning designation of Two-Family Residential (RTF) for 7.18 acres and General Retail Commercial (CC) for 2.81 acres for a combined total of 9.99 acres owned by Kings Partnership.

AYE: Brooks, Hall, Davidson, Burt

NAY: None

C. PETITION FOR ZONING, EUNICE MARIE ALLEN, REQUEST FOR HIGHWAY COMMERCIAL (CH) ZONING FOR 0.1287 ACRES LOCATED AT 1005 CENTER STREET.

Marlene Sanchez (CFRPC) explained to the Board that this property is currently zoned RSF2 which is single family residential. She said the applicant would like to open a retail business and want to re-zone to a commercial category that allows retail. She explained that the adjacent properties that are zoned Highway Commercial (CH) are not consistent with the Land Use for this area. She said that the only category allowed is Service Commercial (CS) which does allow retail.

Eunice Allen explained to the Board that she wanted to open a variety gift shop business. She said she wanted a small business when she retires and would use the existing building that is already there.

A brief discussion followed concerning the zoning classifications in this area.

Chairperson Burt opened the public hearing, and hearing from no one, closed the public hearing.

MOTION by Board Member Brooks, seconded by Board Member Davidson that the Planning and Zoning Board recommend approval to the Town Council of a change in zoning designation from Moderate-Density Single-Family Residential (RSF2) to Service Commercial (CS) for the property owned by Eunice M. Allen located at 1005 Center Street.

AYE: Brooks, Hall, Davidson, Burt

NAY: None

TAB 3: STATUS REPORT

A. REPORT ON STATUS OF ITEMS THAT HAVE BEEN HEARD BY PLANNING AND ZONING BOARD AT PREVIOUS MEETINGS.

Ms. Sanchez reported that the accessory dwelling units in the commercial and industrial zoning classification was denied by the Town Council. A brief discussion followed.

DELEGATIONS- QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

None.

REPORTS FROM OFFICERS

- **PLANNING DEPARTMENT COMMENTS**

Ms. Sanchez said she will be bringing regulations for townhouses to the Board.

- **TOWN ATTORNEY**

None.

- **BOARD MEMBER COMMENTS**

None.

- **CHAIRPERSON COMMENTS**

None.

ADJOURNMENT

MOTION by Council Member Hall, seconded by Council Member Davidson to adjourn.

AYE: Brooks, Hall, Davidson, Burt

NAY: None

Chairperson Burt adjourned the meeting at 6:53 p.m.

Bob Burt, Chairperson

ATTEST:

Joseph J. DeLegge, Town Clerk