

Planning & Zoning Meeting Minutes

February 17, 2009

The Planning and Zoning Commission met for their regular monthly meeting on Tuesday, February 17, 2009.

The following were present: Committee members Jamey Abercrombie, James Justice, James Toothman, John O'Connor, Tony Gironde and Alderman Dave Walter. City employees present were Christine Martin and Harry Harper. Mayor Roy White and Jon Young were absent.

Others present were Alderman Jim Schuchman and Alderman Angie Reynolds.

Call to Order

Chairman Jamey Abercrombie called the meeting to order at 6:30 p.m.

Minutes

James Toothman made a motion to approve the January 20, 2009, Planning & Zoning Minutes. John O'Connor seconded the motion. All were in favor.

Public Comments/Concerns - None

Public Hearing - None

Old Business - None

New Business/Recommendations to Board of Alderman

Discussion of Modular Home/Mobile Home Definition – The Commission discussed the definition of Mobile Home and what is defined. James Justice said they are just trying to clarify if Modulares meet the code and what the difference is from a Mobile. He said a modular will have a serial number on a tag and have a title which is a glorified name for a doublewide. He asked Alderman Schuchmann and he said the definition varies widely and it depends if the Planning & Zoning wants to define a definition. He said a trailer will have a serial tag and a title issued to it. He said there are so many definitions for a Modular that the Commission really needs to set a definition to distinguish between mobiles, modulares and manufactured homes. Mr. Justice said his interpretation over the years is a manufactured is like a prefab home. It has a steel frame and axles under it but added a manufactured like Fuqua is just transported here, sometimes even without the roof. John O'Connor said we are probably going to have to come up with our own definition. He said his company is presently insuring some Senior Citizens complex and it is modular. They are concrete modulares with no steel or frame or

nothing. He said he does agree with Tony Gironde that a mobile home is usually defined as having the steel structure underneath. James Toothman said that is also considered a manufactured home. James Justice stated a manufactured home does not have a steel frame under it. James Toothman stated that manufactured homes in some states do have steel frames and said the modular home is the only one that does not have a steel frame under it. Alderman Schuchmann reminded the Commission without getting caught up in what everyone else defines it as, the commission needs to set its own such definition to say for example, a mobile home has a title issued to it and what a modular is. A lot of homes could be called a modular because you are taking components and assembling them and each component is a module. Tony Gironde said Shelter used to say if you took the wheels off a trailer and put it on a basement, they would insure them as homes. He said now they have reversed that situation, saying if it has a steel structure under it it's a mobile home no matter if it sits on a foundation or not—it is still a mobile home. The steel frame under it is what defines it as a mobile. City Clerk stated once the home is on a permanent foundation Warren County charges them as Real Estate and if they are a mobile home they probably have a title to them. Tony Gironde said we need to look at the overall picture of what we are discussing. By ordinance mobile homes and modular homes must be in mobile home district. Tony Gironde asked if we are going to allow modulars in a regular stick-built subdivision. James Justice said not if it has a steel frame under it. Tony said we can say that is the defining point, but are we doing justice to people in subdivisions by allowing modulars. Jamey said the subdivision covenant would control that. Tony asked what happens if it is a vacant lot here in town that does not have a subdivision covenant. The Pogrelis's home on Elm Street was discussed. Harry said it came in on a semi truck and was lifted off and it has wood floor joists just like a house. It was a Five-Star Home. James Toothman said he has no problem with putting a modular back there if it meets the building codes and a modular has to meet local ordinances. They discussed inspections on Modular homes and Harry said they are inspected by the City but you would not do an open-wall inspection for the wiring like you would a regular stick-built house. You would do a foundation and a final inspection and inspected it the day it is set. James Justice said he believes Fuqua and some of the others have to show a certificate that it is built to code. Prefabs were discussed. James Justice said the prefabs are where the walls are constructed together. They lay the subfloor and then stand the walls up and set the trusses. The drywall and wiring is not in them at that time. Jamey said more information is needed and suggested getting a definition from the state. Jamey Abercrombie made a motion to table it to the Workshop to discuss it further. Alderman Dave Walter seconded the motion. All were in favor.

Discussion of Mobile Home Requirement for Inspection prior to Permit Issuance – City Clerk Christine Martin explained it came about because someone wanted to move in a 12 year old mobile home and Larry went down and inspected it. If he hadn't inspected it Larry would not have know there had been a fire in it and was practically gutted. If it had been an eight (8) year old mobile Larry would not have even looked at it because of the age being allowed. The twelve (12) year old mobile home is gutted and the owner of it is working on it. Since the ordinance had not been officially amended with 10 year requirement the building official can allow it to be moved in if over 10 years old up to 15 years old. Harry said the Occupancy Inspection can be done on them when moved here.

The Commission discussed the disadvantage of having the building official travel far away to inspect a mobile before it is moved here. Jamey Abercrombie said if he moved in a year old mobile home that had been in a flood or had been burned then the City is stuck with an eyesore. James Justice suggested giving them a certain time frame to bring it up to code. Harry said the first thing is they will not get water service until they get the Occupancy Permit. Harry said he would leave a list of discrepancies and the owner would call him back for a re-inspection and it must pass before an Occupancy Permit is issued and they can get water service. Jamey asked how long have they been dealing with Big Boys and brought up the rule of no water service if not to code. Jamey discussed the owner paying mileage for the inspector to go look at the mobile home before moving it here to Wright City. James Toothman is concerned with having junk trailers sitting in the street. Harry said he feels the Mobile Home Park owner would have some kind of application and background check of what is being moved in. Harry said the communication should be between the landlord and the tenants. Jamey asked if that can be enforced. Harry said the Mobile Park Owner has a couple of subdivisions here in town and has to work with the City. City Clerk Christine Martin asked what would the case be if it was another Mobile Home Park that is not Cannon. The owner of the park has to know what is being moved in. The location of different Mobile Home Parks within the City were discussed. Alderman Schuchmann explained that there is not anything in our City Code that when it first comes in that it has to be inspected. We don't actually have an inspection until there is an occupancy and feels we need language in there that says it has to be inspected upon moving it into the City. If the Building Official refuses it and tells them to move it back out he feels the Building Official can give them two weeks to move it back out. James Justice feels it should be set up where the Park Owner receives the same notice as the Mobile Home owner. City Clerk Martin explained the procedure of the Mobile Home Permit issuance. Alderman Schuchmann said he feels pending Darryl's review, what Christine added to the end is probably sufficient. Jamey asked Alderman Schuchmann about adding, if it doesn't pass inspection they have a certain amount of time to bring it into compliance. Jamey Abercrombie said he feels there should be a time frame mentioned in the ordinance revision. The Commission discussed the wording to add for amending the ordinance and came to an agreement that it should state at the end, and inspected and approved by the Building Official, and has two weeks to bring into compliance or remove Mobile Home. Alderman Schuchmann said he feels repairs to bring the mobile home into compliance should be at the discretion of the Building Official and it should also be his decision if the home should just be removed if it is beyond repair. He said that is why it will go to Darryl for Review. Alderman Dave Walter made a motion to send it to the Board with the recommended changes. John O'Connor seconded the motion. All were in favor.

Discussion of Rezone of 60 Highway J, as recommended by Board of Alderman –

Alderman Walter explained that heavy industrial is on one side and Single- Family Residential on the other side and the Park piece is right in the middle. He said it is large enough to build a house on and recommends rezoning it back to Single Family Residential. James Justice asked how it was rezoned and how many acres it is. The property is presently zoned Parks and Scenic and is .39 acres. Alderman Schuchmann was present and said the Board did not make a recommendation how to rezone the

property – just that it needed to be rezoned. If someone buys it they can't use it for anything other than for Park. Alderman Schuchmann said he feels it should go back to Single Family. Alderman Schuchmann said he doesn't feel it is suitable to build on because of the setbacks and said the bids received to purchase the property have been taken under advisement. Tony Girondo said he feels it would have more potential as Light Industrial. Tony said the new owner can always come in and ask to rezone it. John O'Connor made a motion to rezone the property at 60 Highway 'J' as light industrial. Alderman Dave Walter seconded it. Roll Call was taken:

James Toothman – No	John O'Connor - Yes
Tony Girondo - Yes	Jamey Abercrombie – Yes
Dave Walter – Yes	James Justice – Yes

The motion carried.

Building Official Report- Harry Harper

Harry Harper said there were two permits issued. One for Ivy League for Hickory Trails and one for Cannon for Gettysberg Commons. Harry said that the three houses in Falcons Crest have been sold. James Justice asked about the new house in Hickory Trails and if it was right at Bell Road. Tony Girondo asked how much ground it would leave between Bell Road and the end of the lot. Harry said it will leave no less than the one on Turkey Run or Lake Tucci. Tony Girondo discussed their previous plan of expanding Bell Road to three lanes and wanting to leave room for that. Harry said him and Karen were figuring boundaries and said they wouldn't be going past Klausmeier Road for the north boundary of City Limits. Harry explained from Westwoods to the Service Road they are okay to widen if need to. The water lines are 25 feet off the road on the west side. Harry said he is doing a lot of occupancy inspections and they are not just apartments.

Alderman Schuchmann said a Mr. Barnes is looking to open up a concrete finishing business for an office and for storing equipment. The application was tabled at the last board meeting because he did not have an address listed. He plans to rehab the building on Big Boys property and plans to make improvements to the other buildings too. Prior to the Business License being issued all questions should be asked by Planning and Zoning.

Commissioner Comments

None

Adjournment

James Toothman made a motion to adjourn and Dave Walter seconded the motion. All were in favor. The meeting adjourned at 7:45 p.m.

Signed _____

Attested _____

Dated _____