

Planning & Zoning Meeting Minutes

September 21, 2009

The Planning and Zoning Commission met for their regular monthly meeting on Monday, September 21, 2009

The following were present: Committee members Roy White, Jamey Abercrombie, Tony Girondo, John O'Connor, Tony Midiri and Valerie Viviano-Lanemann. City employees present were Harry Harper and Shayla Clark.

The legible names of others present were: Lorie O'Leary, Dave O'Leary, Cinda Belton, Angie Reynolds, Tim Reynolds and Tom Black.

Call to Order

Chairman Tony Girondo called the meeting to order at 6:30 p.m.

Minutes

John O'Connor made a motion to approve the August 17, 2009 Planning & Zoning Meeting Minutes. Valerie Viviano-Lanemann seconded the motion. All were in favor.

Public Comments/Concerns

Tom Black said that he had a concern. Tom Black said Steven Willis was charged with Section 430.070 off street parking and loading in all commercial classifications and that was passed in 97'. Tom Black stated he had been reading through the Municipal Code Book and there was not any additional off street parking regulations and that was passed in 00'. Tony Girondo asked what Tom Black's concerns was and Tom replied that Steven Willis was told he had to black top all the added on gravel or he would be in violation of City ordinance. Tony Girondo said he had not heard of anything and that business has been there for a number of years. Jamey Abercrombie stated that Steven Willis did do an addition to the parking lot. Tony Girondo said that any addition that was done would have to be up to code and he asked if Steven Willis came in and applied for a permit for any additional space. Tony Girondo said that the Commission had talked to him about possibly expanding his used car sales lot into a storage unit facility and at that time the Commission had told him that any additional parking lot would have to be hard surfaced to be up to code. Tony Girondo said therefore, we denied his application because he did not want to change his parking lot to hard surface. Tony Girondo said he is not off street parking, and Tom Black said that is what he was charged with. Jamey Abercrombie asked Harry Harper if he sent the letter and Shayla Clark said it was Larry Janish. Jamey Abercrombie and Tony Girondo said they were not sure why Steven Willis was charged with off street parking. Tony said that business has been there for many years and obviously he has been operating under that condition for awhile and whether or not he

was under violation of the code when he first started his business or not is unknown. Tony Gironde said if he is only doing maintenance to his property then we can not apply a new regulation to maintenance. But if he truly expanded his lot then the expansion must follow new regulation. Jamey Abercrombie said that the problem is not off street parking but that he expanded on his lot and all new parking lots need to be hard surfaced. Tony Gironde said what we need to find out is what his original lot size was and what he expanded to. Tony Gironde said to his understanding Steven Willis received a weed letter and was in violation of sign ordinance. Tony Gironde said that as far as he knew the sign was still out there. Tom Black said according to the code book the sign would not be in violation because of the size and it is mobile because it is on wheels. Tom Black said we need to give him an honest definite answer. We do not want him to move out of town. Jamey Abercrombie said maybe he needs to come up and talk to the Commission. Tony Gironde said to Tom Black the only true answer he could give him is that if he expanded his lot it has to follow new regulation and if he is trying to maintain his current lot then he is fine. Angie Reynolds said the lot was not expanded for the car lot sales it was expanded for his gun sales. She said there is now a parking lot around his gun sales building. Tony Gironde asked if the building was originally part of his auto sales. Tom Black said Steven Willis added gravel for a proposed mobile van parking storage and that fell through, so he is using it for his used cars now. Tony Gironde said then he is in violation. Tony Gironde said that the Commission told him when he wanted to make his property into a fenced in storage area that since it was a new business under new regulation that he would have to asphalt the property. Steven Willis stopped his procedure on that particular business, therefore he should have an understanding that anything new business should follow the same rules and regulations and it has to be asphalt. Tom Black said Steven Willis is citing the fireworks stand at Don Reed's Apartments and the Fireworks stand that was on Hwy J because of their gravel lots. Tony Gironde said they came in front of the Commission and got a Conditional Use Permit to do so and it was a temporary situation. Tony Gironde said that Steven Willis is not a temporary business he is a permanent business. Tom Black said that Steven Willis said to him if they were temporary then why not rake the gravel off of the lots. Jamey Abercrombie told Tom Black to tell Steven Willis to come to the Board of Aldermen. Tony Gironde said he would suggest that next month Steven Willis comes in front of the Commission. Then Jamey Abercrombie said Thursday there is a Board of Alderman meeting and Steven Willis can come to that. Tom Black said he would tell him to come to the meeting.

Public Hearing

a. A request from Lorie O'Leary for a variance to build a fence across the 25 foot building line for Lot 65 Lake Tucci Manor Plat Two.

Tony Gironde said Lorie O'Leary's main concern was that she wanted to a rectangular fence shaped fence and when she came in front of the Commission for discussion we gave the restrictions that we wanted in place. Tony Gironde said we made her stay on the easement line and stop at the 25 foot street radius and stay on that. Lorie O'Leary said

that the Commission said that she could go to the property line and that she could go to the 15 foot line. Tony Girondo closed the public hearing.

b. Proposed Municipal Zoning code changes:

1. Repeal three definitions of Paragraph 2 of Section 405.090 of Chapter 405 of Title IV of the Municipal Code of the City of Wright City, Missouri pertaining to Vacation Vehicle and Utility Trailer.
2. Amend Paragraph 2 of Section 405.090 of Chapter 405 of Title IV of the Municipal Code of the City of Wright city Pertaining to Garden Trailer, Recreational Vehicle and Utility Trailer.
3. Amend Paragraph 16 of Section 405.100 of Chapter 405 of Title IV of the Municipal Code of the City of Wright City pertaining to Trailers.

Old Business

None

New Business/Recommendations to Board of Alderman

a. A request from Lorie O’Leary for a variance to build a fence across the 25 foot building line for Lot 65 Lake Tucci Manor Plat Two.

Jamey Abercrombie made a motion to accept the request for a Variance from Lorie O’Leary as submitted. Valerie Viviano-Lanemann seconded the motion. There was one abstained vote and five yes votes. The motion carried.

Vote: Roy White- abstained	John O’Connor-yes
Jamey Abercombie- yes	Tony Mirdiri-yes
Tony Girondo- yes	Valerie Viviano-Lanemann-yes

b. Proposed Municipal Zoning code changes:

1. Repeal three definitions of Paragraph 2 of Section 405.090 of Chapter 405 of Title IV of the Municipal Code of the City of Wright City, Missouri pertaining to Vacation Vehicle and Utility Trailer.

Jamey Abercrombie made a motion to approve repeal three definitions of Paragraph 2 of Section 405.090 of Chapter 405 of Title IV of the Municipal Code of the City of Wright City, Missouri pertaining to Vacation Vehicle and Utility Trailer. John O’Connor seconded the motion. There was one abstained vote and five yes votes. The motion carried.

Vote: Roy White- abstained John O'Connor-yes
Jamey Abercrombie- yes Tony Mirdiri-yes
Tony Girondo- yes Valerie Viviano-Lanemann-yes

2. Amend Paragraph 2 of Section 405.090 of Chapter 405 of Title IV of the Municipal Code of the City of Wright city Pertaining to Garden Trailer, Recreational Vehicle and Utility Trailer.

Jamey Abercrombie made a motion to approve Amending Paragraph 2 of Section 405.090 of Chapter 405 of Title IV of the Municipal Code of the City of Wright City Pertaining to Garden Trailer, Recreational Vehicle and Utility Trailer. John O'Connor seconded the motion. There was one abstained vote and five yes votes. The motion carried.

Vote: Roy White- abstained John O'Connor-yes
Jamey Abercrombie- yes Tony Mirdiri-yes
Tony Girondo- yes Valerie Viviano-Lanemann-yes

3. Amend Paragraph 16 of Section 405.100 of Chapter 405 of Title IV of the Municipal Code of the City of Wright City pertaining to Trailers.

Jamey Abercrombie made a motion to approve Amending Paragraph 16 of Section 405.100 of Chapter 405 of Title IV of the Municipal Code of the City of Wright City pertaining To Trailers. John O'Connor seconded the motion. There was one abstained vote and five yes votes. The motion carried.

Vote: Roy White- abstained John O'Connor-yes
Jamey Abercrombie- yes Tony Mirdiri-yes
Tony Girondo- yes Valerie Viviano-Lanemann-yes

Building Official Report- Harry Harper

Harry Harper said since the last meeting we have issued eleven new home permits. Six with Ivie League in Hickory Trails, two with Budget Homes in Timber Trails, one with Cozy Homes in Lake Tucci, one with C.L. Ackermann in Quail Creek and one with Cass Properties in Timber Trails. There were five fence permits, two deck permits, one pool permit, one sign permit and eighteen occupancy permits. Jamey Abercrombie asked Harry Harper if he knew when we were going to take over the streets in Timber Trails. Harry Harper said we have already accepted Falcons Crest but we have not accepted Timber Trails.

Commissioner Comments

Tony Girondo passed out a map from Lewis and Bade of Dave Porter’s Truck Sales and surrounding streets such as; the Service Road, Roelker Road and Second Street. Tony Girondo said a gentleman approached him about buying the property and building a building for a restaurant and bar business. Tony Girondo said he went and looked at the dimension it shows there is an existing building that sits about midway through the property. Tony Girondo said the opportunity that he had researched and looked at is the smallest piece of the property by the Roelker Road corner that shows seventy one feet across. Which if you have anymore than sixty feet across it has to abide by the set backs, which tells you that you have to have fifty feet from the street. So, this renders the whole western end of the property useless. He said that is why we are looking at the eastern end of the property. Tony Girondo said the question that the gentleman proposed to him is the thoughts on a variance to go across the building line. The gentleman would like to know if the Commission would be willing to entertain the variance for this opportunity. Tony Girondo said for the little building that is already there that the gentleman has a possible tenant. Jamey Abercrombie asked why there is a fifty foot variance across the back side of the property and Tony Girondo replied because it is a street. Tony Girondo said after he looked at the plans that he would like to allow the variance to come back off of the Second Street side by five or ten feet. Mayor White asked who the gentleman is and Tony Girondo replied that at this time he was asked not to share that information. John O’Connor said he would be willing to look at it. Tony Girondo asked if the Commission would be willing to entertain the variance. Jamey Abercrombie said at this time we are willing to entertain it but we are not giving a yes or no answer. Tony Girondo said if we are willing to talk to him then he would give him the go ahead to proceed.

Adjournment

Tony Midiri made a motion to adjourn and Jamey Abercrombie seconded the motion. All were in favor. Meeting was adjourned at 7:30 p.m.

Signed _____

Attested _____

Dated _____