

Planning & Zoning Meeting Minutes

December 21, 2009

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

The following were present: Committee members Roy White, Jamey Abercrombie, Tony Gironde, James Toothman, John O'Connor, Jimmy Justice, and Tony Midiri. City employees present were Larry Janish and Shayla Clark.

The legible names of others present were: Tom Black, Chuck Blackburn, Judy Blackburn, Greg Laughlin, Thomas Foster, Tim Reynolds and Angie Reynolds

Call to Order

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

Minutes

John O'Connor made a motion to approve the October 19, 2009 Planning & Zoning Meeting Minutes. Roy White seconded the motion. All were in favor.

Public Comments/Concerns

None

Public Hearing

a. Request for a Conditional Use Permit from Thomas Foster for a Home Based Ecommerce Business to do online software and replacement parts sales for desktop and laptop computers located at 20 Twin Pines Drive, Wright City, Missouri.

Thomas Foster was present. James Toothman asked if there would be any work vehicles at the residence and Thomas Foster replied that it would not be a store front. Tony Gironde asked where Twin Pines Drive was located and Thomas Foster replied in the mobile home park. James Justice asked who owned the mobile home and Thomas Foster replied that his parents owned the mobile home. James Justice said the Conditional Use is suppose to be for the person that actually owns the property and resides within it. Jamey Abercrombie said that this situation has come up before and the City has checked with Darryl Hicks and he advised the City that the person applying for the Conditional Use has to actually own the property. James Justice asked if Thomas Foster's parents could come in and apply since they own the mobile home. Thomas Foster said they live in Texas for the winter and they would not be back until March. Thomas Foster said he could switch the deed. Jimmy Justice said that the Committee could put a stipulation on the Conditional Use stating that the deed would need to be changed before the Conditional

Use Permit could be issued.

b. Request for a Variance from Vision Building Company LLC to request a variance from a 10 foot building line to a 4 foot building line for 113 Bryan Ridge Wright City, Missouri, pursuant to Section 425.120 (E) of Wright City Municipal Code.

Greg Laughlin was present. Greg said he works for Carter Cannon and the company made the mistake of not following their own restrictions of the covenants of the development. Greg Laughlin said he poured a one car garage and the house is centered in the lot. In order to meet the Subdivision restrictions for a two car garage he would need to move the garage eight feet farther and that would put him four foot onto the City setback. Greg Laughlin said it is fourteen feet from the garage to the property line and he needs eight feet for his garage. Jamey Abercrombie said that would make it a 6 foot set back and Greg Laughlin replied yes. James Toothman said when he was looking at the property he noticed that there was an underground power line. He said there was common ground on the other side of the property and asked why the variance was not requested to move the property line. Greg Laughlin said he could do that since Carter Cannon owns all the lots in the subdivision. James Toothman said you still have the issue of the power lines going up the easement. Greg Laughlin said he would be one foot off the easement line. Jimmy Justice asked why he was wanting to add on to the garage and Greg replied that one of the home owners in the subdivision called him and let him know that they were in violation of their own restrictions and that there must be a two car attached garage. Jimmy Justice asked if the footings were inspections and Greg Laughlin replied yes. Tony Girondo said that this is not a City error. Greg Laughlin said that it is his error and that it is not the City's responsibility to look at the restrictions as for as Carter Cannon goes. James Justice said that is one thing he does not like about all these separate subdivisions covenants. Mayor Roy White said you have to remember that restrictions are put in place to protect the home owners property value. Tony Girondo said the property line in question has an underground power line that goes through the property and Greg Laughlin replied that it goes through the easement line. He said he would be five feet off each side of the easement. Jamey Abercrombie asked if this home was a speck home or a sold home and Greg Laughlin replied a speck home. Mayor Roy White asked if it would be easier to move one property line to the next. Greg Laughlin said that could be done but then they would have to slightly move a couple of property lines. Tony Girondo said his issue is that City has been through a lot of people wanting to change the side lot lines and it is a safety issue with the fire department. Tony Girondo said especially if there is a big power line going up through the property. Greg Laughlin said the line does not run between the lot. He said right now it runs down the front of the road of Bryan Ridge. Greg Laughlin said it would be their responsibility to bring conduit of transform which is right there on that lot line to the house and he said as of right now there are not any utilities on that line. Jamey Abercrombie said the biggest problem he has with this is that a lot of builders come in because they have made a mistake and then they expect the City to let it go and then it becomes an ongoing problem. Jamey Abercrombie said the City has to stop this kind of thing from happening but the City has to also feel for the builder and work for the builder at the same time. Jamey

Abercrombie asked if the plans called for a two car garage. Greg Laughlin said he had the plans drawn a number of different ways just because they can do these plans in other places. He said they were drawn with a one car garage, two car garage, walk out, not walk out, crawl space or basement, so the plans were drawn several different ways.

c. Request for a Conditional Use Permit from Charles Blackburn to operate a business for Used Car Sales located at 277 East North Service Road, Wright City, Missouri.

Charles Blackburn was present. James Toothman asked if he was the property owner and Charles Blackburn replied no but that the property owners, Tim and Marianne Barley where also present and that they signed off on the application. Tony Girono asked if Charles Blackburn was going to operate 100 percent of the property. Charles Blackburn said that there are two bays but they were interested in leasing the biggest part of it. He said the east side of the building is going to be reserved to lease out to someone else. Marianne Barley the property owner said Charles Blackburn is going to be leasing the part of the building where the old car lot North Star use to be. Jimmy Justice asked if he planned on selling later model cars. Charles Blackburn said his business plan is in the price range from \$7000.00 to \$15000.00. Charles Blackburn said he really liked the Honda line of 2004-2007 and will have some pickup trucks and probably nothing less than \$5000.00 unless something is taken in on trade. He said they are planning on keeping it looking nice with shrubbery. Tony Girono said if there is nothing else that he would close the public hearing.

Old Business

a. Revisit parking lot restrictions

Tony Girono said since the group that was interested in putting in the Flea Market has withdrawn their application that the Committee would drop off this discussion from this meeting. Tony Girono said they would revisit this issue at a later time.

New Business/Recommendations to Board of Alderman

a. Request for a Conditional Use Permit from Thomas Foster for a Home Based Ecommerce Business to do online software and replacement parts sales for desktop and laptop computers located at 20 Twin Pines Drive, Wright City, Missouri.

Jimmy Justice made a motion to accept the request for a Conditional Use Permit from Thomas Foster for a Home Based Ecommerce Business to do online software and replacement parts sales for desktop and laptop computers located at 20 Twin Pines Drive, Wright City, Missouri with the stipulation that the property ownership changes. Jamey Abercrombie seconded the motion. All were in favor and the motion carried.

Vote: Roy White- yes Jimmy Justice- yes
 Jamey Abercrombie- yes Tony Midiri- yes

John O'Connor- yes
James Toothman- yes

Valerie Viviano-Lanemann- yes

b. Request for a Variance from Vision Building Company LLC to request a variance from a 10 foot building line to a 4 foot building line for 113 Bryan Ridge Wright City, Missouri, pursuant to Section 425.120 (E) of Wright City Municipal Code.

Jamey Abercrombie made a motion to accept the request for a Variance from Vision Building Company LLC for a variance from a 10 foot building line to a 4 foot building line for 113 Bryan Ridge, Wright City, Missouri. James Toothman seconded the motion. There were four yes votes and three nay votes. The motion carried.

Vote: Roy White- nay John O'Connor- yes
Jamey Abercrombie- yes James Justice- nay
Tony Girondo- nay Tony Midiri- yes
James Toothman- yes

c. Request for a Conditional Use Permit from Charles Blackburn to operate a business for Used Car Sales located at 277 East North Service Road, Wright City, Missouri.

John O'Connor made a motion to accept the request for a Conditional Use Permit from Charles Blackburn to operate a business for Used Car Sales located at 277 East North Service Road, Wright City, Missouri. Jamey Abercrombie seconded the motion. All were in favor and the motion carried.

Vote: Roy White- yes John O'Connor- yes
Jamey Abercrombie- yes James Justice- yes
Tony Girondo- yes Tony Midiri- yes
James Toothman- yes

Building Official Report- Larry Janish

Larry Janish was present. He had a report that listed all the permits since the previous Planning and Zoning meeting. John O'Connor asked who the sign permit was for and Larry replied for Interstate Subs.

Commissioner Comments

Tony Girondo said that the discussion was brought up at the workshop meeting that the Planning and Zoning needed to start going over the City ordinances and start looking to

see if there needs to be any adjustments made. Tony Girondo asked if anyone wanted to chair this project. James Toothman said that we do not have anything pressuring right now, but we still need to look into the ordinances. Jamey Abercrombie said that they should start at the very beginning and take them one by one. Tony Girondo said if they look at the first fifty pages in the book it starts at page 149 and general ends at page 206. Tony Girondo said this would give them a starting point and that they should look over those fifty pages and see if there was anything that needed to be changed and then they would discuss it next month..

Adjournment

Tony Midiri made a motion to adjourn and John O'Connor seconded the motion. All were in favor. Meeting was adjourned at 7:20 p.m.

Signed _____

Attested _____

Dated _____