

Planning and Zoning Commission

November 13, 2012

At 7:00 p.m. Chairman Eaton called the meeting to order under provisions of Chapter 400 of City Code and Chapter 89 Revised Statutes of Missouri.

Roll Call

John Cooper	Present
Dale Cottrell	Absent
Jarrett Dace	Present
Jim Eaton	Present
Gary Kramer	Present
Alan Mastin	Present
Roger Siwak	Absent

Also present was J.T. Hardy and Dan King representing City staff.

Approval of Minutes

Commissioner Cooper made the motion seconded by Commissioner Dace to approve the minutes from October 9, 2012. Motion carried.

Election of Officers

Chairman Eaton asked for nominations for Chairman for the year ending December 31, 2013. Commissioner Dace nominated James Eaton. With no further nominations, the Chairman closed nominations. James Eaton was elected by acclamation.

Chairman Eaton asked for nominations for Vice-Chairman for the year ending December 31, 2013. Commissioner Dace nominated Alan Mastin. With no further nominations, the Chairman closed nominations. Alan Mastin was elected by acclamation.

Chairman Eaton asked for nominations for Secretary for the year ending December 31, 2013. Commissioner Dace nominated Gary Kramer. With no further nominations, the Chairman closed nominations. Gary Kramer was elected by acclamation.

Public Hearing-None

Old Business-None

Subdivision Review

Jerry Hubble has submitted a minor subdivision for the Resubdivision of Lots 24, 25, 26, 27 & the West half of Lot 28 of Carolyn Addition. The plat will create two lots. The property is currently zoned R-1. Staff noted that Mr. Hubble intends to building a second home on the newly subdivided lot if

approved. Commissioner Mastin made a motion to recommend approval of the plat and forward recommendations to the Board of Aldermen. Commissioner Dace seconded the motion. Motion carried.

New Business

Certified Truck & Auto, owner Mary Turner, was present at the meeting and requested to speak before the Commission. Ms. Turner addressed the Commission asking that they re-look at the conditional use permit issued at the October, 2012, meeting and consider amending same. Her three main points were 1. "Light-duty trucks and passenger vehicles only" condition be amended to broaden the scope so they could work on trucks as well as minor repairs to U-Haul trailers. 2. "No towing vehicles or equipment allowed on premise" be amended to allow her towing business trucks to be parked at the 107 W Euclid location as they are having vandalism issues on their lot located along the highway; and 3. "The conditional use permit will expire on December 31, 2013; the conditional use permit will expire on non-renewal or revocation of the City of Sullivan's business license" be amended to encompass a longer period of time as costly upgrades to the property would not be feasible for them with no guarantee that she would be able to continue her business at that location after December 31, 2013. She also asked that written notifications, concerns, suggestions, warnings and/or violations be given in a timely manner so that she could have adequate time to address.

The Commission had a lengthy discussion on each of the three points. Point 1 was discussed at length. The Commission generally decided that light-duty trucks may be too vague for the business to interpret. Commissioner Cooper made a motion to amend the existing conditional to add a definition of light-duty trucks to be vehicles 24,000 GVW and under and two axle (one front/one rear) pick-up style vehicle. Commissioner Dace seconded the motion. Motion carried with Commissioner Mastin abstaining. They assured Ms. Turner that working on a U-Haul trailer for minor repair would not be an issue or be in non-compliance of the conditional use permit.

Point 2 was discussed. Administrator Hardy advised that Ms. Turner was conducting her towing business out of the 107 W Euclid location currently and is currently in non-compliance. The Board addressed their concerns about large towing vehicles being located at 107 W Euclid. Ms. Turner's current

business license does not allow for towing, as the area is not zoned for that use. Commissioner Dace stated that he empathized with the vandalism situation on the Turner's highway frontage. However, the current zoning does not allow for that type of commercial business. Commissioner Cooper stated that the Commission had granted Ms. Turner's initial request to do minor repair, as it did not include adding a towing aspect. The Commission did clarify that Ms. Turner may sell towing vehicles as long as the said vehicle is not licensed, service-ready and operating out of the 107 W Euclid location. The general consensus of the Commission is that Certified Towing & Auto is not to operate her separate towing business out of the 107 W Euclid location and is not included in the conditional use permit previously issued.

Point 3 was discussed. The Commission assured Ms. Turner that as long as all conditions were being followed, and that a request to amend the time frame was made to the Commission in a timely manner, they did not foresee any issues with the conditional use permit being amended to allow for the continued use of the minor repair business at the 107 W Euclid location.

Chairman Eaton provided the Commission with the current City Code regarding modular homes in residential neighborhoods. The Commission was asked to review this code by citizens at a previous meeting. Building Commissioner King advised that he had conducted an email survey and found that surrounding cities do not restrict modular homes in residential areas. The Commission empathized with the situation but felt the current code allowing modular homes in residential neighborhoods is adequate and that any civil action between subdivision owners and covenant changes would be a legal situation.

Communications and Visitors' Comments-None

Commission's Forum-None

Adjournment

With no further questions or comments, Commissioner Cooper made the motion, seconded by Commissioner Mastin to adjourn. The motion carried unanimously. At 8:52 p.m. the meeting was adjourned.