

UNOFFICIAL

**THE CITY OF EASTMAN PLANNING & ZONING BOARD
EASTMAN CITY HALL
OCTOBER 21, 2024
MINUTES**

THE EASTMAN PLANNING & ZONING BOARD MET IN A SCHEDULED MEETING AT EASTMAN CITY HALL AT 6:00 P.M.

MEMBERS PRESENT: AMANDA WOODARD, DWAYNE BURNEY, DAVID WHITTEN, AND IVELYN LAMPKIN.

MEMBERS ABSENT: BOBBY DANFORTH.

OTHERS PRESENT: CITY OF EASTMAN FINANCIAL REPORTING CLERK VICKI BOHANNON, CITY OF EASTMAN CODE ENFORCER JACK WHITE, BRIAN DENNIS, HAL AND KAY SMITH, ELAINA LOCKHART, AUSTIN BARROWS, MARLAN ELLER, RON DANIELS, AND CITY ATTORNEY RITA LLOP.

DAVID WHITTEN CALLED THE MEETING TO ORDER, AND DWAYNE BURNEY GAVE THE INVOCATION.

APPROVAL OF MINUTES:

DAVID WHITTEN ASKED FOR APPROVAL OR CORRECTION OF THE MINUTES FROM THE SCHEDULED MEETING ON SEPTEMBER 16, 2024. DWAYNE BURNEY MADE A MOTION, SECONDED BY AMANDA WOODARD TO APPROVE THE MINUTES OF THE SCHEDULED MEETING ON SEPTEMBER 16, 2024, AS PRESENTED. SO CARRIED.

PUBLIC HEARING:

APPLICATION FROM **BRIAN DENNIS** TO REZONE PROPERTY LOCATED AT 215 BETHEL STREET FROM A **R-1 ZONE** TO A **R-2 ZONE** IN ORDER TO HOUSE DUPLEX APARTMENTS. BRIAN DENNIS WAS PRESENT ON BEHALF OF THE APPLICATION. NO ONE WAS PRESENT OPPOSING THE APPLICATION. BRIAN DENNIS STATED THAT THE HOUSE LOCATED AT 215 BETHEL STREET IS A TWO-STORY HOME WITH ALMOST 4,000 SQUARE FEET. HE WANTS TO CONVERT THE DWELLING INTO SINGLE FAMILY APARTMENTS. AFTER A BRIEF DISCUSSION, ON A MOTION FROM DWAYNE BURNEY AND SECONDED BY IVELYN LAMPKIN, THE BOARD VOTED TO APPROVE THE REZONING. SO CARRIED. THE CITY COUNCIL WILL MAKE THE FINAL DECISION AT THEIR MEETING ON OCTOBER 28, 2024, MEETING.

NEW BUSINESS:

APPLICATION FROM **HAL M. SMITH JR** AND **ELAINA LOCKHART** FOR A **SPECIAL USE PERMIT** TO HOUSE A MULTI-FAMILY FOUR-UNIT RESIDENTIAL COMPLEX AT 205 FOSTER STREET. HAL AND KAY SMITH ALONG WITH ELAINA LOCKHART WERE PRESENT ON BEHALF OF THE APPLICATION. NO ONE WAS PRESENT OPPOSING THE

APPLICATION. ELAINA LOCKHART SPOKE ON BEHALF OF THE APPLICATION AND STATED THAT SHE HAS TWO SONS THAT WILL BE ATTENDING THE FLIGHT COLLEGE NEXT YEAR AND SHE WANTS TO HOUSE THEM AT THIS LOCATION. SHE EXPLAINED THAT THE BUILDING WOULD ONLY HOUSE A TOTAL OF FOUR APARTMENTS. DWAYNE BURNEY ASKED ABOUT THE EXISTING ASBESTOS IN THE BUILDING AND HOW MRS. LOCKHART IS GOING TO ADDRESS IT. MRS. LOCKHART STATED THAT SHE WOULD BE INCAPSULATING ALL THE ASBESTOS. AFTER A BRIEF DISCUSSION ON A MOTION FROM AMANDA WOODARD, SECONDED BY DWAYNE BURNEY, THE BOARD VOTED TO PROCEED WITH THE SPECIAL USE PERMIT APPLICATION. SO CARRIED. A PUBLIC HEARING IS SCHEDULED FOR NOVEMBER 18, 2024, AT 6:00 P.M.

RESOLUTION AND DRAFT ORDINANCE AMENDMENT TO THE INDUSTRIAL ZONING ORDINANCES FROM THE CITY OF EASTMAN COUNCIL. RITA LLOP EXPLAINED THE NEW ORDINANCE DRAFTED AS OF SEPTEMBER OF THIS YEAR. MRS. LLOP STATED THAT RON DANIELS HAD SOME ISSUES WITH THE FIRST DRAFT OF THE ORDINANCE, AND SHE ADDED HIS LANGUAGE IN THE “OR” OF THE NEW DRAFT. RON DANIELS STATED THAT THERE IS SOME UNCERTAINTY IN THE FIRST DRAFT’S WORDING. IF YOU ADD AN AWNING OR SCREENED PORCH, THAT ISN’T COVERED IN THE FIRST WORDING OF THE ORDINANCE. WITH THE EYE OF A LAWYER, YOU MIGHT HAVE TO DEFEND THIS IN A COURT OF LAW. YOU HAVE HABITAT HOUSES AND IF THEY HAVE TO ADD A ROOM ON, THEY WILL NOT BE IN COMPLIANCE. THE WORD “EXTENDED” IN THE FIRST WORDING IS THE PROBLEM. DWAYNE BURNEY STATED THAT IF SOMETHING TRAGIC HAPPENS LIKE A FIRE OR HURRICANE COMES AND DEMOLISHES YOUR PROPERTY, YOU CAN REBUILD WHAT YOU HAD PRIOR TO THE DISASTER JUST NOT A CONDOMINIUM OR A HIGH RISE. YOU CAN ONLY BUILD BACK TO THE ORIGINAL STRUCTURE. RON DANIELS FEELS LIKE IT NEEDS TO GO TO THE PUBLIC FOR COMMENT AS TO WHAT WAS WORDAGE WAS PRESENTED TO THEM. MARLAN ELLER SAID THAT THE FIRST OPTION OF THE PROPOSED ORDINANCE WORDING IS UPSETTING TO HIM. BRIAN DENNIS ASKED IF THIS IS PASSED, WILL IT COVER ANY ZONE OR JUST THE **INDUSTRIAL ZONE**? JACK WHITE SAID THAT IF THIS IS PASSED IT WILL ONLY PERTAIN TO THE **INDUSTRIAL ZONE**. RON DANIELS ASKS IF OUR BUILDING STANDARDS ARE DIFFERENT NOW THAN 20 YEARS AGO? JACK WHITE STATED “YES” THE BUILDING STANDARDS ARE DIFFERENT NOW. MR DANIELS ASKED IF I REBUILD A HOUSE OR APARTMENTS BACK AFTER A FIRE WITH THE SAME SQUARE FOOTAGE AND THEN ADD STORAGE OR ONE MORE BEDROOM, IT WOULD MEAN THAT IT WAS EXTENDED AND THEREFORE VIOLATED THE ORDINANCE AS IT IS WRITTEN WITH THE ADDITION AS OF 9/1/2024. JACK WHITE STATED THAT THE EASIEST RESOLUTION WOULD BE TO ADD THE “EXISTING OVER ALL SQUARE FOOTAGE” AS FAR AS THE RESIDENTIAL AREA. IF YOU DECIDE TO GO HIGHER AND ADD MORE UNITS AS LONG AS YOU DON’T EXPAND THE ORIGINAL FOOTPRINT YOU CAN EXPAND THIS WAY. THEY USE THIS METHOD ON THE COASTLINE WHEN THEY ARE AFFECTED BY DISASTERS. YOU GAIN MORE SQUARE FOOTAGE BUT KEEP THE SAME ORIGINAL FOOTPRINT. DWAYNE BURNEY AGREES WITH JACK WHITE. IN RITA LLOP’S WORDS, THIS AMENDMENT IS TALKING ABOUT

ADJOURNING PROPERTIES. SO THAT WOULD BE LIKE HAVING THE APARTMENTS AND THE GATE TO THE LEFT SIDE EXTENDING THE BUILDING TOWARDS IT OR ON DOWN THE ROAD. HE AGREES WITH JACK ON USING THE EXISTING FOOTPRINT. TODAY'S BUILDING STANDARDS ARE GOING TO BE A LOT DIFFERENT THAN TEN YEARS FROM NOW. RON DANIELS STATED THAT WE BUILD DIFFERENTLY NOW THAN IN THE 1970'S. DAVID WHITTEN ASKED, SO WE ARE JUST REFERRING TO THE SQUARE FOOTAGE? DWAYNE BURNEY SAID NOT SO MUCH THE SQUARE FOOTAGE JUST IN THAT SAME FOOTPRINT THAT IT WAS IN ORIGINALLY. DWAYNE USED THE FOUR HABITAT HOUSES AS AN EXAMPLE. IF ONE OF THEM HAPPENS TO BURN, THEY CAN BUILD BACK IN THE SAME PLACE BUT MAKE IT TWO STORY IF THEY WANT TO OR ONE STORY. IT JUST HAS TO BE IN THE SAME FOOTPRINT PRIOR TO THE DISASTER. IT CAN'T BE EXTENDED TO A VACANT LOT NEXT TO IT. RON DANIELS STATES THAT HE UNDERSTANDS THAT IT MAYBE TOO BROAD WITHOUT THAT CLAUSE, BUT IT IS ALREADY A RESTRICTED CLAUSE. IT HAS THAT THERE SHALL BE NO MORE AS OF THIS DATE. YOU WILL BE ADDING MORE RESTRICTIONS ON AN ALREADY RESTRICTED CLAUSE. HE THINKS WE CAN WORD SOMETHING THAT WILL WORK. HE JUST WANTED TO PRESENT WHAT HIS CONCERNS ARE WHILE LOOKING AT THIS OBJECTIVELY AS A LAWYER. IF WE HAVE ANOTHER HELENE COME THROUGH AND KNOCK DOWN A BUNCH OF HOUSES, WHAT DO WE DO? DAVID WHITTEN ASKS, SO WHAT IT REALLY BOILS DOWN TO IS THE WORDING? RON DANIELS AND RITA LLOP STATE THAT YES, IT IS ALL IN THE WORDS. RON STATED THAT IS WHAT LAWYERS DO. RITA LLOP WANTS TO LOOK AT IT USING THE WORD "FOOTPRINT." (A) NO RESIDENTIAL STRUCTURE SHALL BE CREATED, ESTABLISHED OR MAINTAINED IN AN "I" ZONE EXCEPTING THOSE RESIDENTIAL STRUCTURES PRESENTLY EXISTING AS OF 09/01/2024 AND BEING NON-CONFORMING USES SHALL BE AUTHORIZED AND MAY BE CONTINUED AND RUN WITH SAID PROPERTIES AND BENEFIT A SUBSEQUENT PURCHASER: HOWEVER, NO SUCH NON-CONFORMING USE OF SAID PROPERTIES SHALL BE IN EXCESS OF THE PRESENT EXISTING STRUCTURAL FOOTPRINT EITHER ON THE SAME OR ADJOINING PROPERTY. RITA LLOP ASKED IF EVERYONE WAS OKAY WITH THIS NEW WORDING. MARLIN ELLER IS NOT PLEASED WITH THIS WORDING BECAUSE ONE OF ALLEN LONG'S CONCERNS AT THE BEGINNING OF THIS WAS THAT IT WOULD DEVALUE HIS PROPERTY. IF YOU RESTRICT WHAT CAN REBUILT TO WHERE SOMEONE CAN'T ADD ON TO IT OR CAN'T MAKE MORE RESIDENTIAL USE OUT OF IT, HE DOESN'T THINK THAT IT IS APPROPRIATE. YOU HAVE NOW RESTRICTED WHAT CAN BE DONE AND DEVALUED THE POTENTIAL VALUE OF THE PROPERTY BECAUSE IT IS UNABLE TO BE SOLD. ALL THAT CAN EVER BE DONE WITH IT IS ONLY WHAT IS BEING DONE WITH IT CURRENTLY. HE CAN'T FATHOM THAT AND IS NOT OKAY WITH THAT. DWAYNE BURNEY ASKED IF IT GETS DESTROYED THEN YOU WANT TO BUILD WHATEVER YOU WANT TO BUILD. MARLAN ELLER STATED THAT "NO" THAT IS NOT WHAT HE'S SAYING. HE WANTS TO BUILD WHATEVER IS ALLOWED IN THE ZONE AND HE WANTS TO BUILD BACK WHAT HE HAD. HE WANTS TO HAVE BOTH OF THOSE OPTIONS AND BE ABLE TO BUILD IT BIGGER AND BETTER. BECAUSE THAT'S WHAT ANYBODY WANTS. DWAYNE BURNEY STATED IT IS IN AN INDUSTRIAL ZONE. MARLIN ELLER STATED THAT IS WHY HE SUBMITTED A PETITION TO REZONE IT FOR B-1. HE STATED THERE WOULD BE NO NEED TO BE HERE IF WE HAD DONE WHAT WAS IN THE LAW AND HAD ACUTELY FOLLOWED THE LAW. DWAYNE BURNEY STATED THAT HE

REMEMBERED MR. ELLER AGREED THAT THIS IS THE WAY THAT HE WANTED TO HANDLE IT. MR. ELLER STATED I AGREED THIS IS THE WAY I WANTED TO HANDLE IT UNDER THE PRETENSE THAT IT WOULDN'T LEAVE US IN A WORSE POSITION. THIS IS NOT WHAT HE ANTICIPATED. HE ANTICIPATED THE LANGUAGE THEY JOINTLY SUBMITTED IN THE SECOND PARAGRAPH. IF THE BOARD WANTS TO MOVE FORWARD WITH THAT, HE HAS NO OBJECTION. RON DANIELS SAID THAT HE THINKS THE RECORD WILL REFLECT THAT THEY DIDN'T HAVE AN OBJECTION TO A POTENTIAL CORRECTION TO THE ORDINANCE AND NOT THAT THEY WERE ASKING FOR IT. RITA LLOP SAID THAT SHE IS THE ONE WHO DRAFTED THE ORDINANCE AND SENT IT, OUT OF COURTESY TO MR. DANIELS. DWAYNE BURNEY STATED THAT IT WAS GREAT THAT RITA LLOP SENT THE NEW ORDINANCE DRAFT TO MR. DANIELS. BUT WHAT HE WAS REFERRING TO WAS IN THE VERY FIRST MEETING THAT HE WAS LOOKING FOR A WAY AND ELLER SAID THAT HE WOULD AGREE TO THIS. WE CAN GO BACK AND LOOK AT IT IF YOU WANT TO. MR. ELLER STATED THAT HE ISN'T ARGUING. MR. BURNEY STATED THAT HE DOESN'T SEE WHERE ELLER'S PROPERTY CAN EVER BE DEVALUED IF YOU WENT BACK AND BUILT, AND THEY JUST GAVE HIM THE OPTION TO BUILD ON THE FOOTPRINT. YOU'RE GOING TO HAVE A GREATER VALUE NO MATTER WHAT BECAUSE OF THE TIMES WE ARE LIVING IN RIGHT NOW. BURNEY GUARANTEES THAT ELLER DIDN'T PAY AS MUCH AS THAT PROPERTY IS WORTH RIGHT NOW. MR. ELLER SAID THAT HE UNDERSTANDS WHAT BURNEY IS SAYING BUT THEY ARE TALKING ABOUT RESTRAINTS ON HIS TRADE. THE BOARD IS GETTING INTO THE TERRITORY OF YES, WE ARE FIXING A PROBLEM AND WE ARE FIXING IT FOR A LOT MORE PEOPLE THAT ARE OUTSIDE OF THE ZONE THAT WE ARE TALKING ABOUT. WE'VE EXPANDED THIS TO A CITY-WIDE PROBLEM NOT JUST WHAT ELLER IS INTERESTED IN AND WHAT HE HAS CONTROL OVER. DWAYNE BURNEY STATED THE BOARD WANTS TO FIX IT AND FIX EXACTLY WHAT ELLER IS TALKING ABOUT. MR. ELLER UNDERSTANDS AND THE POINT THAT HE IS MAKING IS THAT THEY ARE GETTING INTO TERRITORY OF TREATING A CLASS OF CITIZENS DIFFERENTLY BASED ON WHERE THEY LIVE. YES, THEY'RE IN AN INDUSTRIAL ZONE, BUT IT'S BECAUSE OF THE CITY'S LACK OF ENFORCEMENT THAT ALL THAT EXISTS. AMANDA WOODARD IS TOTALLY IN AGREEMENT. THE BOARD IS TRYING TO MAKE IT LEGAL NOW. MR. ELLER STATED THAT WE ARE NOW TALKING ABOUT CHANGING THE ORDINANCE SO WE CAN RESTRICT THAT FROM GOING FORWARD. THEY ALREADY EXIST. HE SAYS YOU CAN'T RESTRICT A HOMEOWNER FROM DOING WHAT THEY WANT WITH THEIR HOME. HOW ARE YOU GOING TO JUSTIFY THAT IN ONE AREA OF THE CITY AND NOT EVERYWHERE ELSE? AMANDA WOODARD STATED THAT THE WHOLE ORDINANCE DOES THAT. MR. ELLER SAID YOU CAN'T DO THAT. AMANDA WOODARD STATED THE CITY WOULDN'T NEED A PLANNING & ZONING BOARD. MR. ELLER SAID I DON'T THINK YOU GRASP WHAT I'M SAYING. AMANDA WOODARD SAID OBVIOUSLY NOT. MR. ELLER SAYS JUST BECAUSE HE LIVES IN ONE PART OF THE CITY, YOU'RE GOING TO AMEND THE ZONING ORDINANCE WHERE I'M CURRENTLY ZONED, WHERE I'VE BEEN EXISTING, WHERE I'VE BEEN ALLOWED TO DO WHATEVER IT IS I WANT TO DO, AND NOW YOU'RE GOING TO COME IN AND TELL ME I CAN'T DO THAT GOING FORWARD? AMANDA WOODARD STATED NO. RON DANIELS INTERRUPTED AND STATED THAT THERE IS OTHER WAYS OF HANDLING THIS AND THEY WILL JUST GO THAT ROUTE, YA'LL HAVE A GOOD EVENING. MR. DANIELS ALSO STATED

THAT THE BOARD SHOULD LOOK INTO GOING INTO EXECUTIVE SESSION. RITA LLOP STATES THAT THERE ISN'T AN EXECUTIVE SESSION ON THE AGENDA AND THEY CAN DO ONE LATER. RITA ALSO SUGGESTS THAT WE CHANGE IT TO AS SUGGESTED BY JACK, NO STRUCTURAL FOOTPRINT. AMANDA WOODARD AGREES WITH THE WORD CHANGE. DAVID WHITTEN, DWAYNE BURNEY, AND IVELYN LAMPKIN ARE ALL IN AGREEMENT WITH THE WORD CHANGE OF STRUCTURAL FOOTPRINT. ALLEN LONG STATES THAT HE WAS ALARMED BY THE ATTITUDE, AND HE APOLOGIZES FOR THE EARLIER MEETINGS. IT'S MEANT TO GET TO AN OBJECTIVE ACCOMPLISHED AND HE APPRECIATES ALL OF THEIR PATIENCE. HE STATES THAT SOMETIMES THERE ARE TOUGH JOBS FOR THIS P&Z. HE DOESN'T SEE THE REASONING IN THAT LAST COMMENT OR TWO OR THREE OTHER THAN HAVING INTENSIONS ON ADDING MORE APARTMENTS DOWN THERE. HE WOULDN'T BE IN OBJECTION WITH BEING A SURROUNDING PROPERTY OWNER. BUT THAT WILL OPEN UP A CAN OF WORMS ELSEWHERE ALSO. RITA LLOP'S LANGUAGE SEEMS TO BE SATISFACTORY WITH EVERYONE EXCEPT WITH 5404 MAIN STREET. THERE CERTAINLY WOULDN'T BE AN OBJECTION WITH BETTER DEFINING THAT EXTENDED THING. IT WOULD BE APPROPRIATE ASSUMING THAT IT WOULD BE APPROVED BY P&Z WITH THE RECOMMENDATION TO GO TO CITY COUNCIL FOR POTENTIALLY SOME ALTERATION. YOU HAVE MULTIPLE APPLICATIONS TO CHANGE AN INDUSTRIAL ZONE TO A BUSINESS ZONE. THERE'S ONE OR MORE STILL OUT THERE AND OF COURSE YOU ARE RESPONSIBLE. YA'LL UNDERSTAND THAT YOU EITHER APPROVE THEM TO GO FORWARD OR DENY THEM. LONG ASKS THAT YOU DENY THE APPLICATION ON THE TABLE AND SUPPORT THIS PREDISCUSSED RESOLUTION. HE THINKS IT WILL WORK OUT FOR EVERYONE INCLUDING 5404 MAIN STREET LLC. THE BOARD CAN 'WHAT IF' A SCENARIO TO DEATH IN THE EVENT THAT SOMETHING DOES OCCUR. JACK MAY MOVE ON OR SPENCE MAY MOVE ON AND THERE WILL BE OTHERS TO REPLACE THEM. BUT THE DOCUMENT WILL STILL BE THERE. BUILDING PERMITS COME IN AND YOU CAN EITHER APPROVE IT OR DENY IT AT THAT POINT. LONG HOPES HIS COMMENTS WEREN'T MORE CONFUSING BUT HE SUGGESTS APPROVING THE RESOLUTION ORDINANCE CHANGE TO GO TO CITY COUNCIL AS PROPOSED. HE HAS NO OBJECTION TO MAYBE DEFINING THAT WORD EXTEND AND APPRECIATES THE BOARD'S TIME. DAVID WHITTEN ASKED IF THERE WERE ANY MORE QUESTIONS. BRIAN DENNIS ASKS DOESN'T THE SAME SITUATION EXIST IN OTHER ZONES THAT THERE WERE HOUSES THAT WERE THERE A LONG TIME AGO AND THERE'S BUSINESSES THERE AND OTHER THINGS LIKE THAT? DWAYNE BURNEY STATED "YES." BRIAN DOESN'T SEE WHY YOU'RE NOT GRANDFATHERING EVERYBODY IN UNDER THE SAME SITUATION BECAUSE THEY'RE GOING TO HAVE THE SAME SITUATION IN A BUSINESS ZONE WHEN SOMEBODY HAS A HOUSE. AMANDA WOODARD STATES THAT WE WILL ADDRESS THEM WHEN THEY COME ALONG. JACK WHITE STATED THAT THEY ARE HAVING TO ADDRESS INDUSTRIAL ZONE RIGHT NOW AND WILL ADDRESS THE OTHERS AS THEY COME UP ONE AT A TIME. AMANDA WOODARD STATED THAT HIS MIGHT NOT BE AS BIG OF A DIFFERENCE OF A USE. DAVID WHITTEN ASKS WHAT NEEDS TO BE DONE AT THIS POINT? RITA LLOP SUGGESTS THAT THE P&Z BOARD AND COUNCIL STARTED THIS IN AN EFFORT TO FIND A COMMON GROUND. UNTIL TODAY SHE DIDN'T KNOW IT WAS A DROP-DEAD COMMON GROUND. IN AN EFFORT TO TRY AND WORK THIS OUT, BECAUSE THAT'S HOW THEY STARTED. WILL THE BOARD POSTPONE THEIR

CONSIDERATION OF THE DRAFT ORDINANCE THAT WAS SENT BY THE CITY COUNCIL? THE APPLICATION FOR THE REZONING IS NOT ON THE TABLE TODAY. THEY AGREED THAT A TIME LIMIT WOULD NOT BE RAISED AS AN OBJECTION. SHE THINKS THEY CAN REST ON THAT. IF THE BOARD WILL MAKE A MOTION TO POSTPONE AND SEE IF SHE CAN COME TO ANOTHER LANGUAGE THAT MIGHT WORK AND SHE CAN PRESENT TO THEM. DAVID WHITTEN ASKS FOR A MOTION TO POSTPONE THIS RESOLUTION ORDINANCE. DWAYNE BURNEY MADE A MOTION TO POSTPONE UNTIL THE NOVEMBER MEETING, SECONDED BY IVELYN LAMPKIN. SO CARRIED. ALLEN LONG ASKS THAT THE CITY ATTORNEY SEND HIM A DRAFT COPY. IT SOUNDS LIKE THEY ARE GOING TO TWEAK THAT PARAGRAPH. ALLEN ASKS IN THE EVENT OF HIS ABSENCE IN THE FUTURE, IF THAT REDRAFTING IS PRESENTED, HE'S QUITE CONFIDENT HE WOULD HAVE NO OBJECTION. HE STATES FOR THE RECORD HE IS ABSOLUTELY MAKING THE RECOMMENDATION THAT THOSE PARTICULAR ZONING APPLICATIONS BE DENIED. READING THE ORDINANCE, HE BELIEVES THEY'VE GOT TO DO ONE OR THE OTHER. RITA LLOP STATES THAT THEY WOULD HAVE AN AGREEMENT. DWAYNE BURNEY STATED THAT THE BOARD WOULD HAVE TO TAKE CARE OF THIS FIRST AND THEN IT WOULD HAVE TO GO TO CITY COUNCIL. CITY COUNCIL WOULD HAVE TO VOTE ON IT AND THEN THEY WOULD HAVE TO COME BACK ON THE OTHER. AMANDA WOODARD STATES THAT IT COULD DEPEND ON WHAT THE CITY COUNCIL SAYS. ALLEN LONG SAYS THAT PRIOR TO THAT, DENYING IT BECAUSE THEY CAN DO THAT FIRST AND IT WON'T GO TO THE CITY COUNCIL. THE APPLICATIONS, NOT THE ORDINANCE CHANGE. IT'S WHAT GOVERNMENT IS ABOUT, GETTING TO A SATISFACTORY RESOLUTION FOR ALL PARTIES. LONG APPRECIATES THEIR EFFORTS. JACK WHITE ADDS SOMEONE IS NOT GOING TO LIKE THE END RESULT. AMANDA WOODARD STATES THAT IS VERY POSSIBLE. JACK SAYS THAT THE BOARD IS IN A TOUGH POSITION. THEY TRY AND WORK IT OUT THE BEST THEY POSSIBLY CAN. DWAYNE BURNEY SAYS HE UNDERSTANDS WANTING TO DO WITH YOUR PROPERTY WHAT YOU WANT TO DO, BUT IF YOU LIVE IN THE CITY YOU ARE SUBJECT TO EVERY LAW AND EVERY STATUTE. IT DOESN'T MATTER WHERE THE HOUSE IS LOCATED, YOU STILL GOT TO DO CERTAIN THINGS. HOPEFULLY THEY CAN DO THIS BUT YOU CAN'T EXPECT TO BUILD GREATER AND BIGGER ON THE SAME PIECE OF PROPERTY WHEN YOU ARE IN THE WRONG ZONE. ALLEN LONG IS AGREEING WITH MR. BURNEY. LONG MADE A CURTESY CALL AND ADAMANTLY OPPOSED THEM AND EVEN OFFERED TO COME DOWN TO CITYI HALL WITH THEM TO WORK WITH THE BOARD AND CITY COUNCIL. BUT IN THE INVENT THEY CHANGE THE ZONING; IT WOULD HAVE BEEN TWO CHOICES FOR JACK WHITE. TO COME DOWN AND START FINING LONG OR PUT HIM IN JAIL FOR WHAT HIS PROPERTY HAS BEEN USED FOR, FOR OVER A HUNDRED YEARS AND STILL DOING IT AND IMPROVING IT. ALLEN APPRECIATES THEM FOR COMING TO A VERY GOOD COMPROMISE RESOLUTION. HE DOESN'T UNDERSTAND THAT LAST SERIES OF COMMENTS BUT IT'S OBVIOUS THEY MUST HAVE OTHER INTENTIONS. FARMER'S PROCESSING DID NOT MAKE ANY ERROR IN ZONING AND THERE'S NOT A CITY ZONING ERROR. THEY MADE A CONCISE DECISION AND THE OTHER PARTY KNEW PRIOR TO PURCHASING THE PROPERTY THAT IT WAS AN ISSUE AND WENT AHEAD AND PROCEEDED. IT'S NOT THE INDUSTRIAL ZONE OWNERS' FAULT THAT HAPPENED. HE APPRECIATES THEIR PATIENCE.

RESOLUTION 2024-008 TO PROVIDE AN ADDITIONAL ZONING DISTRICT IN MULTI-FAMILY R-3, TO PROVIDE FOR SCHEDULE OF DIMENSIONS R-3.

AMANDA WOODARD ASKS IF THEY ARE TALKING ABOUT ADDING ANOTHER CATEGORY OR TALKING ABOUT REZONING SOMETHING. JACK WHITE STATED THAT THE CITY HAS HAD SEVERAL CALLS ABOUT ZONES WHERE WE CAN DO MULTI, SINGLE FAMILY, MULTI-FAMILY OR CONDOMINIUM STYLE HOMES. THEY CAME UP WITH BASICALLY A COPY AND PASTE OF WHAT IS USED IN ANOTHER TOWN. IF APPROVED, THEY WILL NAME IT AN **R-3**. IT WILL ALLOW THE MINIMUM FOOTAGE TO INCREASE AS THE UNITS INCREASE PER LOT SIZE. THAT WAY WE'RE NOT LIMITING OR PACKING EVERYTHING ON SMALL LOTS AND WE'RE INCREASING LOT SIZE WITH INCREASED RESIDENCE SIZE. AMANDA WOODARD STATES THEY DON'T HAVE THE SCHEDULE OF THAT. RITA LLOP SAYS THEY SHOULD HAVE THE CHART. THE BOARD SAYS NO. JACK WHITE APOLOGIZES ABOUT THE CHART NOT BEING TURNED INTO THE BOARD FOR CONSIDERATION. HE WILL GET ALL OF THEM A CHART TO SEE WHAT THEY ARE PROPOSING. THE LOT SIZE WOULD INCREASE 2,000 SQUARE FOOT PER UNIT. SO, IT STARTS OUT AS 7,000 SQUARE FOOT PER SINGLE FAMILY RESIDENT, WHEN YOU ADD A MULTI-FAMILY LIKE TWO LITTLE APARTMENTS LIKE THOSE BEING BUILT ON OGDEN STREET, IT WILL GO TO 9,000 SQUARE FOOT SIZE PER UNIT. IT'S ALSO HAS THE FOOTAGE AND ALL SPECIFICATIONS FOR EACH UNIT SIZE. AMANDA WOODARD WANTS A CHANCE TO LOOK AT THE CHART. JACK SAYS THAT HE WILL MAKE SURE THE BOARD GETS A COPY OF IT. AMANDA ADMITS HATING TO POSTPONE IT. DAVID WHITTEN AND IVELYN LAMPKIN ASK ABOUT TABLING IT UNTIL THEY RECEIVE THAT INFORMATION. RITA LLOP STATES THAT THEY WOULD HAVE TO HAVE A PUBLIC HEARING. DWAYNE BURNEY SAID THAT WE COULD ACCEPT THE APPLICATION OR THE AMENDMENT HERE AND THEN IT WOULD HAVE TO BE A PUBLIC HEARING ON IT AFTERWARDS, CORRECT? RITA STATED THAT IS CORRECT AND THE LANGUAGE OF THE ORDINANCE WOULD BE FOR PUBLIC VIEWING AND THE NEXT TIME YOU WOULD HAVE A PUBLIC HEARING ON THE ADOPTION OF THE ORDINANCE. AMANDA WOODARD ASK JACK WHITE IF HE WAS THE ONE WHO PRESENTED THIS. DID HE SEE THE NEED FOR IT? SHE HAS A QUESTION ABOUT THE HOUSING TYPES. JACK WHITE STATES THAT IT WON'T BE ANY TINY HOMES, NOR ANY MOBILE HOMES. IF SO, IT WILL BE A CONDOMINIUM STYLE WITH A SQUARE FOOTAGE THAT IS DETAILED IN THE SCHEDULING SHEET. AMANDA WOODARD UNDERSTANDS NOW. IVELYN LAMPKIN WAS WONDERING THE SAME THING. JACK WHITE SAID THAT IT HAS NOTHING TO DO WITH TINY HOMES OR MOBILE HOMES. THOSE ARE EXCLUDED. THIS WILL JUST COVER STICK BUILT SINGLE FAMILY, STICK BUILT MULTI-FAMILY AND CONDOMINIUM STYLE, AS WELL AS TOWN HOUSES. RITA LLOP STATES THERE IS A DETAILED CHART AND WILL SEND IT TO THEM. AMANDA WOODARD STATES THAT SHE WANTS TO SEE HOW IT'S DIFFERENT. JACK WHITE SAID THAT HE WILL GET IT TO THEM IN TIME ENOUGH FOR THEM TO REVIEW IT BEFORE THE NEXT MEETING. AMANDA SAYS THAT WE NEED TO LOOK AT IT FIRST BEFORE IT GOES TO PUBLIC HEARING. AMANDA WOODARD MADE A MOTION TO POSTPONE UNTIL THE NOVEMBER MEETING AND GIVE THE BOARD A CHANCE TO REVIEW THE ATTACHMENTS WHICH ARE THE AREA YARD AND HEIGHT REQUIREMENTS AND ALSO THE SCHEDULE OF DIMENSIONS OF THE R-3. SECONDED BY IVELYN LAMPKIN. RITA

LLOP ASKS IF THEY WILL CONSIDER IT AT THE NEXT MEETING? IVELYN LAMPKIN STATES "YES." JACK WHITE STATED THAT HE WILL MAKE SURE THE BOARD HAS EVERYTHING THEY NEED. DAVID WHITTEN ASKS ALL IN FAVOR. SO CARRIED.

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS, DAVID WHITTEN CALLED FOR A MOTION TO ADJOURN THE MEETING. DWANE BURNEY MADE A MOTION, WITH A SECOND FROM IVELYN LAMPKIN, SO CARRIED. THE MEETING WAS ADJOURNED.

SECRETARY