

NEW MEADOWS CITY COUNCIL ACTING AS THE NEW MEADOWS
PLANNING & ZONING COMMISSION MEETING MINUTES
HELD SEPTEMBER 4, 2018 AT 7:00 P.M.
CITY COUNCIL CHAMBERS, 401 VIRGINIA STREET, NEW MEADOWS

Agenda Item 1 – Welcome, Roll Call, Pledge of Allegiance

Present were Council Members Jeff Parnett, Darla Weber, Julie Good, Carol Bond (via phone) and Mayor Darbey Edwards.

Staff present were Mac Qualls and Angie Mettie.

Public present were Jack Hellbusch, Scot Kump, Jake Howard, Mike Howard, Chance Hobbs, Drew Dodson, and Barb Kutterer.

Mayor Edwards opened the meeting at 7:03 P.M. and led the Pledge of Allegiance.

Agenda Item 2 – Public Hearing: WCMHT Lots 2,3, & 4 of Block 4 of the Morgan Town Subdivision:

A public hearing was held concerning a proposal from Chance Hobbs to request a variance of setbacks at Lots 2, 3 & 4 of Block 4 of Morgan Town Subdivision, and a variance in lot size, in the City of New Meadows.

A. Public Hearing Opened

Mayor Edwards opened the public hearing at 7:17 P.M.

B. Disclosures

Council Member Bond stated that she knows the applicant from around town and that they attended a mutual birthday party, at which the application was not discussed. She had no prior knowledge except for the packet material, had spoken to no one regarding the proposal and could make an unbiased decision. Council Member Weber stated that she knows the applicant from a previous hearing, has not spoken to anyone regarding the application, has received only the packet material, and can make an unbiased decision. Mayor Edwards stated that he knows Hobbs through city meetings and will be able to make an impartial decision. Council Member Parnett stated that he served on the Citizen Advisory Committee with Hobbs for one meeting. He has spoken to no one and has received only the packet material. Council President Good stated that she knows Hobbs from EMS and from around town. She sent Mac an e-mail about the proposal and will ask Hobbs that specific question. She has not spoken to anyone and can make an unbiased decision using only the hearing information and the planning and zoning ordinance.

C. Applicant Presentation

Chance Hobbs, residing at 3018 Osprey Circle in New Meadows, represented the West Central Mountains Housing Trust and stated that the homes will be built with HUD funds and will be targeted towards lower income households and those on fixed incomes. He stated that there is already a waiting list for the homes. Hobbs would like to replat the lots, eliminating lot 3 and widening lots 2 and 4.

D. Written Testimony Read Aloud

Written testimony, included in the packets, was received from Jeanne Mitchell. Mitchell wrote that a provision for snow storage was not included and that the lot coverage looked to be over 50%. She cited the R-3 area requirements from the zoning code.

E. Opposition Testimony

There was no opposing testimony.

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F. Neutral Testimony

There was no neutral testimony.

G. Supporter Testimony

There was no supportive testimony.

H. Applicant Rebuttal

There was no rebuttal.

I. Close of Public Hearing

The public hearing was closed at 8:00 P.M.

J. Decision / Determination (Action Item)

Mayor Edwards commented that parking was an issue in this neighborhood, and commended Hobbs for designing garages with the units. Good noticed that the site map stated a 7-foot setback request and the application stated a 6-foot setback. Hobbs said to use the application number of 6 feet. Council Member Parnett noted that the community is in need of housing, and that this will benefit the community and the school. He also noted that setbacks are decreasing across the country. Good asked if fences would be built. Hobbs stated that there would be fences between the units. Council Member Parnett asked about the quality of materials. Hobbs stated that the materials were high quality and would hold up well with wear. Mayor Edwards asked how long the units would remain with the housing trust. Hobbs stated that they should remain for 30 years.

- Council President Good moved to approve a 4-foot variance on either side of the two lots that will be lots 2 and 4, that are currently lots 2, 3 & 4, at Block 4 of Morgan Town, and allow for a decrease in lot coverage of approximately 170 feet per the two lots that will eventually cover lots 2, 3 and 4; Council Member Parnett seconded the motion. Roll Call Vote: Weber – yes, Bond – yes, Parnett – yes, Good – yes. Motion Carried.

Agenda Item 3 – Public Hearing: 410 Katherine Street:

A public hearing was held concerning a proposal from Jake Howard to request a variance of setbacks at 410 Katherine Street in the City of New Meadows.

A. Public Hearing Opened

Mayor Edwards opened the public hearing at 7:06 P.M.

B. Disclosures

Council Member Weber stated that she knows Howard from his attendance at meetings and that she knows his wife and where he lives. She had not spoken to anyone about the public hearing or the property, has had no additional information except for the packet, and can make an unbiased decision.

Mayor Edwards stated that he knows Howard through Council meetings and can also make an impartial decision. Council Member Parnett stated that Howard is his former student and that Howard's father is his boss. He had a small conversation with Howard's father and told him that he could not discuss the proposal except at the meeting. There was no reason he could not make an impartial decision. Council President Good stated that she knows the applicant from Council meetings and has discussed the application with Qualls. There was no reason she could not make an unbiased decision. Council Member

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Bond stated that she also knows Howard from his presence at Council meetings. She has only received the information from the packet and has not spoken to anyone about the application. There was no reason that she could not make an unbiased decision.

C. Applicant Presentation

Jake Howard stated that he did not have an actual presentation, and has already spoken to the Council at a previous meeting about his project. He would like to build on the existing foundation, and did not feel this hearing was warranted. He would like to field questions on the proposal.

Mayor Edwards stated that the Planning & Zoning Commission has lost a member, causing it to be suspended, with all Planning & Zoning issues now falling to the City Council.

D. Written Testimony

Written testimony, included in the packets, was received from DeEtte McCarty. She wrote that she agreed with the proposal and that it did not affect her in any way.

E. Opposition Testimony

There was no opposing testimony.

Neutral Testimony

Jack Hellbusch, residing at 306 Katherine, addressed the Council and asked them to look at the definition of structure, as it was used in two different ways in the application. The structure was referred to as the building, and also as the footings. This would make a difference when figuring the 75% assessed value according to zoning code section 17-2 E & F.

G. Supporter Testimony

Mike Howard stated that he was in support of Jake Howard's application. He felt the application was complete. He also would field any questions about the application.

H. Applicant Rebuttal

There was no rebuttal.

I. Close of Public Hearing

The public hearing was closed at 7:16 P.M.

J. Decision / Determination (Action Item)

Council President Good stated that the decision for a variance should be based on Section 14-B, which provides criteria. Council Member Bond felt that no variance was necessary, as Howard was not changing the existing foundation. Council Member Parnett stated that letter E would apply to Howard, as his project would not be detrimental to the health, safety or welfare of others in his neighborhood. He felt that new construction should conform to the zoning code, but pre-existing conditions should be left alone. Council President Good stated that the code applies to certain conditions, such as a structure burning to the ground. Removing the structure and replacing it with a new structure was not mentioned in the code. Council Member Weber inquired as to whether this variance was a special privilege to one, or whether other property owners in the neighborhood would be allowed the same variance. Mayor Edwards stated

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that he could not find a reason in the code to deny the variance. Good asked Howard about his statement in the application regarding removal of one unsightly nonconforming structure from his property, when asking for another nonconforming structure. Howard said that removing the structure would be an improvement to the neighborhood.

- Council Member Bond moved to allow Mr. Howard a variance and build on the exact same footprint; Council Member Weber seconded the motion. Roll Call Vote: Weber – yes, Bond – yes, Parnett – yes, Good – yes. Motion carried.

Agenda Item 3 – Adjourn

- Council Member Bond moved to adjourn the meeting; Council Member Parnett seconded the motion. Voice Vote indicated no opposition to the motion with all members signifying aye. Motion carried.

Meeting adjourned at 8:10 P.M.

Darbey Edwards, Mayor

ATTEST: _____
Jacob M. Qualls, City Clerk / Treasurer

