PLANNING COMMISSION MINUTES
Tuesday, OCTOBER 2, 2007
Revised

Attendance:

Talbot, Dan – Chair
Armbruster, Harry – Vice-Chair
Dixon, Madelyn – Secretary
Morrison, Cathy – Commissioner
Ream, Jeremy – Commissioner*
Shifflett, Charlotte – Admin Rep
Shifflett, Marty – Zoning Admin
Laurie Sigler- Town Attorney*
Pence, Theodore – Council Rep

(*) denotes absence of member

Guests:

Margretta Isom—Council

Approval of Minutes:

A motion was made by Harry Armbruster to accept the minutes from the September meeting; seconded by Cathy Morrison.

Motion Carried: 5-0

Agenda Items:

- **New Business:**
  - Home Occupation Permit for **Nancy Fries** to operate a Hair Shop from her residence located on 115 Davis St.
    a. Code requires a new application when address changes.
    b. Applicant has remained in compliance with codes and no complaints or problems have been received in regards to the permit since it was issued.
    c. Fire Marshall needs to be involved in renewal process.
    d. An ad scheduling a Public Hearing must be placed

A motion was made by Harry Armbruster to send the recommendation to Council, seconded by Cathy Morrison.

Motion Carried: 5-0 vote

- Special Exception Permit, requested by **Mary Liz Humphrey**, to open a Bed & Breakfast in her home located at 111 Ashby Avenue.
  a. An inspection must be performed by the County Fire Marshall and Health Department.
  b. House has a downstairs and an upstairs apartment which will require a minimum of **(4)** 10 ft X 20 ft parking spaces with nothing larger than an automobile to be parked there at any time. (no vans or large travel vehicles).
  c. The use of property in proximity to schools is an issue and needs further investigation.
  d. If a permit is issued, failure to follow all rules may result in rescinding the permit by the Planning Commission or the Town Council.
  e. The proper authorities shall be contacted to inspect the property.

Mary Liz must present all papers with approvals by officials from the Health Department and County Fire Marshall offices.

A motion was made by Cathy Morrison to send the recommendation to Council and a public hearing, seconded by Theodore Pence.

Motion Carried: 3-1 vote **(**Madelyn Dixon was excused earlier)

- **King Construction** has submitted a request to rezone property on Wirt Avenue from R5 to R6
    a. Members were given an opportunity to review a sketch of proposed apartments to be defined as Senior Living with ages 55 and older—no exceptions!
    b. Members noted it was an excellent idea but had reservations about flooding and traffic.
    c. Mr. King was informed to draft a written proposal to present to the Commission specifying his policies and regulations.
    d. Schedule a field trip to the construction site with all current Commissioners.
    e. The Town Attorney is still working on recommendations for code revisions to apartments.

The group felt they need more time to familiarize themselves with the plan as presented on October 2, 2007.

- Zoning Permit Applications:
    a. The Zoning Administrator should consider implementing guidelines which treat all new applications consistently. This standard requirement would apply to all future Zoning Permit applicants.
    b. Applicants should present a surveyor's certified plat with all requests rather having the option to present a hand drawn sketch.
    c. Clarify the issue, in order to resolve the question, of whether the Zoning Administrator should be given the authority to vacate lot lines.
    d. An application was presented to the Zoning Administrator for construction of an accessory building by an individual who owns three lots; with the house sitting on 2 lots and the 3rd one with no existing structures. The request would place the building on the remaining vacant lot.
        1) The first step would be to have the lot line vacated.
        2) The entire property would need to be surveyed and the certified plat presented with building plans displaying dimensions.

Old Business:

- First Reading

  Amendment to the Elkton Town Code
    a. Signs
    b. Fences
    c. Closure of Streets or Alleys

Pathforward:

- Town Attorney is working on Code defining apartments.
- Members will be scheduling a field trip to King property on Wirt Avenue.

With no further business to discuss the meeting adjourned. The next meeting is scheduled for the first Tuesday, November 6, 2007 at the Elkton Area Community Center Council Chambers at 7:00 pm.

Submitted By:
Charlotte Shifflett

Daniel Talbot/Chair

Madelyn Dixon/Secretary