

CITY OF GAINESVILLE
PLANNING AND ZONING COMMISSION MINUTES
REGULAR MEETING

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2:00 p.m.

Wednesday, June 20, 1990

Members Present: John Schmitz, Luann Shortnacy, Chris Kaden, Allen Fleitman and Vincent Rippy.

Members Absent: Don Hawkins and Van Knight.

Staff Present: Gene Cravens, David Hall and Pat Payne.

Visitors Present: List.

The meeting was called to order by Acting Chairman Chris Kaden at 2:05 p.m.

The **second item of business on the agenda** was consideration and approval of the minutes from the regular meeting of May 16, 1990. A motion was made by Luann Shortnacy and seconded by Vincent Rippy to accept the minutes as presented. Motion carried by the following votes: Ayes: Rippy, Kaden, Shortnacy, and Schmitz. Nays: None. Absent: Fleitman, Hawkins and Knight.

The **third item on the agenda** was consideration and recommendation on a request by J.C. Bullard for a Specific Use Permit to place a mobile home on his property at 803 Summit Avenue to be used for security purposes only. Mr. Kaden asked Mr. Cravens to explain the situation as presented to Staff. Mr. Cravens said that this matter was first presented to the P & Z at the April meeting at which time the request was denied for recommendation for lack of information and pertinent materials relating to the request. The request was then sent to the City Council for their May 15 meeting, but Council decided, on the same grounds, to send the matter back to the Planning and Zoning Commission for resubmission and republication of notices for a second public hearing. Mr. Bullard then submitted a scaled drawing which gave information for consideration of the request. The drawing indicated space for a 14' X 56' mobile home with 10' setbacks on three sides and 80' from Summit Avenue on the fourth side; all setbacks, as submitted, are sufficient.

Mr. Cravens said that the problem he sees is the actual location, which is in the I-35 Corridor. Mr. Cravens gave the panel pictures of the location to look at. At that time Marilyn Bullard said she "...would like to comment on that." Mr. Kaden asked if anyone would like to speak in favor of the request, at which time Mrs. Bullard continued by saying that Mr. Bullard travels four days a week. She named several incidences when the security alarm sounded and different

times when vandalism occurred at the business. She said, mentioning the "looks for Gainesville", she will be the first to say that their lot is not a lot to be proud of [i.e., the debris and junk that is piled around]. She said that with someone living on the property in the mobile home, that person could be responsible to clean up the place, pulling the old cars off, mowing and picking up trash. She said the neighboring businesses were in favor of their proposal for an on-site, round-the-clock security.

At that time, Mr. Bullard commented that transients, "crazy people" are around there.

Mr. Kaden asked if there were other comments for or against the request. Mrs. Lora Stacks, a resident who lives nearby and representing the owner of the property she rents, mentioned the appearance of the property, junk cars and tall grass, especially on the Buck Street side of the block. She continued by saying that the placement of the mobile home would "...be alright with me, if it is neat and screened".

Mr. Kaden asked Mr. Hall if he would like to speak. Mr. Hall said he would just like to see the property cleaned up.

Mr. Fleitman said all he ever keeps hearing is that everyone just wants it cleaned up. Marilyn Bullard agreed that the lot should be cleaned up and that's part of "being there" [meaning someone in the proposed mobile home]. She continued by saying she would be the first to say she is ashamed of the lot.

Luann Shortnacy asked if the trailers [vans] parked in front of the business had anything in them; Mr. Bullard said they are full of merchandise and are used for storage.

Mr. Craven explained there are certain criteria for mobile homes in the I-35 Corridor in addition to the rules from the Zoning Ordinance.

Mr. Rippy asked Mr. Bullard if the Police Department had recommended any remedies for security on his property; Mr. Bullard said it had been suggested that he fence it, put dogs in it.

Mr. Schmitz verified the Bullard's request for a Specific Use Permit for a mobile home to be used for security purposes only and also for a full time residence; Mrs. Bullard confirmed that. Mr. Bullard said drop shipments would be received there during the week also; Mr. Schmitz asked if it would be an office as well and Mrs. Bullard said yes, "...somebody would be there". She also explained that in exchange for services and yard work, there would be no income from rental of the mobile home. Mr. Schmitz continued by saying that he understood what the Bullard's problem has been, but a great deal of work and effort has been put into the I-35 Corridor regulations and he said he feels that the "trailer" does not fit in with what the City staff has in mind [in regards to adoption of the I-35 ordinance] nor is this what the whole City has in mind. He said he feels that another method of securing the property can be attained, not a trailer [mobile home].

Mr. Fleitman asked Mr. Bullard if he had supplied [good] lighting around his building; Mr. Bullard replied that he has put three night lights on the property.

After deliberation by the Board, Mr. Kaden asked if anyone else wanted to speak. Mr. Lloyd Sutton, owner of the Culberson Street Laundry, said he is opposed to the Specific Use Permit for placement of the mobile home. His reason was that it will downgrade the area.

Mr. Bullard presented a petition [as attached to these minutes] to the Board from neighboring businesses favoring Mr. Bullard's request.

Mr. Rippy said he has a problem with changing the zoning on a piece of property just to offset the security problems thereon, especially with living quarters.

After no further discussion, a motion was made by John Schmitz and seconded by Vincent Rippy to **recommend denial of the Specific Use Permit** to the City Council. Motion carried by the following votes: Ayes: Rippy, Shortnacy, Kaden, and Schmitz. Nays: Fleitman. Absent: Knight and Hawkins.

The **fourth on the agenda** was consideration and recommendation on a proposed ordinance regulating flea markets in the City of Gainesville. Mr. Cravens explained that Mack Barnhart, City Attorney, had examined the proposed ordinance and suggested some minor changes in it. One change would be to allow flea markets by a licensing system rather than by Specific Use Permit. Another proposal was to add to the definitions a definite time period for operation and possibly by stating same at the time of licensing. Mr. Barnhart suggested that a draft ordinance be resubmitted with suggested changes. A motion was made by Luann Shortnacy and seconded by John Schmitz to table the matter. Motion carried by the following votes: Ayes: Kaden, Rippy, Shortnacy, Fleitman and Schmitz. Nays: None. Absent: Knight and Hawkins.

The **fifth item on the agenda** was consideration and recommendation on a proposed ordinance regulating the development of subdivisions with the City. Mr. Cravens explained changes which had been made regarding changes in references to the Building Inspector and City Manager. He said he and Mr. Barnhart had discussed the proposed ordinance and together they are proposing further minor changes, which Mr. Barnhart reviewed for the Planning and Zoning Commission.

After the review, no action was taken on the proposed ordinance, which matter will continue for public hearing at the next regular meeting of the Planning and Zoning Commission, as scheduled for July 11, 1990.

After no further business the meeting was adjourned at 3:12 p.m.