

MINUTES

CITY OF GAINESVILLE PLANNING AND ZONING COMMISSION MEETING OCTOBER 22, 1986

Members Present: Van Knight, Russell Duncan, Allen Fleitman, Jim Purcell, Luann Shortnacy, and Peter Hyde.

Staff Members Present: Barry LeBaron and Pat Payne

Visitors Present: Shirley Lusk (LWU), Karl Klement, Mike Skaggs, Howard Murray, Earlene Murray, John J. Henry, Tim Hermes, Thomas Robinson, Gladys Smith, Leonard Odom, and Ranjit Patel.

The meeting was called to order by Chairman Van Knight at approximately 2:00 P.M.

The first item on the agenda was approval of the Minutes from the September 10, 1986 meeting. Motion was made by Mr. Russell Duncan to accept the minutes as presented with Mr. Jim Purcell seconding the Motion. Motion carried unanimously.

The second item on the Agenda was consideration of a request by Ms. Gladys Smith to rezone Lot 1 and the North one-half of Lot 2, Block 8, Hillcrest Addition, also being 1220 Whaley Drive, from SF-2 to 2F for purposes of an addition to the present structure on the property for a dual family residence. Mr. Knight asked for discussion as relating favorably to the rezoning. Ms. Smith spoke first indicating her reasons for the intentions of the rezoning in order to add on to the present structure in which she now lives. She said the new addition would be living quarters for her brother, with the area comprising approximately 800 square feet of space. Mr. Thomas Robinson spoke next saying that the builder for the intended structure would attach the addition with a breeze-way with a connecting roof line. He also indicated that the original deed restrictions were set up for this type of addition. Mr. LeBaron spoke next and said that the original deed restrictions of 1951 gave the property owner the option of Single Family or Duplex. However, he also indicated that the Zoning Ordinance which was adopted after that period strictly prohibited Multi-Family or Duplex. He pointed out that he felt that it would be harmful to the whole neighborhood, in his opinion, if the indicated area was zoned 2F. Mr. Knight asked for any opposition to the proposal, with Mr. Howard Murray of 1218 Whaley Drive speaking against. He indicated that although Ms. Smith kept her lot immaculately neat, he felt that the addition of the duplex-type addition would affect the property values of their neighborhood, with much uncertainty of the proposed duplex structure in the future years. Mr. Leonard Odom of 1219 Whaley Drive spoke next indicating that he also felt the proposed structure would be detrimental to the aesthetics of the neighborhood both now and in the future and he wanted the

neighborhood to remain Single Family. He said he bought the lot in that area many years ago because it was zoned Single Family. Mr. Jody (John J.) Henry of 1303 Whaley Drive spoke next in opposition. He also indicated that Ms. Smith has a very neat home but feels that he will own his home for many more years and the proposed addition to his home would affect the neighborhood, lowering the property values. Mr. Knight then presented a letter written to the City, i.e. Planning and Zoning Commission, from Mrs. Ila Mae White of 1214 Whaley Drive, indicating her disapproval and desire not to change the zoning. Mr. Knight asked for further discussion with Ms. Smith saying that she felt the neighbors were afraid of the property being turned into rent property; however there is already several houses which are rent property now in the neighborhood. After further discussion ensued among the Commission members and the visitors, the Commission asked Ms. Smith if she would like to withdraw her application at this time due to the possibility of a different floor plan for the proposed added structure which would not be considered as a separate living structure, and therefore a change in zoning would not be applicable. She agreed that this would be the appropriate procedure for the present time.

The third item on the Agenda was a request from Mr. Karl Klement to rezone a part of Lot 1, Block 1, out of the Berend Addition, and also being 1607 North Weaver Street, from SF-3 to Commercial. Mr. Knight asked for discussion from Mr. Klement. Mr. Klement indicated that he also owns the adjoining property at 1605 Weaver and would like to combine the properties for an office and an expanded car lot, which is currently utilizing the corner property. The house on the property at 1605 Weaver would be razed. There was no other discussion for or in opposition to the request. A motion was made by Mr. Russell Duncan and seconded by Mr. Jim Purcell to recommend approval to the City Council for rezoning the property. Motion carried unanimously.

The fourth item on the Agenda was a request from Mr. Ranjit Patel to renew a Special Use Permit for a mobile home as a fixed dwelling on the Curtwood Motel property, North Interstate 35, and being a part of A. Boutwell Survey. The area is zoned Light Industrial. Mr. Knight asked for discussion in favor of the renewal and Mr. Patel asked that the Permit be renewed. After no further discussion, Mr. Jim Purcell made a motion with a second by Mr. Peter Hyde to recommend approval to the City Council for the Special Use Permit to be renewed for a period of three (3) years. Motion carried unanimously.

The fifth item on the Agenda was further discussion and review of the proposed Site-Plan Ordinance with Mr. LeBaron indicating the changes which have been made and further discussing the needs for a good Site-Plan Ordinance which will allow the City to work more efficiently with developers. He said that this Ordinance would involve the City more with the development as in the development of the water and sewer with better quality developments being built. He pointed out that a Site-Plan Ordinance will fill a void

that exists with the cumulative zoning ordinance in Gainesville. One of the difficulties of a cumulative zoning ordinance is that once an area is zoned Light Industrial or Commercial, a developer can build nearly anything he wants. Mr. LeBaron asked the Commission members if they had any further changes or if they felt that the Ordinance is ready for presentation to the City Council. Mr. Purcell indicated that he felt that Planning and Zoning are the ones who know where the problems are and should recommend their approval and ideas to the City Council. Motion was made by Mr. Russell Duncan and seconded by Mr. Luann Shortnacy for approval by the Planning and Zoning Commission and for recommended approval to the City Council of the proposed Site-Plan Ordinance for adoption. Motion carried unanimously.

The fifth item on the Agenda was review and discussion of a proposed Zoning Ordinance Amendment. Mr. LeBaron pointed out the difficulties in working with people in rezoning property, as most people are not aware of all zoning districts in Gainesville. He indicated that a continuing problem in the zoning of non-residential property is in the required 20' minimum side-yard. He recommended that the side-yard minimum requirement be changed to a 5' minimum and a 10' maximum required width for non-residential property. After further discussion, a motion was made by Mr. Peter Hyde and seconded by Mr. Allen Fleitman to recommend approval to the City Council of the Zoning Ordinance Amendment. Motion carried unanimously.

The sixth item on the Agenda was consideration and discussion of the proposed Zoning Plan for West Highway 82. Each member was furnished with a map of the proposed zoning plan for their review. Mr. LeBaron presented discussion as to the requirements for notifying property owners of the various property zone changes. A motion was made by Mr. Allen Fleitman to present the Zoning Plan for West Highway 82 for Public Hearing on November 12, 1986.

Mr. Van Knight indicated he had received a resignation from Mr. Scott McMahon from the Planning and Zoning Commission, effective immediately. Mr. Knight asked members to give him names of persons who might be interested in becoming a member of the Planning and Zoning Commission so the names could be submitted to the Mayor for consideration.

There being no further business, the meeting adjourned at approximately 3:05 p.m.