

PLANNING COMMISSION
MINUTES
FOR MEETING HELD JULY 28, 2009

MEETING: Shown herein is a summary of action taken at the Pine Bluff Planning Commission Meeting held July 28, 2009 at 4:00 p.m. in the City Hall Chambers.

QUORUM: Those members present included: Lou Taylor, Joe Clement, Frank Hartwick, David Lausten, Edward Long, Gordon Reese and Don Scott

OTHERS

PRESENT: Others present include: Jerre George, Regional Planner, Lakishia Hill, Zoning Official, and other concerned citizens.

CALL TO

ORDER: Chairman Taylor called to order the Pine Bluff Board of Zoning Adjustment meeting for July 28, 2009.

**CONSIDERATION
OF MINUTES:**

June 2009 minutes were adopted.

OLD BUSINESS:

NONE

NEW BUSINESS:

Item 1: Rezoning request by Sue Reed to rezone 5900 Sulphur Springs Road from R-1 Residential to R-4 Residential.

Mrs. Sue Reed stated: I am seventy-three (73) years old and my short-term memory is not good, so my son and daughter-in-law will speak for me.

Ron and Sharon Young stepped forward to speak for the request.

Mr. Young stated: We want to put a double-wide manufactured home on the lot next to my mother.

Mrs. Young stated: We want to permanently affix it. We have a letter from J & M Mobile Homes to let you know exactly what would happen. Concrete footings will be put in. The tongue, axle and wheels will be removed. It will be considered a permanent residential property. We would like to get near her so that we can care for her.

Commissioner Clement asked: Is there a mobile home currently there?

Mrs. Young stated: Her lot is split and there is another lot beside hers.

Mrs. Reed stated: We realize that a modular home can be placed there but it is about \$40,000 more.

Mrs. Young stated: It is my understanding that two or more modulars can be put together as long as no seam shows. The mobile home will have no seams that show. It will be permanently affixed to concrete. I don't feel like it will be any different than putting two modulars together.

Commission Chair Taylor asked: How long has the existing double-wide been there?

Mrs. Reed answered: It has been there for five years.

Regional Planner George stated: The mobile home replaced an existing mobile home. I am sure it was grandfathered.

Commission Chair Taylor asked if there were any more questions of Mr. and Mrs. Young.

Mr. Young stated: They would install the trailer according to FHA guidelines.

Commissioner Lausten asked: Based upon the description, could the mobile home fall under R-1.

Commission Chair Taylor answered: No, it would still be a mobile home.

Mrs. Young asked: Could you explain that, because based on what we have read it does not state that a manufactured home is not allowed.

Commission Chair Taylor stated: The reference is to a site built home, meaning the materials are brought there for construction.

Mr. Young stated: We do not see anything in the law that says we can't bring it in on a chassis.

Regional Planner George stated: The definition of a mobile home states that it is brought in on a chassis. It has nothing to do with removing it from the chassis later. Mobile homes are permitted in the R-4 zone, which you have applied for a rezoning of the property to R-4.

Commission Chair Taylor asked if there were more speakers for or against the request. Since there were none, he asked for staff's recommendation.

Regional Planner George stated: We recommend that the rezoning request be denied. Most of the land uses in the vicinity of the subject site are single-family site built homes. The viability of the subject site for a site-built home is validated by the new construction occurring two lots away from the site. The two parcels in the area currently containing mobile homes have been used as mobile home sites since prior to the annexation, and as such, are nonconforming uses. Just because there are currently two nonconforming

mobile homes in the vicinity does not mean that this use should be expanded. We do not feel that rezoning the subject property to R-4, which allows mobile homes (single or double –wide) and duplexes, would be beneficial to the single family site-built homes in the area, which is currently the predominant use. We feel rezoning the property would violate the intent of the Zoning Ordinance.

Commissioner Long asked: If they put a modular home on a one-third acre, would that be permitted.

Regional Planner George answered: Yes, it could go on a one-third acre.

Commissioner Lausten asked: Could we do a UPOR.

Regional Planner George stated: Mobile homes are listed in the R-4 zone but were left out of the R-1 zone on purpose. If it is listed in one zone you can not have it in another zone unless it is listed.

Commission Chair Taylor asked if commissioners had any questions of staff. Since there were none, he asked for a motion on staff’s recommendation.

Commissioner Scott started the motion in favor of staff’s recommendation.

Commissioner Hartwick seconded the motion.

Commission Chair Taylor asked if there was any discussion of the motion. There was none.

Commissioner Commission Chair Taylor asked all in favor of the motion to signify by saying “Aye”. Then all opposed to signify with the same sign. The request was denied five (5) to one (1).

COMMITTEE REPORTS:

Commissioner Blunt is out of town but is working on street renaming guidelines and will have a report next month.

PLANNING DIRECTORS REPORT:

Staff has prepared an Overlay District for University Drive and adjacent property in preparation for future development. The University Drive overlay District is established to enhance the quality and compatibility of development, to establish consistent architectural and design guidelines, to encourage the most appropriate use of land, and to implement the University Park Land Use Plan as adopted by the City of Pine Bluff.

ADMINISTRATIVE MATTERS:

Robert Tucker (Inspection & Zoning Director) informed the Commission of updates in regard to the Pine Bluff Planning Commission's Committee on Code Enforcement. The committee sought to improve code enforcement in order to enhance the image of Pine Bluff. The committee's recommendations have resulted in the following:

- Have not met with the Judge in regard to establishing an environmental court.
- Discussions with the City Attorney have determined that inspectors can write tickets and leave them on vehicles or houses for certain code violations. Other city's codes are being reviewed in preparation of amending ours.
- Preparing an amendment to City Code prohibiting parking in the front yards off of pavement.
- The Sheriff's Department informed us of rates for serving summons and notices. We were informed that off-duty sheriffs can perform this service.
- We are working on a major overhaul of the nuisance code.
- We have analyzed the cost/benefits of a rental unit inspection program. It would appear to pay for itself in inspection fees to be charged. Should consider creating an ordinance. Would require additional housing inspectors to enforce this.
- In an effort of interdepartmental cooperation we continue to utilize the safe team approach and work with other departments to increase efficiencies in code enforcement.
- We would need to speak with the PBPD in regard to assigning an officer to each inspection and code enforcement district as back up the inspection and zoning code officer in their code enforcement efforts.
- In regard to grants we would hire consultants.

OPEN DISCUSSION:
NONE

ADJOURNMENT:

Commission Chair Taylor entertained a motion to adjourn.

The motion was made and seconded.

Commission Chair Taylor adjourned the meeting.

THESE MINUTES ARE ADOPTED THIS 25TH DAY OF AUGUST 2009.

CHAIRMAN

SECRETARY