

## FRUITLAND PLANNING COMMISSION

The Fruitland Planning Commission met at City Hall on Tuesday, April 5, 2016, at 7:00 p.m. with the following members present:

*Chairman Leland Bonneville, Derek Bland, Jason Pearce and Darlene Kerr.*

Also present were:

*City Solicitor Andrew C. Mitchell Jr. and Administrative Assistant Linda Powell.*

Our guests included:

*Chad Wilkins, Mike Dunn, Robyn Payne and Bob Marvel.*

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Chairman Bonneville called the meeting to order at 7:00 p.m. and acknowledged receipt of the minutes of the March 1, 2016 Planning Commission Meeting, calling for additions or corrections. As there were none, **Mr. Bland moved to adopt the minutes as presented; Mr. Pearce seconded and the motion was approved by four votes in favor.**

### OLD BUSINESS

None

### NEW BUSINESS

#### **1. Accessory Structure Front Setback – 401 Forest Drive**

Mr. Robyn Payne came forward to present his appeal for a variance to construct a carport at his residence located at 401 Forest Drive. He stated that due to the proposed location for the carport, he would not be able to meet the 40-foot setback requirement and that he would need a 15-foot variance. During his appeal, he asked for clarification as to what criteria constitutes a permanent structure. The Commission, as well as Solicitor Mitchell, then began to address Mr. Payne's request by referring to current building standards and zoning regulations. As the discussion continued the Commission then asked Mr. Payne if he had a survey or site plan that would show the layout of his property. He then presented the Commission with a photo of the proposed area in which he would place the carport, however, the photo proved to be too inconclusive to make any type of decision or recommendation for approval of a variance.

Finally, Mr. Payne was advised to obtain a survey and/or site plan for his property that would provide an accurate layout of all existing structures, the placement of the proposed carport and property setback measurements.

#### **2. 502 Graydon Lane Development**

Mr. Chad Wilkins, accompanied by Mike Dunn, informed the Commission that he was interested in purchasing a parcel located at 502 Graydon Lane but, first, wanted to know if the City would permit him to install a private well. He explained that he had performed some preliminary site evaluations and concluded that it would not be feasible for him to have to pay to extend the water service or obtain an easement through any of the properties bordering Slab Bridge Road as were some of the options offered during consultation with city staff. It was established that the property in question was located more than 400 feet away from all city water utilities and, therefore, eliminating the requirement to extend the water line to connect to public utility.

**Finally, Mr. Bland made a motion to permit installation of a private well on the property located at 502 Graydon Lane, Mrs. Kerr seconded and the motion was approved by a four to zero vote in favor.**

After the motion was approved, Mr. Wilkins asked if there was a designated time period in which his home had to be built without forfeiting the permission to install a private well as he had no immediate plans to begin construction. The Commission's response was that as long as no other entity installed water access along Graydon Lane prior to development of his parcel, the approval for an onsite private well would remain in force specifically for his purpose.

### **3. Comprehensive Plan Implementation & Development Process (5-Year Report)**

Administrative Powell briefly informed the Commission of the requirement for Fruitland to submit a report on its Comprehensive Plan Implementation & Development process during the past 5 years. Additionally, she wanted know if any of the members had any information to offer to include in the report. Solicitor Mitchell stated that he was familiar with the requirement and that it relates to the Land Use Article, Section 1207 of the State Code which requires municipalities to address the goals set forth in their Comprehensive Development Plan. He stated that city staff would draft the report and bring it before the Commission for review at a future date.

### **4. Other?**

Solicitor Mitchell informed the Commission that there was a potential buyer interested in purchasing lots in the Cedar Commons subdivision. He provided the status of some of the infrastructure as it relates to the incompleteness of some streets and sidewalks and the incompleteness of extending N. Brown Street to St. Luke's Road.

Solicitor Mitchell stated that the Highway User Revenue Fund disbursement from the State is looking bleak for Fruitland as discussion continues among our state legislators.

Mr. Bland emphasized the overwhelming need for street repairs within the city, specifically Brown Street, Main Street and Clyde Avenue. He stressed his desire for the city to pursue every option available to address and correct the condition of some of the most deteriorated streets.

### **General Discussion**

With no further business to discuss, **Mr. Bland moved to adjourn and Mr. Bonneville seconded. The motion was approved by a four to zero vote in favor and the meeting adjourned at 7:40 p.m.**

*Submitted by,*

*Linda J. Powell  
Administrative Assist.*

***Approved May 3, 2016***

