

FRUITLAND PLANNING COMMISSION

The Fruitland Planning Commission met at City Hall on Tuesday, October 4, 2016, at 7:00 p.m. with the following members present:

Derek Bland, Jason Pearce and Darlene Kerr.

Also present were:

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

Our guests included:

Bob Marvel, Mary Stevens, Doug Jones, of Jones Surveying, Jill and Pedro Soto.

Acting Chair Darlene Kerr called the meeting to order at 7:03 p.m. and acknowledged receipt of the minutes of the September 6, 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 a three to zero vote in favor.**

OLD BUSINESS

1. Subdivision of Land for Proposed Sale (109 Poplar Street)

Ms. Mary Stevens came forward to present a resubdivision plat that showed a reconfiguration of her property at 114 Church Street and the property of Larry and Bertina Farrare located at 109 Poplar Street, of which a portion is being offered for sale. As Ms. Stevens began to elaborate on her reasoning to acquire the additional property, which was to resolve an encroachment on the neighbor's rear property line and to provide additional yard space for other potential accessory uses, Mr. Doug Jones came forward to provide some additional history of the parcels. He stated that the resubdivision of the lands would almost restore the properties back to their original state. Ms. Mills then went on to explain the conditions surrounding her current driveway and its infringement on a neighboring property. She stated that as she has a letter of agreement with the owner (Mr. S. Lee Smith) of the property the driveway will remain as presented on plat as well as all other existing accessory structures.

Finally, Mr. Bland made a motion to recommend approval of the resubdivision plat as proposed, Mr. Pearce seconded and the motion was approved by a three to zero vote in favor.

2. Fruitland SB236 Tier Map/Comp Plan Amendment

Solicitor Mitchell elaborated on the State's requirement that the City amend its Comprehensive Development Plan so as to incorporate the SB236 Sewer Tier Map by the end of 2016. He stated that while the Tier Map had already been adopted, it was now necessary for the map to be approved, and as part of that process be incorporated in the Comprehensive Plan by the Planning Commission. Once that has been done, the document would then have to go before the State's Clearinghouse for review and approval and then go before the City Council for adoption.

Finally, Mr. Bland made a motion to recommend approval of the SB236 Tier Map amendment to the 2008 Comprehensive Development Plan as proposed, Mr. Pearce seconded and the motion was approved by a three to zero vote in favor.

3. Comprehensive Plan/Zoning Ordinance Review

Mr. Bland elaborated on a spreadsheet outlining the development standards of all the zoning districts in the city. He explained that the purpose of the document was to give the commission a comparative visual of all the districts as an aid in determining how to potentially reduce and/or amend the number of residential, commercial and industrial districts within the city. During the review of the spreadsheet there were several notable comments expressed as to which districts could be amended or eliminated. There was interest expressed in extending mixed use development along E. Main Street and possibly other residential districts. Additionally, everyone was pleased with the results of the spreadsheet and agreed that it was a great resource for the startup of the zoning ordinance review and update process.

NEW BUSINESS

1. Special Exception Request – Fitness Center @ 105 N. Dulany Avenue

As Mr. David Marquette was not in attendance to present his case, the Commission moved on to the next agenda item.

2. Special Permit Request – Chicken Coop @ 425 S. Camden Avenue

Mrs. Jill Soto, accompanied by her husband, Mr. Pedro Soto, came forward to present a request for a special permit to raise chickens at their residence located at 425 S. Camden Avenue. Mrs. Soto informed the Commission that they currently have 5 chickens which were mainly family pets, none of which are roosters, that are kept inside a chicken coop that is located within their fenced in rear yard. Mrs. Soto presented pictures of her property that showed the location of the chicken coop. She stated to the Commission that the neighbors on one side did not have any issues with the chickens and that the other neighbors were potentially relocating and, therefore, didn't think there to be any issues. She further stated that the property owner, Robert Worth, did not have any problems with them raising chickens on the property. A brief discussion ensued among all in attendance.

Finally, Solicitor Mitchell informed Mr. & Mrs. Soto that they would have to go before the Board of Zoning Appeals and that that Board would make the final decision as to whether a special permit would be issued to raise chickens. He further advised that they have Mr. Worth attend that meeting or provide them with a written statement giving his permission for that activity on his property and to get the approval of all neighboring property owners if possible.

Mr. Bland then made a motion to recommend approval of the special permit to allow the raising of chickens on the property at 425 S. Camden Avenue, Mr. Pearce seconded and the motion was approved by a three to zero vote in favor.

General Discussion

None.

With no further business to discuss, **Mr. Bland moved to adjourn and Mr. Pearce seconded. The motion was approved by a three to zero vote in favor and the meeting adjourned at 7:37 p.m.**

Submitted by,

*Linda J. Powell
Administrative Assist.*

Approved November 1, 2016