

**City of Westover
Planning Commission
MINUTES**

December 22, 2020

The regular meeting of the City of Westover Planning Commission was held at the City Hall in Westover, Alabama, the 22nd day of December 2020 the appointed place for such regular sessions.

The meeting was called to order by Chair Randy Wiggins at 6:30 p.m.

In attendance:

Randy Wiggins, Chair, Ed Stowell Chairman Pro Tem, Commissioners: Cindy Riggins, Wayne Jones, Paula Floyd, Robin Smith, Michael Sampsell, Bobby Pardue and Bonnie Meacham, City Clerk-Treasurer.

Absent: None

COMMUNICATIONS

This is a public meeting and is being held at Westover City Hall. The meeting Agenda is posted on our bulletin board outside of City Hall. The public is invited to attend but must abide by the order from Governor Kay Ivey to maintain social distancing. The social distancing limit inside is ten people and the six-foot social distancing is expected. This information is posted on the door at City Hall.

Audience Communications:

The City of Westover Planning Commission thanks you for attending tonight's meeting and would like to remind everyone of the following:

The decisions of this Commission are final.

Anyone desiring to be on the Agenda will notify the Chairman no later than ten (10) business days prior to the following scheduled meeting.

All witnesses to application are limited to three (3) minutes.

All guest speakers will speak only to the subject scheduled on the Agenda.

Any questions or clarifications will be addressed to the Chairman and the ruling of the Chairman will be final.

Again, thank you for attending and for your understanding, patience, and cooperation. We look forward to a productive meeting.

Prayer

The Prayer was led by Chair Randy Wiggins.

Pledge of Allegiance

Pledge of Allegiance was led by Chair Randy Wiggins.

Reading and Approval of the Minutes:

The minutes of November 24th, 2020 meeting were presented for adoption.

A motion was made by Commissioner Cindy Riggins to adopt the November 24th, 2020 minutes as presented.

A second was made by Commissioner Ed Stowell.

All commissioners voted unanimously to adopt the minutes of November 24th, 2020.

Old Business:

Planning Commission Subdivision Regulations – Chair Randy Wiggins suggested that a Work Session will be held Tuesday, January 12, at 6:00 p.m. All were in agreement and the work session announced.

New Business:

2021 Annual Commission Elections – Commissioner Cindy Riggins recommended to move the Commission Elections to after the hearing of the two cases being presented tonight and Chair Randy Wiggins stated it would be.

Case #2020-12-22-1022 – Jeff and Shelly Champion

A motion was made by Commissioner Cindy Riggins to Open The Hearing for Case #2020-12-22-1022 for Jeff and Shelly Champion.

A second was made by Commissioner Wayne Jones to Open The Hearing for Case #2020-12-22-1022.

All commissioners voted unanimously to Open The Public Hearing for Case #2020-12-22-1022.

Jeff and Shelly Champion reside at 3981 Westover Road, Westover, Alabama 35147. Shelly Champion stated that their daughter would like to place a mobile home on the back part of their property. Chair Randy Wiggins asked the Champions if they were wanting to do a two year? Shelly Champion ask if someone would explain how it has come to this when the three of us had discussed rezoning the property and leaving the

front portion transitional, tell me how we got to doing this contract. Chair Randy Wiggins stated that the daughter had been told that it would be easier for the Planning Commission to approve a special exception two years with a one-year extension.

Commissioner Cindy Riggins stated one issue is that the zoning ordinance states that all mobile homes shall be in a mobile home park. The second issue, the zoning ordinance states that the temporary time for a mobile home would be nine months. This contract is over and above what is stated in the Zoning Ordinance. So actually, the Planning Commission are being more lenient by having a contract, than what the Zoning Ordinance requires. Chair Randy Wiggins stated that the discussion in the Planning Commission pre-meeting held November 24th, 2020 it was discussed the contract would be for two years with a one-year extension.

Commissioner Cindy Riggins stated that it was discussed one year with a one-year extension. Chair Randy Wiggins, after asking the clerk, stated no, the correct time that was noted in the pre-meeting that the contract would be two years with a one-year extension.

Commissioner Cindy Riggins apologized. Cindy asked Shelley Champion so what is your issue? Jeff and Shelly Champion were out of town at the last Planning Commission and their daughter attended the pre-meeting. Shelly stated they met with Mayor and Chair Randy Wiggins and was wondering from what was discussed to now having a contract.

Commissioner Michael Sampsell asked even if the property was re-zoned into rural residential that would not qualify the property for a mobile home. Jeff Champion asked what would it qualify for? Mobile homes have to be designated to a mobile home park which has its own requirements.

Commissioner Ed Stowell asked if a re-survey is needed if rezoned? Shelly Champion stated there are three parcels and had it rezoned when they remodeled and this is the third parcel. Commissioner Michael Sampsell asked the Champions, so it was not re-surveyed just had it divided into three parcels. Shelly Champion stated they have almost 7 ½ acres and when they remodeled and they split into three (3) lots. The Champions daughter will not be moving here until their daughter finishes school and they are already losing six months of the two years. This is no fault of the Planning Commission it is their daughter's decision to wait until after the end of school year. Shelly Champion stated the mobile home will be temporary and there is a lot of money going into it.

Commissioner Michael Sampsell stated Chair Randy Wiggins that since there is a delay in placing the mobile home can we not execute the contract until a more accurate timeframe can be determined.

Commissioner Ed Stowell said that the daughter stated in the pre-meeting that there was a time issue of purchasing the mobile home before the end of December 2020. Shelly Champion stated that the mobile home will not be move in ready. Commissioner Cindy Riggins asked if the mobile home will be moved on the property before the end of December 2020 and Shelly Champion replied that they hoped to have the mobile home by then. Jeff Champion said that there is no sewage and electricity at this time. Shelly Champion said that it has not even passed Shelby County inspection yet for septic.

Commissioner Michael Sampsell asked Chair if it would be appropriate to establish the start date of the contract with Jeff and Shelly Champion with the City of Westover to state in the contract when occupied?

Commissioner Michael Sampsell asked if this contract was developed by the City of Westover and Mayor Riggins replied yes. Commissioner Wayne Jones stated the ordinance says placement only. Commissioner Michael Sampsell asked if this can be edited and amended to state when occupied and will be for two years and if extension is needed (one year) must present to the Planning Commission for the one year extension.

Commissioner Paula Floyd asked what will happen if the mobile home is never occupied. There needs to be a contract or it is possible the mobile home will never be occupied and/or moved.

Commissioner Wayne Jones stated that the Commissioners need to revisit the question where the time lapse could occur. State a meeting to occur before the two years expires to review and decide.

Commissioner Wayne Jones stated we need to clarify the contract and have the same rules for anyone else.

A motion to Close Public Hearing was made by Commissioner Ed Stowell.

A second made by Commissioner Wayne Jones.

All commissioners voted unanimously to Close The Public Hearing for Case #2020-12-22-1022.

A motion was made by Commissioner Wayne Jones to accept moving forward on the Case #2020-12-22-1022, Jeff and Shelly Champion to allow for a two-year special exception and revisit it for a one-year extension.

A second was made by Commissioner Ed Stowell.

Chair Randy Wiggins stated the motion approving the two years (24 month) special exception with one-year extension possibility. All Commissioners voted unanimously to approve the two-year special exception with one-year extension for Jeff and Shelly Champion - Case #2020-12-22-1022. The contract will be revised.

Case #2020-12-22-1023 – Yellowleaf Farms – Paul Lee
Preliminary Plat

A motion was made by Commissioner Ed Stowell to Open The Public Hearing for Case #2020-12-22-1023 – Yellowleaf Farms Preliminary Plat.

A second was made by Commissioner Wayne Jones.

All commissioners voted unanimously to Open The Public Hearing for Case #2020-12-22-1023.

Case #2020-12-22-1023 – Yellowleaf Farms/Preliminary Plat – Paul Lee
James Cassidy – Insight Engineering, Presented to the Commission the subdivision existed when Paul Lee purchased and were varying lot sizes and sewer was installed into the subdivision and what they are asking for is the resurveying of 19 lots and make into 28 smaller for some of the builders, cleaning driveways and cleaning up some of the lots that actually touch the flood zone area. By making the lots smaller it would get the lots out of the flood zone area.

Paul Lee demonstrated on wall map the lots that will change. Corrected the driveway issue

Chair Randy Wiggins stated that it is questionable about the driveway facing highway 51 and has it been approved. This driveway will be built when the first house is built. Driveway permit is different than a public road permit. Shelby County would issue. Ask them to flip the driveway and that has been corrected.

Commissioner Wayne Jones questioned the driveway that is to go across four lots 224, 228 and corner of lot 223. It will be a paved driveway. Beginning to see shared driveways in subdivisions.

Paul Lee, Owner, stated 60 foot lots will have front entrance garages. Covenants may have codes and requirements.

Jerry South, Engineer, stated that lots 227 & 228 looks like they are in the fire code but make sure Fire Department signs off on those dimensions.

Chair Randy Wiggins stated that the road being re-surfaced needs to meet standards.

Paul Lee stated that the entire existing streets will be removed and upgraded to the specifications that the City of Westover requires.

Commissioner Ed Stowell asked if the owner of Lot 220 was aware of what is going on. Paul Lee stated yes the owner is aware except of the road but will have a nice new driveway.

Commissioner Wayne Jones stated that it is good to see lot sizes from more than minimum sizes.

A motion was made by Commissioner Wayne Jones to Close The Public Hearing for Case #2020-12-22-1023 Yellowleaf Farms Preliminary Plat.

A second was made by Commissioner Ed Stowell.

All commissioners voted unanimously to Close The Public Hearing for Case #2020-12-22-1023.

Chair Randy Wiggins stated that we have a recommendation from Jerry South, Engineer. Jerry South, Engineer recommends to approve this preliminary plat from Paul Lee, Yellowleaf Farms. It is positive and getting lots out of flood plain and understands the street replacements.

A motion was made by Commissioner Cindy Riggins to accept the recommendations from Jerry South, Engineer and approve Case #2020-12-22-1023 Yellowleaf Farms Preliminary Plat – Paul Lee.

A second was made by Commissioner Wayne Jones.

All commissioners voted unanimously to approve Case #2020-12-22-1023 Yellowleaf Farms – Preliminary Plat – Paul Lee, based upon recommendation by Jerry South, Engineer.

Planning Commission Elections for 2021.

A motion was made by Commissioner Wayne Jones to Open Nominations for 2021 Elections.

A second was made by Commissioner Bobby Pardue.

All commissioners voted unanimously to Open The Nominations for 2021.

A nomination was made by Chair Randy Wiggins to elect Commissioner Ed Stowell as Chair and Bobby Pardue as Pro Tem.

A motion to Close The Nominations was made by Commissioner Michael Sampsell.

A second was made by Commissioner Wayne Jones.

All commissioners voted unanimously Close The Nominations for 2021 Elections.

A motion to elect Ed Stowell as Chair and Bobby Pardue as Pro Tem was made by Chair Randy Wiggins.

A second was made by Councilmember Michael Sampsell and motion to elect was unanimous.

Hearing and applications: None

REPORTS:

Neighborhoods - Chairman Wiggins – No Report

Signs - Chairman Wiggins- No Report

City Council – Ex-Officio Wayne Jones – No Report

Mayor Riggins asked Commissioners if they would like to have the Subdivision Regulations work session held at City Hall or our new Mt. Tabor in January. The City of Westover is now the owners of Mt. Tabor Methodist Church. There is a lot more room than City Hall especially for social distancing. Later begin to have Public Hearings at Mt. Tabor and will need to get one restroom ADA compliant before public meetings are held.

An interview has been done with Shelby County Reporter on an article regarding Pine Mountain Preserve the fourteen year wait is coming to realization.

Mayor stated that in return, for the donation of Mt. Tabor Methodist Church, the City Council has approved an agreement to place archives in the room at the back of the church. Part of the archives room will be memorabilia/history from the Westover Neighborhood Association, the Westover Reunion and the last 125 years of the Mt. Tabor Methodist Church's history. The side entrances will be repaired so there will be accessibility for the public. At some point, we will have someone there most of the time to let people enter.

The Sanctuary will seat more people social distancing than our City Hall Chambers and the platform stage area is large enough to have nine seats for spacing the Planning Commissioners. There is a fellowship hall and three rooms for classes and will definitely use for our Senior Program and may possibly move the Library there as well.

The large basement needs work such as paint and waterproof and looking for volunteers if possible. A great place to store things.

Mayor stated that he is excited about having Mt. Tabor Methodist Church and would like for the Planning Commission to have the first meeting at Mt. Tabor. The Planning Commission Subdivision Regulations work session will be held at Mt. Tabor on Tuesday, January 12, 2021 at 6:00 p.m.

Education – Clerk Meacham – No Report

PUD Guidelines: Commissioner Cindy Riggins – No Report

Businesses – Commissioner Floyd – No Report

Resolutions: None

Miscellaneous Business: None

Chair Randy Wiggins wishes everyone a Merry Christmas.

Commissioner Wayne Jones stated a meeting is scheduled with the Mayor and a builder on Monday, December 28th, 2020 at 10:00 a.m.

Mayor thanked everyone diligently for asking questions during these cases as they were presented. Pray for Jerry South, Engineer, will be having a knee replacement tomorrow morning.

Commissioner Wayne Jones stated on behalf of the City Council he would like to thank everyone that helped with the Westover Christmas Parade and he had heard a lot of positive comments. Also, thank you to our Mayor.

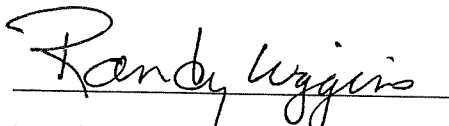
Adjournment:

A motion was made by Commissioner Cindy Riggins to adjourn the meeting.

A second was made by Commissioner Ed Stowell.

All commissioners voted unanimously to adjourn the meeting.

The meeting was adjourned at 7:16 p.m.



Randy Wiggins, Chair



Bonnie Meacham, City Clerk - Treasurer