

**MINUTES
TOWN OF MONTVERDE
PLANNING AND ZONING BOARD
February 26, 2015**

The Planning and Zoning Board of Montverde met on February 26, 2015 at 6:30 p.m. in regular session in the Town Hall Mayor's Office.

The recommendations of the Planning and Zoning Board will be submitted to the Town Council at a Council meeting to be held on Tuesday, March 10, 2015 at 7:00 p.m. in the Town Hall Auditorium.

Board Members Present:

Glen Brecheen
Skip Perry
Steve Smith
Chris Mitchell
Allan Hartel

Staff Present:

Graham Wells, Town Clerk,
Sean Parks, Town Planner

Glen Brecheen called the meeting to order at 6:31 p.m., and then led the Pledge of Allegiance.

ROLL CALL:

Following the roll call by Graham Wells, Town Clerk; a quorum was announced.

PUBLIC HEARINGS:

Conditional Use Permit – First Baptist Church of Montverde

Glen Brecheen asked for an amendment to be made to the minutes of the last meeting. The word "untoward" on page 3, paragraph, was to be replaced by illegal or inappropriate. A motion to accept the minutes with that change was made, seconded and passed unanimously.

Sean Parks then presented the agenda item from the First Baptist Church, Montverde. He stated that they had purchased two lots on 8th Street adjacent to the Church and that the vacant lot would be used for parking and the property on the other lot would be used for general Church use. Sean outlined that despite the current zoning, the Town's Land Development Code (LDC) required a Conditional Use Permit for "Houses of Worship" or Churches.

Sean went on to say that FBC had submitted an application for the Conditional Use Permit and that it looked good and clear from the attached schematic. One parcel would be used for parking and the other which has a building on it would be renovated and used for classrooms. He introduced the representative of the applicant that was present. Sean stated that he was recommending approval of the permit, that the application was complete, met the criteria from the code and the four requirements which staff use for determining if a Conditional Use Permit is Issued or not.

Chairman Glen Brecheen asked if these were two separate parcels as he, unrelated to this application had something coming up on a piece of property that he owned. His daughter wanted to place her coffee trailer on one of his lots to sell coffee from. His question was that when he came to apply for the Conditional Use Permit, could he put both his lots on opposite sides of the street on the same application. Sean agreed that it was fine to do that and in fact would encourage Glen to make the application that way so that he did not have to go through it twice.

Chairman Glen Brecheen stated that overall he did not have a problem with the application as they are not putting a Church in a neighborhood that has never had a Church and that the Church was right across the street.

Sean stated that as part of the requirements of the Resolution, the Church would have to adhere to all Land Development Regulations and that should they desire to do anything further they would have to come back to the Town for approval. This would also apply if the existing parking area was to be paved. The FBC representative stated that they were separate parcels and that the Church desired for one to be used for parking. The other had a building on it which was in a state of disrepair and that they would be coming to the Town for permits to make repairs. The renovated building would be used for classrooms on Sundays.

Steve Smith asked if the Conditional Use Permit was permanent. Sean replied that it was permanent and would run with their ownership. The FBC representative stated that as a condition of building of the new part of the Church, they were to add additional parking and this purchase would accomplish that obligation.

Graham Wells asked what their timeframe was to renovate the building as the front door was hanging off its hinges. He stated that it was a concern of the Town that people could gain entry with the possible use of drugs or worse taking place inside. The FBC representative replied that they had already cleaned up the lot and that they were now turning their attention to the building. Chris Mitchell asked if they intended to pave the lot and the reply was "not at this time". Sean added that if they did want to, they would come back to the Town with a site plan for this or any other changes.

Glen Brecheen asked if they had to have the permit renewed annually as the restaurant used to in the past. Sean replied that he did not think so and there was nothing in the code that would require them to and the Town's Attorney had not put anything to that effect in the Resolution. It was thought that the renewal for the restaurant was due to alcohol being served. Sean added that if the Conditional Use Permit was approved by P & Z and Council, it would run with the Church's ownership of the parcels.

Glen also cited where CUP's had been granted for businesses in residential areas outside of C1 on CR455 and when the property was sold that the new owners did not get that use. It was generally agreed that ownership by the Church would not be detrimental to the area or property values and would actually be beneficial.

Glen Brecheen asked if there was any more discussion and requested a motion to go to Council to approve or deny the Conditional Use Permit. A motion to accept the Conditional Use Permit as it stood was made by Skip Perry and seconded by Chris Mitchell. A roll call vote passed the motion unanimously.

Sean Parks outlined other application for zoning change and site plan approval that would be coming before the Board in the next month or so. He also stated that he was working on clarification of the approval for sheds within the code. He wanted to discriminate between a shed that was purchased ready-made from Lowes and something that required engineering drawings. Glen suggested that a shed should be classed as something that is temporary and could be moved as opposed to a unit that is fixed to a foundation.

A date of Thursday March 26, 2015 at 6:30 pm was set for the next meeting. It was agreed for Graham to send invitations from Outlook to reserve the date.

Having no further business to discuss, the meeting was adjourned at 6:50 pm.

MOTION by Skip Perry, SECONDED by Chris Mitchell, to recommend to Council to approve the Conditional use permit as discussed, Glen Brecheen asked for a roll call vote.

FOR: Brecheen, Smith, Perry, Mitchell, Hartle

AGAINST: None

MOTION CARRIED: 5-0

MINUTE APPROVAL:

MOTION by Chris Mitchell SECONDED by Steve Smith, to approve Planning and Zoning Board Minutes for January 29, 2015.

FOR: Brecheen, Perry, Smith, Mitchell, Hartle

AGAINST: None

MOTION CARRIED: 5-0

ADJOURNMENT:

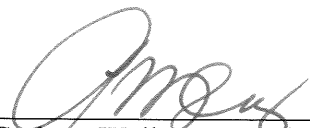
MOTION by Steve Smith, SECONDED by Skip Perry to adjourn.

FOR: Brecheen, Perry, Smith, Mitchell, Hartle

AGAINST: None

MOTION CARRIED: 5-0

Respectfully submitted,



Graham Wells, Town Clerk



Glen Brecheen, Chairman

