

## MINUTES

### Montevallo Planning Commission

May 21, 2020

City Hall

6:00 PM

**Donnie Norris (absent), Lisa Terrill, Rusty Nix, Kristen Bridges, Charlie Binion (absent), Kenny Dukes, Bob Doyle, Nathan Stamps, and Amy Feger**

Acting Chairman Bridges called the meeting to order at 6:00 p.m.

#### **Public Hearing 1 opened at 6:01pm for SP20-005 Automotive Restoration.**

Nathan Stamps informed the board he would be abstaining from any discussion/voting for case SP20-005 due to a conflict of interest.

Summary given by Kristine Goddard, Shelby County Planning. She stated they meet all the requirements as laid out in the Ordinance.

Mr. Nix asked did the septic get approved. Ms. Goddard will provide permit before construction.

Mr. Nix stated this plot was approved in 2008 by water board to be on septic. However, if it were to be re-evaluated today it would be required to be on city sewer system.

Mr. Dukes asked if city sewer is available. Mr. Nix answered yes.

Citizen comments: None

Public hearing adjourned at 6:08pm.

#### **Public hearing 2 opened at 6:08pm E19-013 enforcement action**

Ms. Bridges abstained from discussion due to conflict of interest.

Ms. Goddard gave summary of violation action ordinance. First site visit on July 2019, contacted property owner through letters. The final request for the RV to be moved by March 2020, a follow up was made in March and the RV was not moved. Requested further action no attempts after four attempts. Currently still not corrected as of May 21, 2020. Concurring case with health department, zoning violation is still present, recommend moving to council.

Owner: RV belongs to daughter still on her property, has not moved she is currently her caregiver for Ms. Hitt. She stated daughter does not live in the RV; she has stayed to care for her mother during the Covid-19. Mentioned to cover the RV, cover unable to cover due to power lines to neighboring property. Alabama power stated the pole could come down. Owner questions why other neighboring homes can have a RV in their driveway and they cannot.

Kenny Dukes. How long do you anticipate it to be there? Her reply until it is safe; she plans to move to Atlanta.

Nathan stamps asked if it can be stored, she explained the virus hit in march and she was unable to leave to head to Atlanta. She us unable to afford to store it for \$150 a month.

Bob Doyle when was first letter mailed regarding August 12, 2019. Four letters total.

Owner, if she has to move the RV do everyone else have to move theirs or use covers,

Rusty Nix, will they get letters Kristine

Kristine Goddard stated it cannot use as a living quarters, must be covered, multiple issues are listed with the health department.

Owner stated she does not live in the RV. No water or sewage being used. Taking care of mother.

Doyle stated it has been 9 months since the first letter.

Owner states the power lines and her mother's health have prevented her from correcting the issue now. Power line on their property serves the neighbors down stairs apartment.

Kenny Dukes, can we ignore the code or give leeway in instances.

Doyle states follow the code. Explained the process of the 2012 ordinances of the town and how they came to be.

Amy Feger, you would be unable to live in the RV.

Dukes, states we need a date as to when this can be corrected.

Owner states she did not want to move power lines, and can correct issue within a couple months.

Amy Feger, if you are storing the RV in compliance and using it takes it out of compliance. Sympathetic to situation, but utilizing as an additional room is out of compliance. Asking Mr. Doyle, what we are doing is to confirm violation that the city has followed procedures to bring into compliance to follow the next steps. The council must also vote, that gives you time to correct the issue before the city takes steps for legal action. Will there be any ramification if this issue is corrected before action is taken?

Kristine Goddard, council can delay, dismiss or given to attorney, before heading to legal proceedings. RV has to be covered by a building, not a tarp of any kind.

Neighbor to Ms. Hitt, He had taken a note to his neighbor asking her to move the RV. Spoke to Mr. Wilder the compliance officer, stated nothing he could do. Recommended to speak to the Sharman Brooks with the county. Sewer hooked up, ac supported by a ladder in the side. She asked if she could wash and clean the RV he allowed her to use. Why does the city continue to disregard the code?

Janice Seaman, if no one complains its ok to have an RV or motor home parked. She lives directly across the street. She was not even aware it was parked on the property unless you are searching for it. Josh Cameron with Shelby County Planning has had several conversations regarding this issue. RVs are prolific on the street.

Bob Doyle, this is a code issue, and nothing unusual about this request within the code.

Jason Peterson, councilperson, seems like it should go to the code enforcement officer not planning and zoning.

Kristine Goddard, this is a violation of the zoning ordinance for planning and zoning board to hear and move to council.

Close public hearing 6:48 pm.

Ms. Bridges asked to post pone a motion for the 04/16/20 minutes to be adopted at the next meeting allowing everyone to review for changes to be made. All agreed.

Motion made by Mr. Dukes to consider the SP20-005 site plan as presented, seconded by Ms. Feger; All Ayes. Mr. Stamps abstained

Case number E19-013 Ms. Hitt RV Storage, K. bridges abstained. Motion to accept complaint as presented and refer to City Council for further, made by Ms. Feger, seconded by Mr. Dukes, All Ayes. Ms. Bridges abstained.

**Other Business:**

Mr. Norris has served as chair for many years, time to elect a new chairperson. Mr. Doyle made a motion for Ms. Bridges to serve as chair, Mr. Nix seconded. All Ayes.

Maggie Benson, comprehensive draft plan still asking for feedback on Making Montevallo.com.

Motion to adjourn meeting made at 6:59 by Mr. Nix, Mr. Stamps seconded. All ayes