

MINUTES OF ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS MEETING

October 14, 2010
7:30 P.M.

1. Roll Call/Call to Order
2. Approval of minutes of Zoning and Planning Commission / Zoning Board of Appeals for meeting held on September 23, 2010
3. Case Number 10P-12/District 205 - York High School Amended Conditional Use
Request for Amended Conditional Use Permit for the purpose of increasing the number of hours/days that the lighting fixtures are in use at the Clarence D. East athletic field on property commonly known as 355 W. St Charles Road (PIN# 06-11-117-002), said property being wholly located in the R2 Single-Family Residential District.
Continued Public Hearing from September 9, 2010

Note: The Applicant is requesting a continuance of the Public Hearing to November 11, 2010

3. Discussion and clarification of Case # 10P-09 Commission Report- City Council Referral
4. Other Business.

Commission Members Present: Brinkmeier, Corrado, DeWitt, Frolik, Hill, McCoyd, Mushow, Whistler

Commissioner Members Absent: Slone

City Staff Present: Werner, Peppers

After a roll call establishing a quorum, Chairman Whistler requested a motion to approve the Zoning and Planning Commission meeting minutes for September 23, 2010. Commissioner Corrado moved to approve the minutes of the September 23, 2010 Z&P Commission meeting as written. Commissioner Brinkmeier seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler then stated that the Applicant for Case # 10P-12/ District 205 – York High School Amended Conditional Use has formally requested a continuance of their public hearing to November 11, 2010. Commissioner Brinkmeier moved to approve the Applicant’s request for a continuance of Case # 10P-12 to November 11, 2010. Commissioner Corrado seconded and, with a roll call vote being all ayes, the motion passed.

Chairman Whistler stated that the Zoning and Planning Commission Report dated September 23, 2010 regarding Case # 10P-09/BTS Tower Conditional Use was referred back to the Zoning and Planning Commission by the City Council on October 4, 2010. The City Council minutes from this meeting indicated that there were two issues that the Council felt needed further review. These two issues were in regards to findings and a recommendation.

The City's Attorney, Mr. Nick Peppers was present to provide counsel relative to the discussion of these two issues.

The Commission noted that the referenced report did indeed contain Findings and, as such, the Findings remain unchanged from the original report dated September 23, 2010.

For purposes of clarification, Commissioner Brinkmeier moved to revise the last sentence of the report to state "Due to the tie vote in this case, the motion on Case # 10P-09 to recommend approval of the BTS Tower applicant's request for Conditional Use fails". Commissioner DeWitt seconded and, with a roll call vote being all ayes, the motion passed.

Other Business – Mr. Werner briefed the Commission on upcoming cases as well as the status of current cases before the DPZ Committee and City Council.

The meeting was adjourned at 8:00 P.M.

Submitted by: Nathaniel J. Werner AICP, Planning and Zoning Administrator