

CITY OF AVA, MISSOURI
PLANNING/ZONING COMMISSION
May 17, 2011
6:30 p.m.

1. Call to Order/open public meeting:

Board President, Josh Wilber called to order and opened the public hearing.

2. Roll Call of Commission by Josh Wilber

Members present: Josh Wilber, Scott Stark, Gary Moffett, Jack Hamer, and Jamie Dry

Members absent: Todd Farrell, Lane Lakey

City staff present: Director of Development, Janice Lorrain, Administrative Assistant, Vickie Williams, and City Attorney, Larry Tyrrell

3. Minutes of April, 2011 minutes approved by motion from Scott Stark and seconded by Gary Moffett. Motion carried.

4. Rezoning: Johnson:

Motion was made by Gary Moffett and seconded by Scott Stark, to recommend approval to the Board of Aldermen that property owned by Judy Johnson (Hesterlee), located at 308 NE 5th Street, be rezoned from B-2 Central Business District to R-3 Multi-Family Residential District. Motion carried.

5. Rezoning: Waters Greenhouse property (Potter):

This is one of the properties that was considered spot zoned previous month's before.

Josh Wilber explained the process to all in attendance, that Planning & Zoning looks at zoning overall and determines what those properties should actually be zoned. Several areas were spot zoned from years ago. In an effort to eliminate spot zoning, Planning & Zoning has been working to rezone those properties to districts that would fit.

Citizens came to the April, 2011 meeting and asked Planning and Zoning to look at this property. At that time, we had limited information and some evidence that the property had been rezoned to B-2 in the 1970's. Josh Wilber told the Potter's that this property was, in their understanding, zoned B-3; however, we went back and did research on this property. We established dates and records of when the rezoning took place on this property. The City checked records from 1973 to 1984, and it appears that the rezoning process did not follow city code.

Chris Wade told P&Z that he believed that tonight's meeting is premature as far as it relates to Mr. & Mrs. Potter's property, and has asked that when we know the true zoning, that the City provide notice to the Potter's through Mr. Wade's office. City Attorney, Larry Tyrrell told Mr. Wade that we will make an effort to research what did in fact happen back then with this property.

Josh also explained that as a board, we decide what is best for a piece of property and make a recommendation to the City Council to approve it. He also explained the differences between the B-2 and B-3 districts.

Josh then offered to simply table this for a future meeting.

Mrs. Tina Potter addressed P&Z stating that she and others are here because they think that rezoning the property is wrong.

Josh Wilber asked Mr. Potter what his plan was for using the property.

Chris Wade answered saying that he would rather take this up in the next meeting as opposed to peacemealing it out.

Larry Tyrrell ended the discussion by saying that he was confident that we will find our way on this.

6. Soggy Doggy:

This item was removed from the Agenda.

7. Sign for Payroll Advance:

Sheila Raider has requested permission to put a sign by the Signal station.

Concerns are: Obstruction of view, obtaining permission from the property owner, and the fact that the sign will have to be so many feet off of the highway.

Jack Hamer made a motion to approve; conditional upon assurance that the sign would not be in the MoDOT right-of-way. Jamie Dry seconded the motion. Motion carried.

8. June rezonings:

June recommendations postponed.

9. Adjourn:

Motion to adjourn was made by Jack Hamer and seconded by Gary Moffett. Motion carried.