Special Call Meeting
May 6, 2009
Conference Room
City Hall
12:00 Noon

A special call meeting was held on May 6, 2009 with the following present: Dave Burgess Chairman, Robert E. Harrison Secretary, Frances Cunningham and Earl Dean and Mayor J. H. Graham, III. Those members absent were: Mike Moser and William E. Mayberry, III leave of absence. Others present were Kevin Dean Local Planner, Jonathan Ward State Planner, Sandra Gruber Administrative Assistant and Mr. Patel.

The meeting was called to order by Chairman Dave Burgess.

APPROVAL OF FINAL PLAT AND VARIANCE REQUEST, SAM PATEL OWNER.

This plat was represented by Mr. Sam Patel. Mr. Patel wished to subdivide a piece of property on Peavine Road. He is buying the front half of the property. This leaves the back half land locked. Staff advised the developer, through his surveyor, that it was the recommendation that the property be made a flag lot, if possible. This option was not taken. Mr. Patel is wishing to grant an ingress/egress easement to the back half of the property with a width of said easement being 21.5 feet. Also, the location of the grinder pump for the gas station/convenience store is located on lot two. This would require an easement as well or the grinder pump would have to be moved. Staff also advised that if possible to include the grinder pump on lot one. This option was not taken and an easement will be given. It also appears to staff that no utilities are provided for Lot 2. It is the request of staff that a note is placed on the plat stating that all responsibilities for the installation of utilities rest solely on the owner of Lot 2 and utility access be granted via an easement crossing Lot 1. It is the recommendation of staff that this plat not be approved without approving in-house the legal description the legal description of the easements involved and a letter from the owner of Lot 2 stating his understanding of the responsibilities of utility installation.

Variance:

- Grant a variance for the installation of a Fire Hydrant since the closest one is approximately 860 feet south of the property, which is in excess of the 500 foot requirement.
- Grant a variance allowing Lot 2 to have access via an ingress/egress/utility easement instead of the required flag lot. Staff states a reason of granting this variance based on the location of the fuel pumps it would be impossible to prove the required 50 foot flag lot stem. (Commercial Development)

NOTE: No formal letter requesting variance was provided. Staff does not feel that they had adequate time for review of this plat to make a formal recommendation for approval or denial due to the amount of easements required. (This is not fault of the surveyor or the developer, but the fact that staff was on vacation at the time of formal plat submission)

Corrections:

- North Arrow in Vicinity Map is upside down.
- Sewer on property is listed as Gravity; it is a Low Pressure System.
- Setbacks are 50 feet not 30 feet.
- Missing Civil District Location
- Note stating Owner responsibility for Utility Installation for Lot 2

A motion was made by Robert E. Harrison and seconded by J. H. Graham, III to grant the requested variances as well as approve the Final Plat, subject to any required changes, proper signatures and the remainder of the Fee being paid. Motion carried on roll call vote. Ayes (5) Burgess, Cunningham, Dean, Graham and Harrison. Absent were Moser and Mayberry.

8-7-09

D Burgess, Chair

Dave Burgess Date
Chairman

R. E. Harrison 8/7/2009

Robert E. Harrison Date
Secretary