

# Planning & Zoning Minutes

## Regular Meeting

### February 20, 2020

#### Call to Order

- ◇ Tom Scroggins called the meeting to order at 6:32 p.m.

#### Roll Call

- Present: Chairman Tom Scroggins, Vice-Chairman John Thompson, Secretary L. E. Rubin, Scott Adair, Lawrence Gordon, and Dennis Kintzler
- Present: Deputy Clerk Amy Lopez

#### Approval & signing of minutes of February 6, 2020 Regular Meeting Minutes.

- ◇ Minutes were not available for this meeting.

#### General Discussion

- John Thompson said he wanted to discuss the letter he wrote for the hearing, but he would take about it under Hearing Procedures.

#### Riveredge (Tiny Homes and AirBnB)

- Jill Cleary introduced herself and her company, and explained she is transitioning from mobile homes into tiny homes. She then said she is trying to become a dealer for RV and explained how she is complying to all State rules and regulations and how her property falls within the zoning for that type of business.
- Tom Scroggins asked where her property is.
- Jill Cleary explained the property abuts the Senior mobile home park.
- Scott Adair asked how many acres she has.
- Jill Cleary said she has 23 but 3 are developed.
- Michelle said she is trying to bring in business and take advantage of the opportunity zone.
- Scott Adair asked to see it on the map and began a discussion.
- Dennis Kintzler asked if there was fire protection within the park.
- Jill Cleary said there was no hydrant, but the nearest one is in the senior park. She then said has been researching what the need is in the community and AirBnB, or short-term housing.
- Dennis Kintzler asked if the streets are paved.
- John Thompson said we are wanting to bring in business in and housing in.
- John Thompson said they would be selling the tiny homes but leasing the lots.
- A discussion about fire protection and floodplain continued.
- Tom Scroggins asked if she would own the AirBnB.
- Jill Cleary explained she needs to sell them first to be able to get this going but would like to keep about 4 of them for AirBnB, she needs the RV license.
- Scott Adair began a discussion about safety and vandalism.
- Dennis Kintzler asked if there was only one way in and out.
- Jill Cleary said she has 80' of frontage that would eventually be turned into an access, but for now she is trying to bring people into the 31 lots with infrastructure and is seeking the approval of this board because it is a requirement for the license to have the approval, she has no intent of having a parking lot of RVs.
- A discussion began on zoning.
- Tom Scroggins asked how many tiny homes per lot.
- Jill Cleary said she does not think she should put more than one per lots.
- Lawrence Gordon asked the size of the tiny homes.
- Jill Cleary said they are 400 sq ft.
- John Thompson said they might have to rezone the property so that she can be a dealer and a mobile home park.

- Jill Cleary said she does not want to be a dealer but needs to be until she has the revenue to fill out her lots and began a discussion.
- John Thompson said they might just be looking at it as a landlord and not retail.
- A discussion began about whether they needed to have permits to bring the tiny homes through the City.
- Jill Cleary said that since it is considered an RV there shouldn't need a permit.
- Scott Adair asked what the question that is needing to be answered by us.
- Jill Cleary said that she needs a letter of approval to be able to have a dealer's license.
- Lawrence Gordon said we need to know what lot they are going to be set up on.
- L. E. Rubin asked if all the mobile homes that are already there, are coming out.
- Jill Cleary said she would like to have just tiny homes, but the mobile homes that they are welcome to stay and began a discussion.
- Dennis Kintzler asked if she would be responsible for trash collection.
- Jill Cleary said she already is.
- John Thompson asked what would need to be included in the letter and began a discussion.
- Jill Cleary said there are different rules if you sell buy used, but I will only buy new, she will be going with Platinum out of Texas to buy them and began a discussion.
- John Thompson asked if there will be signage saying she is a dealership and began a discussion.
- A discussion about taxing the AirBnB rentals began.
- Jill Cleary said AirBnB is great at pulling taxes off the rentals and paying them to the appropriate jurisdiction.
- Tom Scroggins said he doesn't know exactly how we can proceed, because we need to make sure we have our legal responsibilities are.
- Scott Adair said we need to know the specific areas that are relevant to Planning and Zoning and if we approve we can write a letter, and if we disapprove we can go and discuss what we need to do to rectify it and began a discussion.
- Dennis Kintzler asked if there was an office on site.
- Jill Cleary said yes, in a mobile home, but with the internet, most of it will be handled online and began a discussion.
- A discussion started about the floodplain.
- John Thompson said the next meeting is on March 5<sup>th</sup> and they could put it on the agenda to vote on it and began a discussion.
- Scott Adair asked if we want to have a special meeting or wait the two weeks.
- Tom Scroggins said it is on the agenda and they could vote on it now and began a discussion.
- John Thompson said they approve of writing a letter on behalf of Jill Cleary doing being as Tiny Village Riveredge, that we acknowledge that her intent is to act as an RV dealer. A discussion began on wording.
- Scott Adair said we also can approve or disapprove that they would be allowed to operate a tiny home business/ RV dealer in a MH2 zone and began a discussion.
- Tom Scroggins asked if this is a special use or does it meet zoning requirements.
- John Thompson said it meets zoning requirements and began a discussion.
- L. E. Rubin began a discussion about a tiny home, red tagged in her park.
- Scott Adair made a motion to approve or disapprove of CGO, LLC as an RV dealership to operate within MH2 zoned property in Rio Communities. John Thompson seconded the motion and the motion was approved with a 5-0 vote.
- L. E. Rubin began a conversation about only having one home per lot.
- Tom Scroggins asked who will be writing the letter.
- John Thompson said he would.

## **Abatement**

- Tom Scroggins said he would like P&Z to read and discuss Bill Browns information on Abatement and we could approve it subject to legal questions and push it to city council.
- L. E. Rubin said the intent was to keep the City out of the line of fire.

- Tom Scroggins said we should just look at it and began a discussion.
- L. E. Rubin said he will forward the information Bill Brown's information that was provided.

### Hearing Procedure

- John Thompson went over his letter to the court regarding the hearing on February 6, 2020 and said he made some changes.
- Tom Scroggins went over the Judgement and Sentence document and explained something similar could have been handed to the plaintiff at the end of the meeting instead of writing this in a long letter.
- Scott Adair said here is the legal question and it needs a simple answer, yes or no, and we can always add to that record if we need to.
- Tom Scroggins began a discussion about why we should still use the new form because we want to be able to keep them accountable.
- Tom Scroggins said we need to discuss building permits and explained he was out of town and he is the only one that signs building permits and wondered if more members of P&Z should be able to sign them.
- Scott Adair mentioned P&Z should start attending trainings.
- John Thompson said he created three documents: Chairman's script, what would be given to
- Tom Scroggins said we can go over the building permit next time.
- A discussion on solar panels began.

### Neighborhoods Plan

- Not discussed at this meeting.

### ADJOURN

- Lawrence Gordon moved to adjourn. John Thompson seconded the motion and the meeting adjourned at 8:16p.m. with 5 -0 vote.

Respectfully submitted,

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Amy L. Lopez, Deputy Clerk

Date: \_\_\_\_\_

Approved:

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Thomas Scroggins, Chairman

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John Thompson, Vice-Chairman

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L. E. Rubin, Secretary

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Scott Adair

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Lawrence Gordon

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Dennis Kintzler