

**TOWN OF PATAGONIA
PLANNING AND ZONING COMMITTEE
SPECIAL PUBLIC MEETING MINUTES
FEBRUARY 18, 2012
6:00 P.M.**

1. CALL TO ORDER. Chairman Stabile called the meeting to order at 6:00 p.m. Members present were Chairman Stabile, and members Evans, Munroe and Murrietta. Staff member present was Town Manager Teel. Vice-chairman Pendleton arrived at 6:03 and member Montanez arrived at 6:27

2. CORRECTION AND/OR APPROVAL OF MINUTES OF THE PLANNING AND ZONING MEETING.

A) SPECIAL MEETING January 28, 2013 – 6:00 PM

MOTION: Ms Munroe moved to approve the minutes of the special meeting of January 28, 2013

SECOND: Mr. Evans

VOTE: The motion was approved by a vote of 4-0 with the members voting as follows:

AYES: Stabile, Evans, Murrietta and Munroe.

NAYS: None

ABSTAIN:

ABSENT: Pendleton and Montanez

3. REQUESTS FROM COUNCIL. None

Mr. Pendleton arrived.

4. COMMENTS FROM THE PUBLIC: Carolyn Schafer spoke, noting that she disagreed with Mr. Bowdon's letter questioning Mr. Stabile's role because of his known opposition to mining. She stated that she had every confidence in Mr. Stabile's ethics and ability to be objective in his position on the Planning and Zoning Committee.

5. DISCUSSION AND POSSIBLE ACTION TO DRAFT RECOMMENDATIONS TO TOWN COUNCIL ON THE APPLICATION OF ED AND JACKIE FLEDER, 504 N. 3D AVENUE, PATAGONIA-CONSTRUCTION OF A HAM RADIO TOWER FOR HAM RADIO COMMUNICATIONS AND EMERGENCY COMMUNICATIONS. Mr. Stabile polled the members. Each had talked to some of the neighbors and the general consensus was that the benefits of the tower outweighed the problem of it being visible. Concern was expressed that it not provide interference with KPUP as had been stated by Mr. Fleder.

MOTION: Mr. Evans moved to RECOMMEND APPROVAL OF THE HAM RADIO TOWER WITH THE PROVISION THAT THE APPROVAL COULD BE RECONSIDERED IF IT TURNS OUT THAT THERE IS INTERFERENCE.

SECOND: Ms. Munroe.

VOTE: The motion was approved by a vote of 5-0 with the members voting as follows:

AYES: Stabile, Pendleton, Evans, Murrietta and Munroe.

NAYS: None

ABSTAIN:

ABSENT: Montanez

6. DISCUSSION AND POSSIBLE ACTION TO DRAFT RECOMMENDATIONS TO TOWN COUNCIL ON: BRENT BOWDON AND ADROIT LLC. 539 N. 3D AVENUE- OFFICE SPACE FOR 3D PARTY USE IN INDUSTRIAL STORAGE BUILDING ERECTED FOR PRE-EXISTING INDUSTRIAL STORAGE AND OPERATIONS USE. There was an extensive discussion of the problems focusing on the fact that Mr. Bowdon had not secured any permits for the conversion of the storage building to an office with a rest room and septic system. Letters and pictures from neighbors protesting the problems of smoke, fumes and noise, as well as traffic, were reviewed and discussed and the question of whether or not the property was in a floodway. Ms. Montanez arrived and participated in the discussion.

MOTION: Ms Munroe moved to RECOMMEND TO COUNCIL THAT THE FOLLOWING RESTRICTIONS BE A REQUIREMENT FOR APPROVAL OF A USE PERMIT FOR THE PROPERTY AT 539 N. 3D AVENUE:

- a. Mr. Bowdon secure all permits including plumbing, electrical, septic and flood plain.
- b. Applicant must comply with all applicable ordinances and must obtain a building permit for habitat space, flood plain permit for the same, septic for the same PRIOR to the use permit being effective. This must be completed within a three month period or he must re-apply for the use permit.
- c. No more than 2-3 employees are to work at the office at any one time.
- d. Office use for only two employees and two vehicles for those employees
- e. Work is to be performed only during the period Monday through Friday, no weekend work.
- f. In exchange for the granting of the change of Use ,the applicant and the renter will only operate from the property from Monday through Friday, 9-5. The neighbors are entitled to have Saturday and Sunday free from any commercial activity.They have rights too.
- g. The use permit cannot be expanded in any way from what is allowed in the granting of this permit. This means no expansion of the present building , no increase in storage, renters are limited to the two employees, etc.
- h. If applicant violates the conditions of the Use permit, the permit will be terminated.
- i. All work on the site is to be respectful of, and courteous to the neighbors.

SECOND:Ms. Murrietta

VOTE: The motion was approved by a vote of 6-0 with the members voting as follows:

AYES: Stabile, Pendleton, Evans, Murrietta, Montanez and Munroe.

NAYS: None

ABSTAIN: None

ABSENT: None

7. DISCUSSION AND POSSIBLE ACTION TO DRAFT RECOMMENDATIONS TO TOWN COUNCIL ON ADOPTION OF ORDINANCE NUMBER 13-02 AN ORDINANCE AMENDING CHAPTER 7 BUILDINGS, OF THE CODE OF THE TOWN OF PATAGONIA.

MOTION: Mr. Pendleton moved to recommend ADOPTION OF ORDINANCE NUMBER 13-02 AN ORDINANCE AMENDING CHAPTER 7 BUILDINGS, OF THE CODE OF THE TOWN OF PATAGONIA.

SECOND:Ms. Montanez

VOTE: The motion was approved by a vote of 6-0 with the members voting as follows:

AYES: Stabile, Pendleton, Evans, Murrietta, Montanez and Munroe.

NAYS: None

ABSTAIN: None

ABSENT: None

8. DISCUSSION AND POSSIBLE ACTION TO DRAFT RECOMMENDATIONS TO TOWN COUNCIL ON ADOPTION OF ORDINANCE NO. 13-03 AMENDMENT AN ORDINANCE

AMENDING THE TOWN CODE, CHAPTER 14, PLANNING AND SIGNS OF THE CODE OF THE TOWN OF PATAGONIA

MOTION: Mr. Pendleton moved to recommend ADOPTION OF ORDINANCE NO. 13-03 AMENDMENT AN ORDINANCE AMENDING THE TOWN CODE, CHAPTER 14, PLANNING AND SIGNS OF THE CODE OF THE TOWN OF PATAGONIA

SECOND:Ms. Munroe

VOTE: The motion was approved by a vote of 6-0 with the members voting as follows:

AYES: Stabile, Pendleton, Evans, Murrietta, Montanez and Munroe.

NAYS: None

ABSTAIN: None

ABSENT: None

It was agreed to schedule the next meeting for Monday, March 11, 2013.

9. ADJOURNMENT.

MOTION: Ms Munroe moved to ADJOURN THE MEETING.

SECOND: Mr. Pendleton.

VOTE: The motion was approved by a vote of 6-0 with the members voting as follows:

AYES: Stabile, Pendleton, Evans, Murrietta, Montanez and Munroe.

NAYS: None

ABSTAIN: None

ABSENT: None

The meeting was adjourned at 6:52 p.m.

Hereby certify that this is a true and correct copy of the minutes of a Planning and Zoning Committee meeting held on February 18, 2013 at 6:00 p.m. I further certify that the meeting was duly called, held and that a quorum was present.

Attest: Town Manager

Approved: Chairman