

Minutes of the Meeting
Dyersburg Planning Commission
May 12, 2005
10:00 A.M

The Dyersburg Municipal – Regional Planning Commission met in regular session on Thursday, May 12, 2005 in the Municipal Courtroom at 10:10 A.M.

Members present: All except Commissioner Dudley.

Staff present: Andre Temple, Ken Ladd, Roger Dudley and Gleyn Twilla

Chairman Vince O'Brien called the meeting to order. Minutes of the previous meeting were approved as submitted.

Rezone – Regional – 324 Bean Mill Road

Attorney Tommy Weakley presented Mr. Bo Hobbs request to rezone 20.56 acres at 324 Bean Mill Road from regional zone, Residential (R) to Commercial (C). The use of the property for commercial industrial purposes has been allowed due to the use pre-dating the zoning ordinance. The non-conforming use status of the property was upheld by 2/18/02 Findings and Conclusions of the Dyer County Zoning Board of Appeals, which was confirmed by the Dyer County Chancery Court in case number 02C188.

City Planner Gleyn Twilla stated a change in state law has made the enforcement issues in non-conforming usage a moot point. Now they can enlarge, expand and intensify usage, instead of previously being limited to their operational conditions at the time at which they became non-conforming.

State Planner Andre Temple stated that rezoning to Commercial (C) would allow issues like screening to be addressed by code enforcement and the planning commission.

On a motion by Commissioners Pressler and Hastings, it was recommended to the County Commission that the 20.56 acres at 324 Bean Mill Road (Tax Map 99 Parcel 54) be zoned Commercial (C).

Annexation – Creek Woods Subdivision

Engineer Rusty Norvell presented an annexation request on behalf of developers Ben Edwards and Donald Ray Pennington. The 72.94-acre site (Tax Map 87 Parcel 97) is on the south side of Upper Finley Road between the intersections with Sir Lionel Avenue and Burgies Chapel Road. The proposed 180-lot subdivision has city gas and electric, Northwest Utility water and will have a sewer pump station on the south side.

On a motion by Mayor Revell and Commissioner Pressler, the annexation and zoning to R-1A was recommended to the City Board.

Mr. Norvell presented a concept plan for the Commission's review.

Annexation – 401 Jenkinsville Jamestown Road

Ms Sherry Sansome of Life Choices presented plans for a clinic and office space to be built on the former church site at 401 Jenkinsville Jamestown Road. The lot is 850 feet north of the sewer line on the west side of the road.

Mr. Twilla stated that a single lot zoned commercial (C) in the regional might be acceptable to the County even though it might not be proper. Extension of the sewer would cost \$10,000. The lot is beyond the required limit to force connection and a septic plan has been approved by the county environmentalist.

Commissioners Burks and Parr sought to help the non-profit make the best decision per the organizations goals.

On a motion by Commissioners Hastings and Newbill, the annexation and zoning of Planned Business (P-B) of the 1.45 acre lot at 401 Jenkinsville Jamestown Road was recommended to the City board with the condition that Life Choices and the City sign an agreement about the septic that relieves the City of ever having an obligation to extend the sewer line and does not require Life Choices to hook to any future sewer line until septic failure on their lot occurs.

Street Closing – 1311 East Court Street

Ford Construction Company requested closure and abandonment of an undeveloped proposed street between Baker Oil Company, 1221 East Court Street (Tax Map 99E Parcel 4) and Ford Construction Company, 1311 East Court Street (Tax Map 99E Parcel 5). The Ford family laid out the proposed street running from the south side of East Court Street to the old Mobile-Ohio Railroad.

Mr. Twilla stated that no deeds would be issued until Baker and Ford reached an agreement protecting the access of both.

The street-closure was recommended to the City Board on a motion by Mayor Revell and Commissioner Newbill.

B-2 Zone – Humane Society

Ms Tamara Dunn told the Commission that the Human Society has plans to acquire and remodel the building at 1120 Court Street East. Mr. Twilla stated that under the zoning ordinance the Humane Society could relocate in a B-2 zone, since it is comparable to a vet clinic with kennels. Mr. Temple concurred.

After discussion, the Commissioners agreed that even if rumors of concerned neighbors are true, there is no action the Commission can take at this point

There being no further business, the meeting adjourned at 10:58 a.m.

Gleyn T. Twilla
Director Development Service

John T. Pressler, Secretary