



## **PLANNING & ZONING MEETING**

**Harpersville Town Hall  
January 21, 2020 – 6:30 p.m.**

### **MINUTES**

#### **BY GENERAL CONSENT OF THE PLANNING & ZONING BOARD, AGENDA ITEMS MAY BE ADDED, REMOVED OR CONSIDERED OUT OF ORDER**

Proper notice of the regularly scheduled meeting of the Harpersville Planning & Zoning Board was given in advance of such public meeting and the notice remained posted through the scheduled meeting.

**Date:** January 21, 2020  
**Time:** 6:30 p.m.  
**Place:** Harpersville Town Hall  
**Present:** Martin Dates  
Paul Brooks  
Dale Glasscock  
Angela Tait  
Angela Hicks

**Not Present:** Della Pender  
William Rayfield

#### **CALL TO ORDER AND INVOCATION**

Mr. Dates called the meeting to order at 6:30 p.m. Mr. Brooks led the invocation.

#### **RECORD OF ATTENDANCE**

The following board members were present:

Martin Dates  
Paul Brooks  
Dale Glasscock  
Angela Tait  
Angela Hicks

#### **APPROVAL OF AGENDA**

Ms. Hicks made a motion to approve the Planning & Zoning meeting agenda for January 21, 2020. Mr. Glasscock seconded the motion. The motion passed by unanimous voice vote of those members present and Mr. Dates declared the same passed.

## APPROVAL OF MINUTES

Mr. Brooks made a motion to approve and dispense with the reading of the Planning & Zoning minutes from December 16, 2019. Mr. Glasscock seconded the motion. The motion passed by unanimous voice vote of those members present and Mr. Dates declared the same passed.

## PUBLIC HEARING – None

## REQUEST(S) TO ADDRESS THE BOARD

### 1. Mark Crowe

Mr. Crowe addressed the Planning & Zoning Board inquiring whether he missed a meeting over the past several months or if a special called meeting was scheduled and he was unaware. He stated at the last meeting it was agreed a citation would be issued to the landowner adjacent to his property who operates an animal feedlot. He said he recalled the Board discussed seeking the advice of the town attorney to ensure the proper legal channels were followed in order to properly cite the landowner. He said a letter was sent to his home from Mayor Greene stating there was no commercial feedlot being operated on the property in question and the town would not take any further action on the matter. Mr. Crowe stated he was seeking clarification how a decision to issue a citation was made and then receiving a letter stating it was a non-issue. Ms. Tait recalled Mr. Crowe stating at the December 16, 2019 meeting he does not regularly check his home mailbox, where the original letter was sent. Mr. Crowe confirmed and said he was more than happy to wait until the next meeting for an answer from the town attorney. Ms. Tait referred to the December 16, 2019 meeting minutes and stated Mayor Greene had a telephone conversation with the town attorney regarding the animal feedlot following the November 18, 2019 meeting.

Mr. Brooks noted he was unable to attend the first meeting in which the town attorney was present. He said the town attorney was invited to another meeting to offer more clarification on the matter, but was unable to attend due to an unforeseen circumstance which required his immediate attention. He said the Board had agreed not to revise the current definition in the Zoning Ordinance pertaining to commercial feedlots. Mr. Crowe stated it was his understanding the town attorney was also representing the landowner and he claimed this was a conflict of interest.

Ms. Tait said the Board voted at the September 16, 2019 meeting to appoint the elected position of Mayor and/or their designee as the code enforcement official in regard to this issue. She said Mayor Greene then had the authority to act on behalf of the Planning & Zoning Board, which is why a letter was sent to Mr. Crowe.

Mayor Greene designated Police Chief Jimmy Macon and the Harpersville Police Department to cite the property under discussion for violating Article VI, Section 2, Subsection 12 of the Harpersville Zoning Ordinance.

Ms. Tait asked if Mr. Crowe had submitted another complaint ticket with the Alabama Department of Environmental Management (ADEM). Mr. Crowe said no, but he is having water samples tested. Mr. Crowe said the property has been cleaned up since the original complaint, but still feels as though a citation should be issued. Ms. Tait stated it should be clarified whether the same law firm is representing both the town and the landowner.

## OLD BUSINESS

### 1. Discuss potential candidates to fill vacant position on the Planning & Zoning Board

Mr. Dates and Ms. Tait inquired about the process to select a new board member. Mayor Greene said in accordance to the Code of Alabama, the Mayor has the authority to appoint the board members and the board members then elect a chairman. Ms. Tait recommended waiting for all board members to be present before electing a chairman.

Mr. Brooks made a motion to table all discussion on this matter until all members of the Planning & Zoning Board are present. Ms. Tait seconded the motion. The motion to table passed by unanimous voice vote of those members present and Mr. Dates declared the same passed.

### 2. Review subdivision regulations

Mayor Greene stated there are subdivisions in the town limits which are not in compliance with the current subdivision regulations. Mr. Brooks asked if any changes need to be made to the current regulations. Mr. Dates said the regulations are enforceable as they are now and most of the problems could have been avoided during the initial construction phase if the regulations had been properly enforced. Ms. Tait suggested using an engineer with Shelby County to review site plans and plat maps. Mayor Greene stated he did not necessarily see the need to make changes to the regulations, but was seeking advice on ways to aid in the enforcement. It was the consensus of those members present to seek other examples of subdivision regulations and to contact Shelby County.

Ms. Tait made a motion to wait until more information was available for the Board's review before any decision is made regarding the current subdivision regulations. Mr. Brooks seconded the motion. The motion passed by unanimous voice vote of those members present and Mr. Dates declared the same passed.

### 3. Installation of a temporary sign for Smith Douglas Homes at the entrance of Farmingdale Estates

Mayor Greene stated he wanted to bring to the attention of the Planning & Zoning Board the intention of Smith Douglas Homes to install a temporary advertisement sign to be located near the entrance of Farmingdale Estates subdivision. Mr. Brooks stated sign regulations have already been adopted and established. He asked why there was a need to vote on the issue. Mayor Greene clarified and stated he was bringing this to the attention of the Board. It was the consensus of those members present there would be no issue with the installation of the sign so long as Smith Douglas Homes complies and adheres to the entirety of the sign regulations.

## NEW BUSINESS – None

## ADJOURNMENT

With no other business before the board, Mr. Brooks moved to adjourn the Planning & Zoning meeting and Mr. Glasscock seconded the motion. By voice vote, the motion passed unanimously by those members present and the meeting was adjourned at 7:10 p.m.

Respectfully submitted this 21st day of January 2020,



Jonathan Seale, Town Clerk/Treasurer