

**NOTICE OF REGULAR MEETING
Cameron Planning and Zoning Commission**

**Monday, September 10, 2012
6:00 p.m.
City Hall**

AGENDA

1. Call to Order. Michael O'Donnell, presiding
2. Approval of Minutes of the Previous Meeting (August 13, 2012)
3. Public Participation
4. Unfinished Business
 - A. Condition Use Permits: discussion
 - B. Storm water update (ongoing) workshop 8/16/12
 - C. Public Hearing; (Continued) Conditional Use Permit – Multiple Dogs -112 W. Prospect
5. New Business
6. Future
7. Miscellaneous / Updates
 - Walnut street storm water project
 - LDS church parking lot.
8. Next scheduled meeting, Monday, October 8, 2012. (Tentative)
9. Adjourn

MINUTES
Regular Meeting
Cameron Missouri Planning & Zoning Commission
August 13, 2012

Item 1: Call to Order

Chairman O'Donnell called the meeting to order at 6:00pm.

Commissioners Present:

Chairman Michael O'Donnell
Mark Garges
Edward Schmidt
Tom Hamlet
George Pratt

Commissioners Absent:

Stan Hendrix
Delvin Jackson

Others Present:

Clyde Han
Chris Johnson – Cameron Newspaper

Item 2: Minutes from Previous Meeting

April 9, 2012

Chairman O'Donnell entertained motion to approve the minutes of the June 11, 2012 meeting. Motion made by Mr. Garges to approve the minutes of June 11, 2012; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

Item 3: Public Participation

None

Item 4: Unfinished Business

A: Conditional Use Permits

During the February 13, 2012 meeting, Chairman O'Donnell recommended that since Conditional Use Permits (CUP) are adopted by ordinance they should also be terminated by ordinance when they are no longer valid.

Mr. Han spoke with the City Attorney and he says that if CUPs are adopted by an ordinance it is now law and cannot be altered, changed or terminated by anything other than an ordinance.

The City Attorney also stated that to change the ordinance, a Public Hearing must be held for each CUP than needs to be terminated.

Mr. Han spoke with Mitch Elliott the City Attorney and he stated that it depends on how the ordinance was passed and adopted as to how the conditional uses can be terminated.

Chairman O'Donnell stated that the article should be reviewed to see what needs to be done in order to terminate conditional uses.

The discussion will be continued until the September meeting when Mitch Elliott can be present.

B: Storm Water Update

Mr. Han reported that there is a meeting scheduled for Thursday, August 16th to discuss the storm water plan with representatives from Trans Systems. Trans Systems will be available to explain the changes and updates.

Item 5: New Business

A: Public Hearing: Conditional Use Permit – Kennel License at 112 W. Prospect

A petition for a conditional use permit for a kennel license – keeping 3 dogs – has been filed by Katie Anderson and Luke Schlorff at 112 W. Prospect. The homeowners have just purchased the home and have three dogs. The proper signage and notices have been posted and no comments have been received to date.

Conditions for keeping the three dogs, if passed, include maintaining an approved fenced yard, the dogs will not be out at night, the three current dogs are the only dogs allowed and if any of the above conditions change the Conditional Use will be terminated.

Chairman O'Donnell entertained a motion to enter public hearing. Motion made by Mr. Hamlet to enter public hearing; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

~ Public Hearing ~

Mr. Han stated that the third dog will only be at the property on a minimal basis because the dog travels with Mr. Schlorff when he is away for work.

Mr. Garges asked if the yard was currently fenced.

Mr. Han stated that the yard is currently fenced but they are looking into putting up a privacy fence where the current fence sits.

Mr. Hamlet asked if there had been any comments or concerns from the neighbors.

Mr. Han stated that he has not received any comments.

Mr. Han also stated that animal control does not have an issue with the owners keeping three dogs.

Chairman O'Donnell asked if the individuals in the audience had any concerns.

Tom Price, on behalf of Betty Price, asked where the privacy fence would be located.

Mr. Schlorff stated that the privacy fence would be put where the current fence stands.

Karen Hamlet addressed the Board and stated that she is concerned that the dogs will be left outside all the time. Ms. Hamlet said that the dogs have been out at night since the owners have moved in and she can hear them barking.

Ms. Hamlet stated that if the conditional use is approved, she would like the dogs to be put in at night and she wanted the Board to know that she is against the owners receiving the conditional use permit.

Gretta Blackburn stated that she can hear the dogs barking and does not like the disturbance.

Chairman O'Donnell stated that he would like to see the conditional use categorized as multiple dogs not kennel license.

Mr. Garges asked if the dogs have been spayed and/or neutered.

Mr. Schlorff stated that the two labs have but the heeler has not been.

Mr. Schmidt asked what would happen if the conditional use was approved and the neighbors still have complaints about the noise.

Chairman O'Donnell stated that if any conditions of the permit are violated, then the permit is voided.

Chairman O'Donnell feels that the conditions stated are not clear enough. The definition of night should be defined to a time frame so there is no confusion on anyone's part. Chairman O'Donnell also wanted to make sure the new fence would meet the city fence code.

Mr. Schmidt stated that the rules should be fine-tuned so the owners know what rules to abide by.

Mr. Han stated that any problems would be turned over to Animal Control and the Police Department and would be handled appropriately. If the dogs are out when they are not supposed to be, the conditional use permit would be terminated immediately.

Chairman O'Donnell stated that he does not agree with the type of conditional use permit applied for. The permit should be for multiple dogs.

Chairman O'Donnell would like to continue the public hearing during the September meeting so some of the conditions can be cleared up and be made more specific.

Chairman O'Donnell would like Mr. Schlorff to bring a map of the proposed fence to the next meeting.

Mr. Pratt stated that he is concerned with the conflicting stories or the dogs being in the house at night and being left out at night.

Mr. Han will fine tune the conditions in the conditional use and have them ready for the September meeting.

Katie Anderson and Luke Schlorff will be allowed to keep all three dogs at their home until the final recommendation is made in September.

Chairman O'Donnell entertained a motion to continue the public hearing on September 10, 2012. Motion made by Mr. Garges to continue the public hearing in September; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

B: Plan Review: Twin Creeks Tire Company – 305 Little Brick – 1,200 Sq. Ft. Building Addition

An application has been made to add a 30x40 addition to an existing 6,800 sq. ft. building. The addition exceeds 10% of the existing building. The property is zoned C-2 General Commercial. The building exceeds the required setbacks for the addition. The addition will be used to store personal vehicles and will not have work bays. The required amount of parking spaces, 40, is already provided.

Mr. Bontrager reviewed the storm water plan and determined that a full storm water review is not required.

Chairman O'Donnell entertained a motion to approve the plan review for 305 Little Brick Street. Motion made by Mr. Garges to approve the plane review for 305 Little Brick Street; Second by Mr. Pratt. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

C: Plan Review: Scotty’s Carriage Works – 1105 Ashland Dr. – 540 Sq. Ft. Building Addition

An application has been made to add 18 feet onto an existing 30x50 building. The property is zoned M-1 Light Manufacturing. The building exceeds the required setbacks for the addition. The addition will be used for additional storage. The addition required three additional parking spaces which the business already provides.

Mr. Bontrager reviewed the storm water plan and determined that a full storm water review is not required.

Chairman O’Donnell entertained a motion to approve the plan review for 1105 Ashland Dr. Motion made by Mr. Hamlet to approve the plan review for 1105 Ashland Dr.; Seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

D: Plan Review: Cameron R-1 School District – 602 S. Harris – 1,632 Sq. Ft. Accessory Building

Application has been made to place a 24x68 modular classroom at Parkview Elementary for the music and art classes. The building will be located approximately 300 feet off of Country Club Square Drive. The ‘classroom’ will be placed on the existing asphalt playground close to the southwest corner of the main building. The classroom will be connected to the existing modular classroom water and sewer lines and electric will be provided by the 200 amp underground served by the main building.

Board of Adjustments approved the building type and a variance for the building during a meeting on July 30, 2012.

All setback and parking spaces required have been met.

Mr. Bontrager reviewed the storm water plan and determined that a full storm water review is not required.

Chairman O’Donnell entertained a motion to approve the plan review for 602 S. Harris. Motion made by Mr. Pratt to approve the plan review for 602 S. Harris; Second by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

E: Plan Review for Parking Lots and Other Storm Water Related Projects

The new plan review ideas will be detailed in the new storm water ordinance. The Board will wait for the update before any discussion is held.

Item 6: Future

Mitch Elliott, the City Attorney, will be invited to the September meeting to discuss termination of conditional use permits.

Item 7: Miscellaneous

A: Grand Avenue Church Parking Lot

Mr. Bontrager met with some of the neighbors that were concerned with the Grand Avenue Church parking lot project. Positive improvements have been made to reduce the current downstream flooding issues in the neighborhood.

B: CRMC Surgery Addition – Accessory Building and Storm Water

The surgery edition exterior construction is almost completed at Cameron Regional Medical Center. As per the engineers, the water main has been moves, fire hydrants have been relocated and the storm water detention has been cleaned out and rebuild as designed.

Mr. Han stated that HIPPA will inspect everything on the inside before they can proceed.

Mr. Garges asked about the temporary parking and if it will stay after construction is complete.

Mr. Han stated that the temporary parking will not stay. Mr. Han is not sure if they will extend the parking and pave the area or not at this time.

C: BOA Variance for Parkview Modular Classroom

Board of Adjustments approved a variance for Parkview Elementary to place a second modular classroom at the school to be used for music and art classes.

D: Comprehensive Plan Review

Two City Council members have been assigned to review the comprehensive review. It should be ready this fall for review.

Item 9: Adjourn

Chairman O'Donnell entertained a motion to adjourn. Motion made by Mr. Garges; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

Meeting adjourned at 7:00 pm.

Next scheduled meeting of the Cameron Planning and Zoning is September 10, 2012.

Minutes submitted by:

*Chris O'Donnell
Secretary Recorder
Cameron, MO 64429*

Minutes of the August 13, 2012 Cameron Planning and Zoning Commission approved on _____, 2012

Chairman Michael O'Donnell

MEMO

TO: Planning & Zoning Commission
FROM: Clyde Han, Building Inspector
DATE: Wednesday, September 05, 2012
RE: Conditional Use Permit terminations

Months ago we opened dialog regarding proper "termination" of conditional use permits that were no longer valid due to various reasons; moved, out of business, requirements not meet or the permit is no longer needed.

In order to change the ordinance a "Public Hearing" shall be held for each Conditional Use permit. We have 33 "CUP" for 30 properties. Each will require signage (I have 4 signs), 2 week public notice in newspaper (\$3,217.50) (\$97.50 average), and letters sent to all property owners within 185 feet (489 letters = \$200.05 postage).

With 4 public hearings each meeting, this would take 8 months to complete.

City attorney Elliott says it depends on how the ordinance passed by council was worded. He will review our adopted ordinance language and offer his opinion as to our next action.

Mr. Elliott is scheduled to attend the Planning & Zoning meeting to discuss options and future actions pertaining to Conditional Use Permits.

Attached is the list of Conditional Use Permits no longer in use and the reasons why.

Terminated Condition Use Permits

	Date Granted	Ord #	Address	Use	Owner	Date Terminated	NOTES
1	5/1/1990	3947	621 E. 4th	Daycare / Child Care	Johnson Enterprises & Susan Hammontree	3/14/12	No longer in business
2	3/5/1991	4026	524 W. 2nd	Daycare / Child Care	Johnson Enterprises & Susan Hammontree	3/14/12	No longer in business
3	6/16/1992	4085	715 N. Elm	Auto Cleaning & Detail	Chris Vanderau	3/14/12	Zoning change made property C-2
4	7/21/1992	4093	417 N. Nettleton	Daycare / Child Care	Pam Swindler	5/18/09	Changed owner - new cup issued
5	4/6/1993	4139	314 W. 4th	Daycare / Child Care	Laure Tunks	3/14/12	No longer in business
6	9/19/1995	4347	924 N. Pine	Daycare / Child Care	Maxine Peterson	12/5/95	No longer in business
7	12/5/1995	4364	924 N. Pine	Daycare / Child Care	Maxine & Toni Peterson	12/5/95 By ord#4347	Terminated by Ordinance #4347
8	10/21/1997	4547	1102 E. Grand	Daycare / Child Care	C. L. & Sharon Bridgman	12/18/01	No longer in business
9	12/1/1998	4636	101 E 8th.	Daycare / Child Care	Evelyn Mosby	3/14/12	No longer in business
10	12/1/1998	4636	1010 W. Prairie	Daycare / Child Care	Evelyn Puterbaugh	3/14/12	No longer in business
11	12/1/1998	4636	311 S. Orange	Daycare / Child Care	Donna Feighert	3/14/12	# of children reduced cup not needed
12	12/1/1998	4636	404 Clifton Dr.	Daycare / Child Care	Donna J. Shoemate	3/14/12	No longer in business
13	12/1/1998	4636	423 E. 3rd.	Daycare / Child Care	June Faulk	3/14/12	No longer in business
14	12/1/1998	4636	521 W. Cornhill	Daycare / Child Care	Kay Parks	3/14/12	No longer in business
15	12/1/1998	4636	801 W. 4th	Daycare / Child Care	Jason & Natalie Horinek	3/14/12	No longer in business
16	12/1/1998	4636	910 E. 4th	Daycare / Child Care	Sally Stretch	3/14/12	No longer in business
17	5/4/1999	4673	717 N. Main	Daycare / Child Care	Erin Hanrahan	3/14/12	No longer in business
18	9/7/1999	4699	924 N. Pine	Daycare / Child Care	Christina Sims	12/18/00	No longer in business
19	7/18/2000	4771	924 N. Pine	Daycare / Child Care	Erin Walker	3/14/12	No longer in business
20	12/18/2001	4896	1102 E. Grand	Daycare / Child Care	Pam Swindler	7/13/2010-Letter	No longer in business
21	4/12/2002	4966	529 S. Walnut	Bed & Breakfast/Restaurant	Robert & Marianne Fletcher	7/7/08	No longer in business
22	9/23/2003	5020	2317 E. Grand	Commercial Equipment Storage	Phillip Provance	7/13/2010 Letter	Deceased
23	8/16/2005	5227	517 S. Walnut	Portrait studio	Scott & Jessica Gordon	3/14/12	No longer in business
24	1/3/2006	5255	517 N. Mulberry	Taxicab in Residential	Jerry R. Hartman	7/13/2010-Letter	No longer in business
25	1/3/2006	5256	301 E. 4th. St.	Production & Fabrication of Exhibits	Merle Lawter	7/13/2010 Letter	No longer in business
26	9/5/2006	5319	215 S. Chestnut	Portrait studio	Steve & Joanna Burkhardt	7/13/2010-Letter	No longer in business
27	4/21/2008	5424	306 E. 14th St.	Portrait studio	Heidi Sloan	3/14/12	No longer in business
28	5/5/2008	5428	222 W. Cornhill	Beekkeeping	Sandra Seitz	3/14/12	Never opened
29	7/7/2008	5441	529 S. Walnut	Bed & Breakfast/Restaurant	Sonya Alden	7/13/2010-Letter	No longer in business
30	9/18/2008	5452	508 S. Walnut	4 dogs & Dog Grooming	Grace & Dale Feese	7/13/2010-Letter	Never opened
31	1/5/2009	4571	505 W. Grand	Communications Tower	Capital Towers	10/4/10	Changed owner - new cup issued
32	2/2/2009	5475	306 S. West St.	Daycare / Child Care	Lesa Anderson	7/13/2010-Letter	No longer in business

33	7/20/2009	5523	816 E. 2nd.	Daycare / Child Care	Judy Cunningham	7/13/2010-Letter	No longer in business
34	9/17/2009	5395	502 W. 5th	4 Dogs / Kennel	Mark & Darlene Gaugh	3/14/12	Dogs Gone

AGENDA ITEM

TO: Planning & Zoning Commission

FROM: Clyde Han, Building Inspector

DATE: Tuesday, August 14, 2012

RE: Public Hearing – continued - for Conditional Use Permit:
"Kennel License" keeping of three (3) dogs at 112 W. Prospect

Petition for "Conditional Use Permit" for a "Kennel License" / keeping of three dogs has been filed for 112 W. Prospect. The request has been changed from a "Kennel License" to "Multiple Dogs" to allow Katie and Luke to keep just the three (3) dogs they currently have upon moving into Cameron.

This is a Conditional Use allowed in R-2 Residential.

At the last meeting on August 13, 2012 during the Public Hearing, the Board requested Katie and Luke to be more specific regarding the conditions for keeping three (3) dogs.

The Board requested:

1. Kennel License has been changed to Multiple Dogs, specifically the three they currently have (two Labs and 1 Red Heeler).
2. A "Site Plan" of the proposed fence, I have attached the site plan.
3. Fence type will be a six foot tall wood privacy fence and the location of the fence is indicated on the site plan; approximately same location as existing fence in rear yard. The new fence would be on or near side property lines; the north end would be slightly north (10-12 feet) of the existing fence, and the south end would be to the back of the house.
4. Completion date for the fence: Summer 2013 and is a financial issue.
5. Hours of the day the animals would be outside: 5:15 AM to 9:00 PM.

When any of the following conditions change, the "Conditional Use Permit" would be terminated:

1. Only the three (3) current dogs at the time of issuance of the "Permit" are permitted (two Labs and 1 Red Heeler).
2. Every year all three dogs will be properly licensed with the City of Cameron.
3. The six foot privacy fence remains in good repair.
4. Animals outside only during permitted hours.