

**Minutes for the Meeting of the
City of Dyersburg Municipal-Regional Planning Commission
September 8, 2016
10:00 am
Municipal Courtroom
(Meeting relocated to the Professional Development Center)**

Commission Members Present: Eddie Burks, Tony Dement, Mayor John Holden, Brian Ramm, Paul Newbill.

Staff and Others Present: Will Radford, Planner/Consultant, Nelson Community Development Group, Thomas Mullins, Codes Department, Tim Ware and John Doyle, Dyersburg Fire Department.

Chairman Burks declared that a quorum was present and called the meeting to order. The minutes of the July 14, 2016 Commission meeting were approved by the Commission.

Chairman Burks called for any old business. No old business was presented.

New Business:

A. P&P Contractors, Inc. Rezoning Request

Background

A rezoning request was submitted by P&P Contractors, Inc. to rezone two parcels near 2111 Forrest Street from R-3 (High Density Residential) District to M-2 (Medium Industrial) District. The properties can be further identified as Parcels 1.00 and 2.00 on Dyer County Tax Map 100C, Group A. The properties appear to be located in a Zone AE Flood Hazard Area according to FIRM #47045C0191E, effective on 10/16/2008.

Analysis

The properties are located adjacent to what appears to be a non-conforming industrial use (Ford Farms). This use is currently zoned R-1 (Medium Density Mixed Structure Residential) District according to the Dyersburg Regional Zoning Map.

The Future Land Use Map of the Dyersburg Development Plan shows the area as “Mixed Use” designation.

Staff had concerns about the expansion on industrial uses into a residential district, especially given that the existing industrial use to the west is a non-conforming industrial use.

Recommendation

Staff recommended against the rezoning request for the preservation of the residential area.

During the discussion, P & P Partners presented background information as to their reasons for the requested zoning change. P & P Partners stated they had been in discussion for the sale or lease of the property with interests involving a small trucking office and a satellite concrete manufacturing site. P & P Partners withdrew their request after significant Commission discussion resulted in the need to acquire more information with surrounding property owners. It was noted by the Commission that the Commission's interest was to assist P & P Partners in every way possible, as long as the Commission's assistance was well within the confines of legal and permissible action. By withdrawing the request, the Commission would have more time to bring necessary information to the assistance of P & P Partners.

B. Text Amendment – Home Occupation Requirements

Staff proposed the following new definition to Home Occupations which would allow one vehicle associated with the Home Occupation to be located on the property. This definition is consistent with a recent Board of Zoning Appeals ruling that allows a single vehicle to be placed on the property of a Home Occupation.

Home Occupation: Any accessory use of a service character customarily conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof or have any exterior evidence of such secondary use other than a name plate less than one square foot in area and in connection therewith is not involved in the keeping of a stock in trade with exception of no more than one Class D (as defined by Tennessee Department of Safety) Vehicle which may display a small advertisement identifying the name of the business. The office of a physician, surgeon, dentist, or other professional person, including an instructor in violin, piano, or other individual musical instrument limited to a single pupil at a time who offers skilled services to clients, and is not professionally engaged in the purchase or sale of economic goods, shall be deemed to be Home Occupations; and the occupations of dressmaker, milliner, seamstress, or beauty shop operator, each with not more than one paid assistant, shall be deemed to be Home Occupations. Dancing instruction, band instrument instruction in groups, tourist homes, real estate offices, convalescent homes, mortuary establishments, and stores, trades, or business of any kind not herein excepted shall not be deemed to be Home Occupations.

Chairman Burks called for any questions or further discussion. Commissioner Paul Newbill motioned to approve the proposed new text amendment and definition to Home Occupations Requirements which would allow one vehicle associated with the Home Occupation to be located on the property. A second was made by Commissioner Brian Ramm. The motion passed, and will be presented before the Board of Mayor and Aldermen.

C. Text Amendment – Extended Stay Hotel Regulations

Staff proposed the following definition to be added to the Dyersburg Municipal Zoning Ordinance:

***Hotels/Motels** – A commercial use facility designed for temporary stay complying with all applicable codes and having guest rooms permitting a maximum stay of 30 days by the same resident(s) and containing only furnishings and or appliances owned and installed by the Hotel/Motel.*

This ordinance is the result of a recent BZA ruling that clarified that residential uses are not permitted in P-B (Planned Business) District. This was to prevent established hotels from being used as permanent residential dwellings.

Chairman Burks called for any questions or further discussion. Commissioner Paul Newbill motioned to approve the proposed new text amendment definition to Extended Stay Regulations. A second was made by Mayor John Holden. The motion passed, and will be presented before the Board of Mayor and Aldermen.

D. Discussion on Alley Closing Procedures

Staff proposed an ordinance regarding procedures for Alley Closings to be reviewed by the Planning Commission. Staff was provided feedback from the Planning Commission regarding the proposed Ordinance and the Commission stated a resolution of strong support of the proposal to the Board of Mayor and Alderman.

E. Any other new business that may be accepted by the Planning Commission.

None presented.

Other Business/Reports: None presented.

Administrative Reports: No report.

The meeting adjourned at 11:15 a.m.

Tony Dement, Secretary

Robert C. Jones, City Recorder