

**Minutes for the Meeting of the
City of Dyersburg Municipal-Regional Planning Commission
August 8, 2019
10:00 am
Municipal Courtroom**

Commission Members Present: Eddie Burks, Mayor John Holden, Mark Oakes, Sherry Guthrie (absent), Alderman James Baltimore, Brian Ramm, Paul Newbill, Tony Dement.

Other Staff Present: Thomas Mullins, Codes Enforcement, Scott Ball, Storm Water and Construction Inspector, Tiffany Heard, City Engineer, Will Radford, City Planner, Carmen Cupples IT.

Others Present and Participating in Discussion:

Chairman Burks called the meeting to order and declared that a quorum was present.

Chairman Burks called for a motion to approve the minutes from the July 11, 2019 meeting. Alderman James Baltimore motioned to approve the minutes. The motion was seconded by Commissioner Brian Ramm and approved by the Commission.

New Business:

Prior to new business Chairman Burks recused himself as the sitting chair for the new business of the Commission meeting, because of having personal conflict with the new business requests. Therefore, Vice-Chairman Paul Newbill presided over this portion of the meeting.

A. Final Development Plan Approval for the Commons Development.

Final plans for approval were brought before the Commission for approval. From general discussion staff recommended approval of the plans. Vice-Chairman Newbill called for a motion on the request. Commissioner Brian Ram motioned for approval of the plans, followed by a second from Commissioner Tony Dement. The Commission voted to approve the final plans as presented.

At this point of time in the meeting, Chairman Burks returned to the Chair's seat on the Commission and continued the meeting.

B. Murphy Oil USA Variance Request

Background

A variance request has been submitted by Murphy Oil USA to replace an existing canopy as part of their overall site plan that has been submitted to the City. The application states, “The existing canopy, to be replaced, is 14.07 ft. into the 25ft required Building Setback, the proposed canopy will be in a similar location, and 12.4 ft. into the 25 ft. Building Setback”. The property is located at 2640 Lake Road. (In front of Walmart) The property can be further identified as Parcel 57.07 on Dyer County Tax Map 074. The property does not appear to be located in a federally identified flood hazard area.

Analysis

TCA 13-7-207 states the reason for a variance to be granted as follows:

(3) Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the zoning regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation enacted under this part and part 3 of this chapter would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property, authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardship; provided, that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance.

Recommendation

Staff recommended a variance be granted in conformance with TCA 13-7-207 should it be shown by the applicants of the existing hardship. Mr. Radford noted the variance request had been approved at a BZA meeting before the Commission convened today.

Chairman Burks asked the Commission for a motion on the request. Vice-Chairman Paul Newbill motioned to approve the staff recommendation The motion was seconded by Alderman James Baltimore. The Commission approved the request.

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

Thomas Mullins asked the Commission to appointment a committee to review the current sign ordinance, as the ordinance periodically requires potential modifications to appropriately comply with current changes and needs as the City continues development. Chairman Burks agreed with the request, and asked staff to determine the composition of the last committee appointments for the review of the sign ordinance. Staff will determine the previous committee members, and supply the names to the Chairman.

D. Other Business/Reports: Mayor Holden reported his attendance and panel participation at a recent Retail Academy, and ICSC meeting in Nashville. Along with the “Commons” developer Brandon Buchannan, both he and Mayor Holden served as facilitators for discussion regarding both city and developer experiences in the “Commons” project.

E. Administrative Reports: No report.

With no further business, the meeting adjourned at 10:12 a.m.

Tony Dement, Secretary

Robert C. Jones, City Recorder