



**SALINE COUNTY PLANNING BOARD  
MINUTES JANUARY 11, 2018**

**Meeting Called to Order at the SALINE COUNTY COURTHOUSE, COURTROOM #1  
AT 5:30 P.M.**

**ROLL CALL:**

Layne Penfield, Chairman  
Randy Ives  
Matt Nalley                      Kevin Barham  
Sherry Spann

**NON-VOTING:**

- Audrey Villegas, HR Specialist
- Clay Ford-Attorney
- JR Walters-Quorum Court
- Renee Richards-Addressing Coordinator
- John Wofford-Engineer

**PRESENTATION OF MINUTES:** December 14, 2017; Motion to approve by Matt, second by Sherry and approved by all

**NEW BUSINESS**

• **Dearwoods Replat Lot 12**

**-Sebrina Ricks**

Ms. Ricks is here to present the replat. Property is at the corner of Congo Ferndale and West Lawson Road and they are wanting to split the lot and the commercial has already been through the Board and approved. Matt had no questions and it was confirmed again that the Bill of Assurance allows for the commercial development on the lot. Mr. William Steven, 220 West Lawson, was asked to speak on behalf of the neighbors. The neighbors do not want the commercial development on the lot due to trash concerns and a lot of lights into the night. Concerns about selling alcohol directly across the street from a daycare and tractor trailer traffic tearing up the roads. Randy stated that the county does not have any zoning ordinances and the Bill of Assurance allows that lot to be used for commercial uses and the property owner has the right to do what is allowed by the Bill of Assurance. Beverly Neal, 17001 Congo Ferndale, she has concern about the lot having standing water issues and ability to have septic systems on the split lots, wants to know if the lots have health department approval. Ms. Neal also wanted to know what would be done on the undeveloped tract, Randy reiterated that a commercial development can still be put on the other end since the Bill of Assurance allows it. She is also concerned about the fact that there will be alcohol across the street from a daycare, but the Board informed her that would be an ABC Division issue, not a Planning Board issue. Ms. Neal wishes the Board would not approve the splitting of the tracts until there is confirmation that there was Health Department approval. It has been the Board's policy that if it is in compliance with the Bill of Assurance then the Board would not have a



problem with it. Ms. Neal also states that when they bought their property they were told they could not split it, but Clay told them that is not the case since there are no stipulations in the Bill of Assurance for splitting the lots. Diane Jackson, 200 West Lawson, tried calling the county to see if she could sell a portion of a lot and was told the Bill of Assurance stated she could not subdivide. Clay asked if she still had what was sent to her from the County and she said she had it at home. Clay informed that if the Board denies the replat without a good reason then it is possible the County will be sued. Matt explained that the purpose of the Board is to regulate the tracts as they come in with accordance to the county rules and this lot has been designated by county record that it can be used as commercial. The Bill of Assurance is the covenant by which you bought property to go in; these rules govern whether the lots in that subdivision may be split or not. Ms. Neal asked if there was another way to take up their concerns; Matt explained that since it is in the county there is more freedom and not as many restrictions so there are limited avenues for this issue. Matt asked Ms. Ricks if she knew for sure they had health department approval and she stepped out to call and confirm that; the architects were the ones who did it so she will have to get confirmation in the morning. The least the Board could do is table it until next month to get the perc test results. Matt asked if Ms. Ricks was involved in the preparation of the plat for the commercial development and he asked to see the plat. Matt looked at a copy of the plans and determined they do have approval based on the commercial plans and the septic area that is designated to be undisturbed for the septic systems. Ms. Neal asked who did the perc tests, but that information was not available; she also wanted a copy of the plat and Audrey took her e-mail information. Motion to approve made by Matt, second by Randy and approved by all.

- **Pinewoods Phase 5, Final**

**-Jonathan Hope**

Will McFadden is here to present the plat, the Board is taking up the add-on. It was not initially on the agenda due to a miscommunication between Audrey and Jonathan. None of the dimensions or anything have changed since the preliminary. Should have a Certificate of Property Ownership for Title Company can sign off on the certificate. This is the last phase of this subdivision. Discrepancy in legal description where they have transitioned from a fifty (50) foot right of way in Phase 2 to a sixty (60) foot right of way in this phase on Simeon Drive, therefore the lot corners themselves have a different dimension where they tie into that road. When he is tying in the legal description there is a five foot strip inside that is a no man's land so he is going to move that segment over 5 feet to the 60 foot right of way in this phase. Therefore the dimension that is currently the on the north line of lot 97 reading 290 needs to be changed to 285 and on north line of lot 37 dimension needs to change from 340 to 345. In the field, Will needs to set two corner pins on Asher Drive. Matt made a motion to approve contingent upon the following, change the dimension on lot 97 and lot 37 in regards to the overall boundary as noted on the plat that Audrey will have in her possession, the Certificate of Property Ownership on the final plat, and the legal in the Bill of Assurance will need to be changed, second by Randy and approved by all.



## **OLD BUSINESS**

### **OPEN DISCUSSION**

Brief overview of 2017 year productivity. Currently made some suggested changes to the Rules and Regulations that will be sent out to the Board to review and discuss at the next meeting. Primarily clerical changes and no changes to Master Road Plan. In reference to what happened tonight with the replat, Audrey discussed with Clay the fact that when someone decides to do a commercial development there is no notification requirement at this time, is that something we want to add to our rules to notify adjoining land owners and land owners across the road. Matt stated he agrees with that and gives the Board to explain to people on the front end and we can deal with the issue on the front end instead of the back end. Randy recommended if someone calls and asks to subdivide their lot to tell them it is dependent upon Bill of Assurance or deed restrictions; after that has been reviewed the citizen can come to a meeting or get with a Board member. It makes more sense to the Board to notify that way and the citizens' concerns can be voiced. Matt mentioned it also needs to be emphasized to citizens that we do not have the rules and regulations that a city does, that the Board is here to see what is being done with the land.

### **MEETING ADJOURNMENT**

- Matt made a motion to adjourn, second by Sherry and passed by all. Adjourn 6:31 pm.