

CANTON PLANNING & ZONING COMMISSION

10:00 A.M., MONDAY, JUNE 9, 1997

CITY HALL, 290 E. TYLER STREET

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Madam Chairman Lynn Etheridge presided and members present were Clifford Caviness, Tommy Roberts, and Jimmy Boroughs. One seat on the Commission had not yet been filled.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Lynn Etheridge
2. APPROVAL OF MINUTES OF JUNE 18, 1996 MEETING - Clifford Caviness moved that the Minutes of the June 18, 1996 meeting be approved as presented. Tommy Roberts seconded, and all were in favor.
3. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF PROPERTY LOCATED AT 602 SOUTH TRADE DAYS BOULEVARD FROM RESIDENTIAL (R1) TO LOCAL BUSINESS DISTRICT (B-1) - Upon request of Chairman Lynn Etheridge, City Manager Johnny Mallory explained the background of this request. The request had previously been forwarded to the City Council based on the Commission's standing recommendation of October 12, 1992. The Council did not act on the request and referred it back to the Commission for action. The Commission reviewed the written responses received from area property owners. Mr. Dub McCreary addressed the Commission and stated that, after approximately three years, he obtained a B1 zoning for his property located at the corner of South Trade Days Boulevard and Elm Street. He wanted to know whether this zoning change or any other action by the Commission would affect his current B1 zoning. He was advised that his zoning was not subject to change at this time. Mr. Mallory explained that the Commission could, after notice and hearing, recommend a zoning change; however, that is unlikely. The Commission then heard from area property owners, Faughlette Hilliard and Joe Fitch. Mary Pitts, listing real estate agent for the subject property, explained that a B1 was being requested because that was the best market for the property. She further stated that a new contract has been obtained on this property, and the purchaser has indicated that he would accept an RPO (Restricted Professional and Office) zoning. The area property owners present indicated that they had no objection to any commercial use of the property which would not include after-hours business and, further, that an RPO zoning would be acceptable to them. Clifford Caviness moved that this request be tabled. Jimmy Boroughs seconded, and all were in favor.
4. DISCUSS AND CONSIDER COMMISSION'S STANDING RECOMMENDATION OF OCTOBER 12, 1992, IN FAVOR OF ANY REQUEST FROM R1 TO B1 ON HIGHWAY 19 (S. TRADE DAYS BLVD.) BETWEEN ELM AND HIGHWAY 64 - Tommy Roberts moved that the Commission's standing recommendation be rescinded. Jimmy Boroughs seconded, and all were in favor.

5. DISCUSS AND CONSIDER APPLICATION OF RESTRICTED PROFESSIONAL AND OFFICE DISTRICT TO SPECIFIC AREAS - The Commission discussed the designation of specific areas for RPO zoning. Tommy Roberts moved that this agenda item be tabled to a meeting of the Commission to be set for Tuesday, June 17, 1997, at 10:00 a.m. Jimmy Boroughs seconded, and all were in favor.
6. ADJOURN - There being no further business for consideration, Tommy Roberts moved that the meeting be adjourned. Jimmy Boroughs seconded, and all were in favor.


Lynn Etheridge, Chair

CANTON PLANNING & ZONING COMMISSION

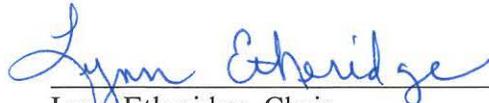
10:00 A.M., TUESDAY, JUNE 17, 1997

CITY HALL, 290 E. TYLER STREET

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Madam Chairman Lynn Etheridge presided and members present were Clifford Caviness, Tommy Roberts, and Jimmy Boroughs. One seat on the Commission had not yet been filled.

Discussion and action were as follows:

1. **CALL MEETING TO ORDER** - Chairman Lynn Etheridge. Chairman Etheridge introduced Tommy Eubank who has been nominated for appointment to the Commission.
2. **APPROVAL OF MINUTES OF JUNE 9, 1997 MEETING** - Clifford Caviness moved that the Minutes of the June 9, 1997 meeting be approved as presented. Tommy Roberts seconded, and all were in favor.
3. **DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF PROPERTY LOCATED AT 602 SOUTH TRADE DAYS BOULEVARD FROM RESIDENTIAL (R1) TO LOCAL BUSINESS DISTRICT (B-1)** - The Commission heard from Mary Pitts, representing the property owner, that the proposed purchaser under contract would accept a zoning change to RPO. City Secretary Rhita Koches notified the Commission that all area property owners who have filed objections to the B-1 request have indicated that they do not object to an RPO zoning. Clifford Caviness moved that the request for B-1 zoning be denied and that RPO zoning be granted. Jimmy Boroughs seconded, and all were in favor.
4. **DISCUSS AND CONSIDER APPLICATION OF RESTRICTED PROFESSIONAL AND OFFICE DISTRICT TO SPECIFIC AREAS** - The Commission discussed applying the RPO zoning classification. Clifford Caviness moved that no standing recommendation be made and that all zoning requests be considered on a case-by-case basis. Tommy Roberts seconded, and all were in favor.
5. **ADJOURN** - There being no further business for consideration, Chairman Etheridge adjourned the meeting.


Lynn Etheridge, Chair

CANTON PLANNING & ZONING COMMISSION

10:00 A.M., TUESDAY, JULY 1, 1997

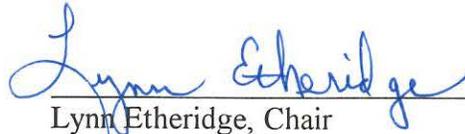
CITY HALL, 290 E. TYLER STREET

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Madam Chairman Lynn Etheridge was absent, and Jimmy Boroughs presided. Members present were Clifford Caviness, Tommy Roberts, and Tommy Eubank.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Acting Chairman Jimmy Boroughs.
2. APPROVAL OF MINUTES OF JUNE 17, 1997 MEETING - Tommy Eubank moved that the Minutes of the June 17, 1997 meeting be approved as presented. Tommy Roberts seconded, and all were in favor.
3. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF 4.91 ACRE TRACT, J. STOCKWELL SURVEY, A-760, LOCATED ON HIGHWAY 64 WEST OWNED BY JAMES H. FULLER, FROM R-1 TO B-2 - City Secretary Rhita Koches notified the Commission that 15 area property owners were sent notices. Two written responses were received - one opposed and one in favor. Tommy Roberts moved that the zoning request be granted and that the Commission recommend B-2 zoning to the City Council. Clifford Caviness seconded, and all were in favor.
4. DISCUSS AND CONSIDER SITE PLAN FOR HOLIDAY INN EXPRESS ON HIGHWAY 19 NORTH, NORTH OF I-20 - Building Inspector Rickey Malone reviewed the site plan and explained to the Commission that the proposed structure meets all City of Canton ordinance requirements for square footage, setbacks, parking, and handicap accessibility. He further stated that the entire structure will have a fire sprinkler system. Tommy Roberts moved that the site plan be approved. Clifford Caviness seconded, and all were in favor.
5. DISCUSS AND CONSIDER MATTERS FOR FUTURE AGENDAS - City Secretary Rhita Koches notified the Commission that a meeting will be scheduled, possibly in late July, to consider zoning for annexed properties.
6. ADJOURN - There being no further business for consideration, Acting Chairman Boroughs adjourned the meeting.

Approved this 14th day of August, 1997.



Lynn Etheridge, Chair

CANTON PLANNING & ZONING COMMISSION
1:30 P.M., THURSDAY, AUGUST 14, 1997
CITY HALL, 290 E. TYLER STREET

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers with Chairman Lynn Etheridge presiding. Commission members Jimmy Boroughs, Clifford Caviness, and Tommy Eubank were present. Commission member Tommy Roberts was absent.

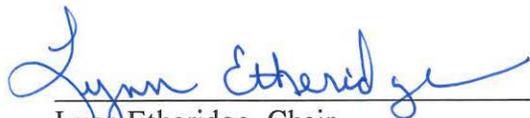
Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Lynn Etheridge
2. APPROVAL OF MINUTES OF JULY 1, 1997 MEETING - Tommy Eubank moved that the Minutes of the July 1, 1997 meeting be approved as presented. Clifford Caviness seconded, and all were in favor.
3. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF THAT CERTAIN 2.66 ACRE TRACT KNOWN AS 503 HIGHWAY 243 LOCATED IN THE STOCKWELL SURVEY (A-760) LOCATED AT THE CORNER OF HIGHWAY 243 AND BIG ROCK STREET IN THE CITY OF CANTON CURRENTLY OWNED BY GERALD MOORE FROM B-1 TO B-2 - Mr. Bill Loven, owner of property within 200 feet of the subject property, was present and requested an explanation for the necessity of this zoning change. City of Canton Building Inspector Rick Malone explained that the owner or a subsequent purchaser may want to operate an assisted living facility on the property. Mr. Malone explained that such operation is permitted only in areas zoned as B-2 or MF and only after a special exception has been granted by the Board of Adjustment. Chairman Lynn Etheridge abstained from discussion and voting due to a financial conflict of interest. Tommy Eubank moved that the zoning change be approved as requested. Jimmy Boroughs seconded and Tommy Eubank, Jimmy Boroughs, and Clifford Caviness voted in favor. The motion carried.
4. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF THAT CERTAIN TRACT KNOWN AS ROWS 4, 5, 6, AND 7 FROM ROW 1a NORTH TO AND INCLUDING THE AREA AROUND RESTROOM NO. 2, SAID PROPERTY CURRENTLY OWNED BY THE CITY OF CANTON FROM FMB-A1 TO FMB-A2. - City of Canton First Monday Manager Al Campbell explained to the Commission that the City Council had voted to permit the sale of small animals in a designated area in an attempt to revive the hill area. Chairman Lynn Etheridge stated that there may be opposition from other property owners who had previously been denied FMB-A2 zoning. The Commission reviewed the Zoning Ordinance's provision allowing animals and discussed that lack of any limitations or specifications concerning animals in the ordinance. Jimmy Boroughs moved that the request be tabled until a more thorough search could be made. Tommy Eubank seconded, and all were in favor.

5. DISCUSS AND CONSIDER REVISIONS TO CITY OF CANTON ZONING ORDINANCE SECTION 16-7, HOME OCCUPATIONS - City Secretary Rhita Koches explained that the City Council had recently adopted a form for the application for a home occupation permit and that the Council had requested that the Commission review the standards and criteria contained in the Zoning Ordinance. Tommy Eubank moved that the revisions be tabled until the Commission's next meeting. Jimmy Boroughs seconded, and all were in favor.

6. ADJOURN - There being no further business for consideration, Clifford Caviness moved that the meeting be adjourned. Tommy Eubank seconded, and all were in favor.

Approved this 26th day of August, 1997.



Lynn Etheridge, Chair

CANTON PLANNING & ZONING COMMISSION

1:30 P.M., TUESDAY, AUGUST 26, 1997

CITY HALL, 290 E. TYLER STREET

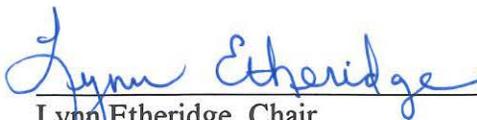
The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers with Chairman Lynn Etheridge presiding. Commission members Clifford Caviness, Tommy Roberts, and Tommy Eubank were present. Commission member Jimmy Boroughs was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Lynn Etheridge
2. APPROVAL OF MINUTES OF AUGUST 14, 1997 MEETING - Tommy Eubank moved that the Minutes of the August 14, 1997 meeting be approved as presented. Tommy Roberts seconded, and all were in favor.
3. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF THOSE CERTAIN PORTIONS OF A 4.65 ACRE TRACT LOCATED ON HIGHWAY 64 WEST IN THE CITY OF CANTON CURRENTLY OWNED BY BILLY JACK DEEN FROM RA AND R-1 TO B-1 - City Secretary Rhita Koches explained to the Commission that the zoning boundary runs through these tracts with the frontage on Highway 64 zoned B-1 and that back portions of the tracts zoned RA and R-1. Tommy Eubank moved that the request be approved. Clifford Caviness seconded, and all were in favor.
4. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF THAT CERTAIN TRACT KNOWN AS ROWS 4, 5, 6, AND 7 FROM ROW 1a NORTH TO AND INCLUDING THE AREA AROUND RESTROOM NO. 2, SAID PROPERTY CURRENTLY OWNED BY THE CITY OF CANTON FROM FMB-A1 TO FMB-A2 (TABLED FROM AUGUST 14, 1997 MEETING) - First City Manager Al Campbell notified the Commission that he had taken the Commission's concerns to the Council and they wanted to proceed with the zoning change request. The Commission discussed the possibility of other vendors requesting zoning changes to allow for animals. The Commission noted that the pending request is for an isolated area and determined that any future requests would be handled on a case-by-case basis. Tommy Eubank moved to allow the request. Tommy Roberts seconded, and the motion carried with Tommy Eubank, Tommy Roberts, and Clifford Caviness voting in favor, and Lynn Etheridge voting opposed, and the motion carried.
5. DISCUSS AND CONSIDER REVISIONS TO CITY OF CANTON ZONING ORDINANCE SECTION 16-7, HOME OCCUPATIONS (TABLED FROM AUGUST 14, 1997 MEETING) - The Commission reviewed the proposed changes to Section 16-7 of the Canton Zoning Ordinance relating to home occupations. Tommy Roberts moved that the proposed changes be recommended for approval by the City Council. Clifford Caviness seconded, and all were in favor.

6. ADJOURN - There being no further business for consideration, Chairman Lynn Etheridge adjourned the meeting.

Approved this _____ day of September, 1997.



Lynn Etheridge, Chair

CANTON PLANNING & ZONING COMMISSION

9:00 A.M., FRIDAY, SEPTEMBER 12, 1997

CITY HALL, 290 E. TYLER STREET

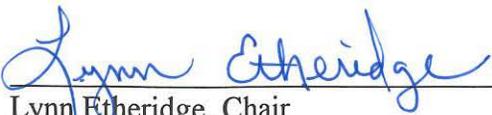
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers with Chairman Lynn Etheridge presiding. Commission members Clifford Caviness, Tommy Roberts, Jimmy Boroughs, and Tommy Eubank were present.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Lynn Etheridge
2. APPROVAL OF MINUTES OF AUGUST 26, 1997 MEETING - Clifford Caviness moved that the Minutes of the August 26, 1997 meeting be approved as presented. Tommy Eubank seconded, and all were in favor.
3. PRESUBMISSION CONFERENCE REGARDING LAKE MEADOW SUBDIVISION PLAT PURSUANT TO CITY ORDINANCE 94-04 (SUBDIVISION REGULATIONS) - Mr. Charles Skidmore appeared on behalf of the developers of Lake Meadow Subdivision. City Secretary Rhita Koches explained that the City's Ordinance pertaining to subdivision regulations requires an informal presubmission conference to confirm compliance with the City's zoning ordinance. It was noted that developers have initiated annexation proceedings. However, the property is located within the extraterritorial jurisdiction of the City of Canton and is therefore subject to the subdivision ordinance. The Commission reviewed a proposed preliminary plat of the subdivision and the proposed "Declaration of Covenants, Conditions and Restrictions" relating to tracts within the subdivision. The developer was informed of the City's zoning ordinance provisions relating to setbacks which appear to be different from those set out in the proposed restrictions. Mr. Skidmore indicated that they would be willing to comply with the City's ordinance. Building Inspector Rickey Malone informed Mr. Skidmore that information sheets explaining the building permit process are being prepared for distribution to potential builders. Mr. Skidmore then answered the Commission's questions regarding utilities, streets, and gutters.
4. ADJOURN - There being no further business for consideration, Tommy Roberts moved that the meeting be adjourned. Clifford Caviness seconded, and all were in favor.

Approved this 16th day of October, 1997.



Lynn Etheridge, Chair

CANTON PLANNING & ZONING COMMISSION

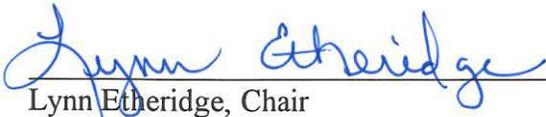
**9:00 A.M., THURSDAY, OCTOBER 16, 1997
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers with Chairman Lynn Etheridge presiding. Commission members Tommy Eubank and Jimmy Boroughs were present. Commission members Clifford Caviness and Tommy Roberts were absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Lynn Etheridge
2. APPROVAL OF MINUTES OF SEPTEMBER 12, 1997 MEETING - Tommy Eubank moved that the Minutes of the September 12, 1997 meeting be approved as presented. Jimmy Boroughs seconded, and all were in favor.
3. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF THAT CERTAIN FOUR (4) ACRE TRACT TO BE SURVEYED FROM ONE CERTAIN 8.454 ACRE TRACT LOCATED IN THE STOCKWELL, DOUTHIT, TOWNS, AND NUGENT SURVEYS, IN THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS, AND ALSO KNOWN AS 1111 EAST TYLER STREET FROM RA TO B2 - City Secretary Rhita Koches advised the Commission that the pending request pertains to four acres out of an eight acre tract. The current owner has asked that any zoning change be contingent upon finalization of the sale of the property to the Canton Economic Development Corporation. Bob Alexander, Executive Director of the Canton Economic Development Corporation acknowledged that was the agreement of the parties. Jimmy Boroughs moved that the zoning change from RA to B2 be approved, subject to finalization of the sale to the CEDC. Tommy Eubank seconded, and all were in favor.
4. ADJOURN - There being no further business for consideration, Tommy Eubank moved that the meeting be adjourned. Jimmy Boroughs seconded, and all were in favor.

Approved this 11th day of November, 1997.


Lynn Etheridge, Chair

CANTON PLANNING & ZONING COMMISSION

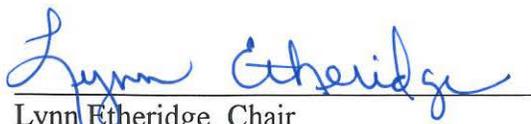
9:00 A.M., TUESDAY, NOVEMBER 11, 1997
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers with Chairman Lynn Etheridge presiding. Commission members Tommy Roberts, Clifford Caviness and Jimmy Boroughs were present. Commission member Tommy Eubank were absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Lynn Etheridge
2. APPROVAL OF MINUTES OF OCTOBER 16, 1997 MEETING - Clifford Caviness moved that the Minutes of the October 16, 1997 meeting be approved as presented. Jimmy Boroughs seconded, and all were in favor.
3. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF TWO TRACTS LOCATED AT 1150 SOUTH BUFFALO FROM R1 TO B2 - The Commission discussed the application for zoning change and the current zoning of surrounding property. Mr. and Mrs. George Yarbrough appeared and informed the Commission that they wanted to construct a building large enough to get the junk out of their yard and to hold a furniture warehouse. The Commission expressed concern about zoning the tract where the residence is located B-2. Following discussions with the property owners, Tommy Roberts moved that the tract numbered 514 (Van Zandt County Appraisal District identification number) be zoned B-1 and that the tract numbered 513-01 be zoned B-2. Clifford Caviness seconded. Mr. and Mrs. Yarbrough indicated their agreement with such action. All members of the Commission voted in favor of the motion.
4. ADJOURN - There being no further business for consideration, Tommy Roberts moved that the meeting be adjourned. Clifford Caviness seconded, and all were in favor.

Approved this 25th day of November, 1997.


Lynn Etheridge, Chair

CANTON PLANNING & ZONING COMMISSION

9:00 A.M., TUESDAY, NOVEMBER 25, 1997

CITY HALL, 290 E. TYLER STREET

CANTON, TEXAS

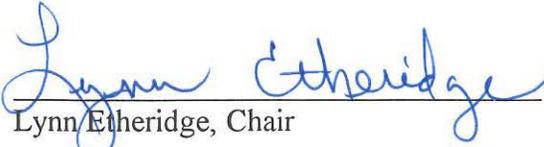
The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers with Chairman Lynn Etheridge presiding. Commission members Tommy Roberts, Clifford Caviness and Tommy Eubank were present. Commission member Jimmy Burroughs was absent.

Discussion and action were as follows:

1. CALL MEETING TO ORDER - Chairman Lynn Etheridge called the meeting to order and announced that a quorum was present.
2. APPROVAL OF MINUTES OF NOVEMBER 11, 1997 MEETING - Tommy Eubank moved that the Minutes of the November 11, 1997 meeting be approved as presented. Tommy Roberts seconded, and all were in favor.
3. DISCUSS AND CONSIDER REQUEST TO CHANGE THE ZONING OF 1111 E. TYLER (MALOUF BUILDING) FROM RA TO B2 - Ron Malouf and his realtor, Robert Stone, appeared for the hearing. Johnny Mallory, President of the Canton Economic Development Corporation, appeared and told the Commission that the CEDC supported the zoning change. The Commission was also reminded that a previous zoning change had been granted on four (4) acres of this tract, subject to the closing of the sale of the property to CEDC. The pending request is to change the zoning of the entire tract, regardless of any sale. Tommy Roberts moved that the zoning of the entire 8.970 acre tract be changed from RA to B2. Clifford Caviness seconded, and all were in favor.
4. DISCUSS AND CONSIDER CHANGE OF ZONING OF 46.744 ACRE TRACT ON FM 2909 (LAKE MEADOW SUBDIVISION) FROM RA TO R1 - The Commission discussed that it had recently considered the preliminary plat of this subdivision. It was noted that the property had been annexed into the city limits in October, 1997. Tommy Roberts moved that zoning of the 46.744 acre tract be changed from RA to R1. Tommy Eubank seconded, and all were in favor.
5. DISCUSS AND CONSIDER CHANGE OF ZONING OF 2.75 ACRE TRACT ON FM 859 (SAINT THERESA CATHOLIC CHURCH) FROM RA TO B1 - The Commission discussed that this property was annexed into the city limits in June, 1997. Tommy Eubank moved that the zoning of the 2.75 acre tract be changed from RA to B1. Clifford Caviness seconded, and all were in favor.

6. ADJOURN - There being no further business to come before the Commission, Tommy Eubank moved that the meeting be adjourned. Tommy Roberts seconded, and all were in favor.

Approved this 6th day of August, 1998.


Lynn Etheridge, Chair