

**REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
5:30 P.M., MONDAY, MAY 9, 2011**

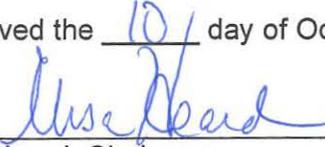
CITY HALL, 290 E. TYLER STREET, CANTON, TEXAS

MINUTES

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members present were Elisa Heard, Mike Phillips, Don Spence and Brad Williams. Member Lynn Etheridge was absent. Building Inspector David Smith and Assistant City Secretary Debra Johnson were also in attendance. Discussion and action were as follows:

1. CALL TO ORDER – Elisa Heard called the meeting to order at 5:33 p.m. and declared a quorum present.
2. APPROVAL OF MINUTES OF THE NOVEMBER 8, 2010, MEETING – The minutes of the November 8, 2010, meeting were unanimously approved upon motion by Donald Spence and second by Mike Phillips.
3. DISCUSS AND CONSIDER ORDINANCE EFFECTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO GENERAL BUSINESS DISTRICT (B-2) ON THAT 9.26-ACRE TRACT IN C. BECKETT SURVEY, A-093, LOCATED AT 21620 INTERSTATE 20, OWNED BY ZANBAKA USA, LLC. – Debra Johnson reported one letter had been sent to neighboring property owners. One response was received, in favor of the change. Brad Williams made a motion to recommend changing the zoning from rural agricultural to General Business District (B-2) on that 9.26-acre tract in the C. Beckett Survey, A-093, located at 21620 Interstate 20, known as Duke's Travel Plaza, owned by Zanbaka USA, LLC. Mike Phillips seconded. All voted in favor.
4. DISCUSS AND CONSIDER ORDINANCE EFFECTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO GENERAL BUSINESS DISTRICT (B-2) ON THAT 22.24-ACRE TRACT SITUATED IN D. TOWNS SURVEY, A-845, LOCATED ON NORTH SIDE OF INTERSTATE 20 EAST OF STATE HIGHWAY 17, CURRENTLY OWNED BY HENRY LEWIS – Debra Johnson said the owner requested this item be tabled.
5. ADJOURN – There being no further business to discuss, Elisa Heard adjourned the meeting at 5:45 p.m. upon motion by Donald Spence and second by Brad Williams.

Approved the 10 day of October, 2011.



Elisa Heard, Chairman

ATTEST:



Debra Johnson
Assistant City Secretary

**REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
5:30 P.M., MONDAY, OCTOBER 10, 2011**

CITY HALL, 290 E. TYLER STREET, CANTON, TEXAS

MINUTES

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members present were Elisa Heard, Don Spence and Brad Williams. Members Lynn Etheridge and Mike Phillips were absent. City Manager Andy McCuiston and Assistant City Secretary Debra Johnson were also in attendance. Discussion and action were as follows:

1. CALL TO ORDER – Elisa Heard called the meeting to order at 5:40 p.m. and declared a quorum present.
2. APPROVAL OF MINUTES OF THE MAY 9, 2011, MEETING – The minutes of the May 9, 2011, meeting were unanimously approved upon motion by Brad Williams and second by Donald Spence.
3. CONSIDER APPOINTMENT OF CHAIRPERSON OF PLANNING & ZONING COMMISSION – Donald Spence made a motion to appoint Brad Williams as the new Chairperson. Elisa Heard seconded. All voted in favor.
4. DISCUSS UPDATE TO 1985 ZONING ORDINANCE – Mr. McCuiston explained the City funded \$20,000 in the new year's budget to update the zoning ordinance. He asked for a volunteer from the group to assist in the selection of the consultant. Mr. Spence offered his services.
5. DISCUSS AND CONSIDER PROPOSED AMENDMENT TO SECTION 15.15 (SPECIFIC USE PERMITS) OF THE CITY'S 1985 ZONING ORDINANCE TO ALLOW FOR RESIDENCES BY SPECIFIC USE PERMIT IN THE FOLLOWING ZONING DISTRICTS: B-1, B-2 AND RPO – Richard Davis said the property had always been used as a residence. Ms. Johnson explained there was currently no provision in the Zoning Ordinance to allow a residence to be built in a B-2 zoning district. Donald Spence made a motion to recommend to Council that this amendment be made to allow for residences in B-1, B-2 and RPO zoning districts. Brad Williams seconded. All voted in favor.
6. DISCUSS AND CONSIDER A REQUEST FOR A SPECIFIC USE PERMIT TO ALLOW A RESIDENCE IN B-2 ZONING AT 382 S. CAPITOL STREET ON PROPERTY CURRENTLY OWNED BY RICHARD DAVIS. – Mr. Davis explained the finance company would not finance for the purchaser of the property without the City stating the residence could be rebuilt in case of its destruction by fire. Mr. Spence made a motion to recommend to Council a specific use permit be granted without restrictions to allow a residence in B-2 zoning at 382 S. Capitol Street. Brad Williams seconded. All voted in favor.

7. ADJOURN – There being no further business to discuss, the meeting was adjourned at 5:58 p.m. upon motion by Donald Spence and second by Brad Williams.

Approved the 7th day of November, 2011.

Brad Williams

Brad Williams, Chairman

ATTEST:

Debra Johnson

Debra Johnson
Assistant City Secretary

**REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
5:30 P.M., MONDAY, NOVEMBER 7, 2011**

CITY HALL, 290 E. TYLER STREET, CANTON, TEXAS

MINUTES

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members present were Brad Williams, Lynn Etheridge, Elisa Heard, Mike Phillips and Don Spence. Building Inspector David Smith and Assistant City Secretary Debra Johnson were also in attendance. Discussion and action were as follows:

1. CALL TO ORDER – Elisa Heard called the meeting to order at 5:30 p.m. and declared a quorum present.
2. APPROVAL OF MINUTES OF THE OCTOBER 10, 2011, MEETING – The minutes of the October 20, 2011, meeting were unanimously approved upon motion by Elisa Heard and second by Mike Phillips.
3. DISCUSS UPDATE TO 1985 ZONING ORDINANCE – Don Spence reported he met with Andy McCuiston and discussed the proposals for a Land Use Consultant to update the 1985 zoning ordinance. They had made a recommendation to Council. One of the prospective firms would be visiting with the staff and Mr. McCuiston on Friday.
4. PUBLIC HEARING AND CONSIDERATION OF PROPOSED AMENDMENT TO SECTION 16.10 (NONCONFORMING USES) OF THE CITY'S 1985 ZONING ORDINANCE TO ALLOW FOR RECONSTRUCTION OF RESIDENCES IN THE CASE OF DESTRUCTION BY FIRE, EXPLOSION OR ACT OF GOD – Brad Williams explained the previous recommendation for specific use permits for reconstruction of residences or buildings which were non-conforming was rejected by Council. Council had suggested: a residence located in a zoning district that designates it as a non-conforming use may be reconstructed as a residence in the case of destruction by fire, explosion or act of God. A public hearing was opened at 5:35 p.m. There being no comments, the public hearing was closed at 5:35 p.m. Donald Spence made a motion to recommend use the language suggested by Council. Mike Phillips seconded. All voted in favor.
5. PUBLIC HEARING AND CONSIDERATION OF PROPOSED AMENDMENT TO CITY OF CANTON 2004 COMPREHENSIVE PLAN REGARDING FUTURE LAND USE ON TRACT OF LAND LOCATED AT 203 BOIS D'ARC, CITY OF CANTON – A public hearing was opened at 5:36 p.m. Donald Spence felt the Future Land Use Map already designated the area as retail. David Smith agreed the map seemed to show retail for this tract. The public hearing was closed at 5:40 p.m. There was a consensus that there was no need for action since the Future Land Use Plan designated this area as retail.
6. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE EFFECTING A ZONING CHANGE FROM SINGLE FAMILY DETACHED RESIDENTIAL (R-1) TO LOCAL BUSINESS DISTRICT (B-1) ON A TRACT LOCATED AT 203 BOIS D'ARC IN THE CITY OF CANTON, TEXAS, OWNED BY CYNTHIA DAVIS – A public hearing was opened at 5:41 p.m. Cynthia Davis requested the zoning be changed so she could relocate her business there. She agreed to put something between the residential area and this property, such as a hedge or screening. Ms. Davis stated she did not intend to live at this location. David Smith pointed out the lot needed parking. Ms. Davis would not be allowed

to store automobiles there. Ms. Davis stated this would be her office, not her residence. Ms. Heard asked if Ms. Davis had looked at the ordinance about parking and paving. The parking area had to be paved, not just gravel. David Smith indicated one of the biggest complaints for that area was people parking in the yard. He also said the building should be fully handicapped accessible as a business. Mr. Smith said the property which fronted on Hwy. 64 was business property. There needed to be a good reason for expanding that area. Mr. Williams said his initial concern was private property rights. The property was currently zoned residential for a reason. Ms. Heard pointed out that this residence looked directly onto a convenience store and made it very undesirable for a residence. Mr. Smith indicated Ms. Davis would need one parking place for every 250 square feet of building. Cars were also not allowed to back out onto the street from the parking area. The public hearing was closed at 5:57 p.m. Mike Phillips made a motion to recommend a change of zoning from R-1 to B-2 at 203 Bois D'Arc. Elisa Heard seconded. All voted in favor except Mr. Williams, who was opposed.

7. ADJOURN – There being no further business to discuss, the meeting was unanimously adjourned at 5:59 p.m.