

PLANNING AND ZONING COMMISSION

June 8, 2009

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M. June 8, 2009 at Kearney City Hall with Kathy Whipple presiding. Members present were Darren Hiley, Kent Porter, Dan Holt, Kim Murphy and Doyle Riley. Heath Courtney was absent. Staff members present were David Pavlich, Chad Coffelt and Shirley Zimmerman.

Kathy Whipple opened the meeting with the Pledge of Allegiance.

OATH OF OFFICE Shirley Zimmerman administrated the Oath of Office to Darren Hiley and Kent Porter. They will be serving a term to expire June 1, 2013.

CHAIRPERSON A motion was made by Kim Murphy and seconded by Dan Holt to nominate Kathy Whipple for Chairperson. The motion carried unanimously.

SECRETARY A motion was made by Kim Murphy and seconded by Kent Porter to nominate Darren Hiley for Secretary. The motion carried unanimously.

CONSENT AGENDA

➤ Minutes of May 11, 2009 meeting

A motion was made by Darren Hiley and seconded by Dan Holt to approve the Consent Agenda as presented. The motion carried unanimously.

OLD BUSINESS

STORING VEHICLES IN STREET AMENDMENT Staff reported that at the Board of Aldermen meeting they felt the general public is not necessarily aware of the exact location of their front line. They asked that it come back to the Planning and Zoning Commission to recommend alternative language so that residents can more easily understand the location requirements.

Staff presented a memo dated June 8, 2009 that recommended the language be changed from stating “located at least five (5) feet from the front lot line” to “located at least five (5) feet from the edge of the street and at least one (1) foot back from any sidewalk”.

Darren Hiley asked what is considered the edge of the street. Staff said that would be back of curb where curbs are located.

Kim Murphy said if we consider the front property line to be located one foot from the back side of the sidewalk or eleven feet from the back of the curb we are giving them six feet by saying five feet from the edge of the street.

STORING VEHICLES IN STREET AMENDMENT-CONT Kim Murphy handed out pictures of what he believed to be violations of the ordinance. He asked how we police violations. Staff said we do it by complaint.

Kim Murphy said he didn't understand why the police department didn't take care of this. He said he has pictures of several vehicles blocking sidewalks. Staff said the goal of this change was to clarify that all large truck construction vehicles are to be kept out of residential neighborhoods unless there is related construction activity in progress. It is also to prevent recreation vehicles, boats and trailers from being stored on City streets for extended periods of time.

Kim Murphy said he couldn't believe that we don't care if cars are blocking sidewalks. He said if we aren't going to enforce that we need to repeal this ordinance.

Dan Holt said in his neighborhood you can't park two vehicles behind each other and not be extended over the sidewalk. He said that is true in several areas. He said the Board of Aldermen felt that these are vehicles that move frequently and they don't tend to cause vision problems. He said these construction and recreational vehicles parked along the street prevent cars from seeing small children who might run into the street, etc.

Kim Murphy said we need to remove the word "major" in A.2 when describing recreational equipment and vehicles.

Darren Hiley said this doesn't give full relief to the issue of blocking sidewalks but at least defines the property line. He said it is very difficult to take your children bike riding and have them be able to stay on the sidewalks. Chad Coffelt said by ordinance you aren't suppose to ride bicycles on the sidewalks.

Darren Hiley said he is fine with the new language describing the front property line.

Dan Holt said the Board of Aldermen wanted something to address parking construction and recreational vehicles on City residential streets and this addresses that issue.

A motion was made by Darren Hiley and seconded by Dan Holt to recommend to the Board of Aldermen to approve the revised wording in the ordinance to say "five (5) feet from the edge of the street and at least one (1) foot back from any sidewalk" and strike the word "major" from first sentence of A.2.

Kim Murphy asked why we didn't consider his suggestion that they must be five (5) feet from the side property lines also. He said this poses a problem for fire and emergency vehicles from having access to the back yards.

Kathy Whipple said if we say they have to leave five (5) feet on the side yards for emergency vehicles to access the back of the house, then we wouldn't be able to allow people to fence their back yards.

The motion carried by a vote of five to one with Kim Murphy voting nay.

DISCUSSION

MONTHLY PERMIT AND CERTIFICATE OF OCCUPANCY INFORMATION Staff said they will start giving a monthly report of single family permit comparisons and certificate of occupancy comparisons.

ADJOURNMENT There being no further comments from the public, a motion was made by Kent Porter and seconded by Darren Hiley to adjourn. The motion carried unanimously.

APPROVED: _____ **ATTEST:** _____
Kathy Whipple, Chairperson **Darren Hiley, Secretary**