

**MINUTES OF THE
TUPELO PLANNING COMMITTEE
December 7, 2020**

CALL TO ORDER

Chairperson Ms. Leslie Mart called the meeting to order. She asked Mr. Gus Hildenbrand to open with a prayer and Mr. Jimmy Swann to lead the pledge of allegiance. She then asked committee members to introduce themselves. Ms. Patti Thompson, Mr. William Smith, Mr. Gus Hildenbrand, Mr. Scott Davis and Mr. Jimmy Swann, Development Services staff member Ms. Marilyn Vail were in person. Ms. Mart and Mr. Lindsey Leake were present using Zoom.

REVIEW OF NOVEMBER 2020 MINUTES

Chairperson Mart asked the group if they had reviewed the minutes of the last meeting. Ms. Thompson made a motion to approve the minutes as written and Mr. Smith seconded. The motion carried and approved the minutes.

REPORT ON COUNCIL ACTIONS

Ms. Vail reported the status of the November agenda items. The rezoning will have its final public hearing and vote before the Council on December 15, 2020. The other items on the agenda were approved by the City Council at their last meeting.

NEW BUSINESS

- **FLEXVAR20-05:** **Application from Roberto Meza to allow construction of a fence six feet in height in the front yard of property at 4264 Butler Road.**

Mr. Roberto Meza, 4264 Butler Road explained that he had purchased the home and adjacent lot and wanted to install a fence along the front of his property and down the sides to protect his children as they play outside. He went on to describe the high volume of traffic in the area. He described the fence he is proposing as being about forty inches of a decorative concrete border with decorative wrought iron on top of it to reach a height of seventy-two inches. Mr. Meza also stated that he plans to have his property surveyed to determine the right of way and plans to put the fence at least eight feet off the right of way.

Mr. Hildenbrand and Mr. Swann both discussed a large ditch on the right of way and asked Mr. Meza how far from the ditch the fence will be. He explained that is why he is having the property surveyed so he will provide ample room for working on the buried utilities if necessary. The group continued to discuss the details of the fence. The Committee had no more questions for Mr. Meza and opened the public portion of the meeting.

Mr. Jason Warren, developer of a new subdivision in the area and resident at 1006 Charleston Boulevard, said that he prefers the existing natural landscaping of Mr. Meza's property and fears that the very ornate fence planned will be distracting to the area. Chairperson Mart asked about the fencing around the new subdivision. He explained they have created a berm with landscaping on the top and are using wooden fencing. Mr. Warren said he preferred a wrought iron fence without a concrete base.

Mr. Davis stated that, as one travels Butler Road all you may see is miles of solid board wooden fences. He went onto explain that these fences are on the back yards of homes but he felt this wrought iron fence will be more open and attractive. He went on to say that the concrete portion of the fence could be limited to less than forty inches.

Since there was no one else to speak at the public portion, the Committee closed it and started their discussion. Mr. Pat Falkner, Director of Development Services, and Committee member Ms. Pam Hadley joined the meeting via Zoom at this time.

The Committee discussed the height of the decorative concrete base. Mr. Falkner said his analysis was on the picture of the fence Mr. Meza provided. It shows a base of only about sixteen inches high. He felt that the lower base and openness of the wrought iron did not pose as much a visibility issue for traffic or blocking view of the home. He went on to say that a forty-inch high concrete base would count as a wall and not a fence. Mr. Falkner said he thought thirty-six inches was as high as it should be.

The Committee continued to discuss various heights from eighteen inches to twenty-four inches. Mr. Davis then made a motion to approve the fence with a decorative concrete base of no higher than twenty-four inches with the total fence being no taller than seventy-two inches and at least eight to ten feet from the right of way. Mr. Hildenbrand seconded the motion and the vote was unanimous in favor of the motion.

- **FLEXVAR20-08: Application from Michael Carter / CLRS, LLC to allow construction of a building addition with a five-foot setback rather than the required ten-foot setback.**

Ms. Amy Thomas spoke on behalf of CLRS, LLC and Mr. Michael Carter located at 103 Rankin Boulevard. Ms. Thomas explained that they are requesting to add on to the building the width of the existing drive for a storage room for equipment related to the rental business. The outside of the addition will match the existing brick building and the roofline will be extended and look the same. Ms. Thomas provided a picture of a roll up garage door planned for the project. The Committee members reviewed the picture.

Mr. Hildenbrand and Chairperson Mart both asked about the foundation for the building addition. Ms. Thomas explained she did not know about the details of the construction. She added the contractor would be responsible for those details. The Committee had no other questions for Ms. Thomas and opened the public portion of the meeting.

Ms. Corinne Keith, 105 Rankin Boulevard, spoke against the application. She listed her concern for fire safety, decline of her property value and that the addition would provide no benefit to the neighborhood. Ms. Keith further explained that she understood that Mr. Carter owned many properties in Tupelo and felt that one of the other properties would be more appropriate for this storage area than the one next to her. She also talked about Mr. Carter having the property surveyed. Ms. Keith said she has hired a surveyor to survey her property but unfortunately, their schedule prevented them from having it complete before the meeting. She felt that five feet was too close for them to be to her property line. Ms. Keith then mentioned that there is an Atmos gas line running very close to the driveway and her property. She then introduced her husband, Kenny, to explain the gas line.

Mr. Kenny Keith said he had talked to Atmos and expected them to be at the meeting. He went on to say that the gas line runs across Kings Creek and across this property providing gas for all the businesses east, including Kroger. He stated the line runs very close to where they plan to build the addition.

Ms. Joyce Logan, who owns 104 Rankin and lives at 106 Rankin, expressed her objection to the variance agreeing with all the reasons Ms. Keith had expressed. She then read a warning notice about construction near a natural gas line. She also talked about how hard Ms. Keith and the other neighbors had worked to make their end of Rankin Boulevard more attractive.

The Committee closed the public portion on the meeting and discussed the information provided and the concerns about the details of the building addition, Ms. Keith's request to have her property surveyed and the location of the gas line. Mr. Hildenbrand made a motion to table the item until they are able to get answers to the various concerns. Ms. Thompson seconded the motion. Chairperson Mart asked for a discussion of the motion. They asked Ms. Thomas to discuss their concerns. Ms. Thomas said she supported tabling the item so that she could have someone there to answer all their questions. The Committee then voted and it was unanimous to table the item until there are answers for their questions.

The Committee then asked about the next meeting. Mr. Falkner and Ms. Vail explained there is a Special Called meeting scheduled on December 21 to address a rezoning request and another variance. The Committee decided to hold a work session on December 14.

The Committee adjourned the meeting.