

**Town of Triana
Planning and Zoning Commission
Monday, Sep 18, 2023
6:00 P.M.**

MINUTES

Meeting was called to order by Commission President Whitman. Mr. Whitman called the roll.

Roll Call:

Mayor Mary Caudle	Present
Barry Davis	Absent
Beechel Grays	Present
Brenson Parks	Present
Teresa Nelson	Present
Patsy Parvin	Present
Roy Seay	Absent
Alicia Toney	Absent
Casey Whitman	Present

Members present constituted a quorum.

Approval of Minutes from Jul 3, 2023

Mayor Caudle moved to approve the minutes, seconded by Mrs. Nelson. Unanimously approved.

Opening Comments

Mr. Whitman stated the Foster Place started Construction, Malvern Hill was continuing to work through sewer construction issues, and that Savannah Terrace/Grove were almost completed building homes. The Phase 2 sewer project was bid and awarded and would start construction soon and would be two areas Savannah West to Swancott and Jesse Bennett to Foster. EOS provided a report that said these upgrades would put us in good position and they provided a few extra recommendations.

Mr. Grays asked about when the contractors for Foster Place would build in an input to Foster Place off Zierdt due to mud being tracked onto Lakeside Dr. Mayor Caudle stated the Building Inspector has already addressed the issue.

Zoning Ordinance Update

Mr. Whitman stated that the Commission had a Joint Work Session with the Town Council and that the consensus was that there were conflicts in the Zoning Ordinance in regards to approval authority for placing Mobile or Manufactured Homes in R-1 or R-2 districts. Mr. Whitman stated that the consensus on how adjust the Ordinance should be fixed was for an empty R-1 parcel, no approvals other than Building Permits (i.e. plumbing, electrical, septic) were required. If an existing residence existed on the parcel, then permission from Planning and Zoning was required to review

setbacks, access, parking, easements, etc. Mr. Whitman presented a draft update to the ordinance to correct the language in the ordinance in a few places.

Mr. Grays asked why the existing ordinance that restricts it to two per half acre was not sufficient to address the issue. Mayor Caudle stated that the requirement was driven by Building Code requirements related to access, easements, etc. Mr. Whitman stated that the two per half acre was still applicable though. Mr. Grays asked if this would essentially give the power to the Commission to stop someone from placing two structures on a lot. Mayor Caudle said the intent was really to approve or deny but to make sure that necessary setbacks, access, etc, were being considered. Mr. Grays asked about mandatory setbacks from Mobile Homes. Mayor Caudle stated that it wasn't designated, just that each needed a driveway and two parking spaces per unit. Mrs. Parvin asked about setback from a property line. Mr. Whitman stated that he believed it was 5' from the line based on conversations with the Building Inspector. Mayor Caudle stated she believed that was from building code. Mr. Whitman referred to the R-1 table said 10' side yards, but that there was an exception for what is common in that neighborhood. Mr. Whitman stated that the Building Inspector would review any applications for a second residence prior to Planning and Zoning review. Mr. Grays asked where R-1 and R-2 zones were in the City. Mr. Whitman stated essentially anywhere there wasn't a subdivision expect for a small number of existing R-2 areas like Public Housing and a few commercial areas. Mr. Whitman stated that he had two approvals on the agenda because of the inconsistencies.

Mrs. Parvin made a motion to recommend the Town Council approve of the updated Zoning Ordinance, Mrs. Nelson seconded. Roll Call:

Roy Seay	Abstain
Mayor Mary Caudle	Aye
Beechel Grays	Aye
Brenson Parks	Abstain
Teresa Nelson	Aye
Patsy Parvin	Aye
Casey Whitman	Aye

Motion carried and forwarded to the Council.

Approval of Manufactured Home Placements in the R-1 District

Mrs. Sanderson at 407 Landess Cir has a vacant 1 AC parcel on Landess Cir and would like to place a Manufactured Home. Motion from Mr. Grays to approve, Mrs. Nelson seconded. Unanimous consent. Motion carried.

554 Landess Circle has an existing traditional home and is requesting to place a Manufactured Home behind the traditional home. Mr. Whitman stated that there was a Manufactured Home on the property before but was removed at some point. Motion from Mr. Grays to approve, Mrs. Parvin Seconded. Mayor Caudle stated that the Building Inspector would need to double check spacing prior to the Town's approval. Unanimous consent. Motion carried.

Minimum Habitability Ordinance

Mr. Whitman stated that this topic was also covered in the Joint Work Session. He stated that this ordinance would set minimum standards for residences. He stated that AL Code 11-53 empowers Municipality to regulate minimum habitability. He stated that this does not fall in Planning and Zonings purview under the State Code but wanted the Commissions opinions on the matter. He stated that he asked the Building Inspector and Fire Chief to review the draft. He asked that the Commission discuss Article 3 which specifies the requirements. Mr. Seay asked if we had an ordinance like this already. Mr. Whitman said no, we have an ordinance that specifies what we can do with an unsafe building but did not have an ordinance to say what is unsafe. Mr. Whitman stated that the ordinance empowers the Building Inspector to inspect structures such as sheds that are being used as a residence. Mr. Grays asked if he required a warrant to enter and inspect property. Mr. Whitman said he had the same question and checked with the attorney and said he did not as it was for safety. Mr. Parks pointed out the clause in the draft stated inspect “during reasonable hours”. Mr. Grays asked if we knew how many homeless were in the Town. Mayor Caudle said she did not but that we have a responsibility to make sure people were safe. Mrs. Parvin stated that she felt that some persons were being charged to live on properties that were unsafe and that the Property Owners should be responsible to provide the basic housing needs. Mrs. Nelson asked if some of these have been looked into. Mayor Caudle said yes, some have. Mr. Seay asked if there were State requirements. Mr. Whitman said that the standards could be traced back to Building Codes and that the State Law merely provided authority for the municipalities to enact Minimum Housing laws. Mayor Caudle suggested subsequent meetings since it is a large ordinance and somewhat sensitive topic. Mr. Whitman suggested a Public Hearing prior to a Council Vote, Mayor Caudle agreed.

Public Comments

Mrs. Sanderson asked how she gets her permits. Mr. Whitman stated to get with the office tomorrow and he would let Sharron know we had approved the placement. She stated she had to get an address from the County but couldn't get power. Mayor Caudle stated that HSV Util could not give power until we issued an Occupancy Permit from the Building Inspector and a pole is installed. Mr. Grays stated the County Co-op sells the posts. Mayor Caudle recommended she talk to her Home Company to deal with her side of the electric.

Mrs. Torres asked to make sure she was approved. Mr. Whitman said yes we approved it and Mayor Caudle stated that the Building Inspector just needed to double check setbacks.

Mr. Doughty stated he is putting in a Mobile Home on Bertha Dr. and it is dark and asked about street light. Mr. Whitman stated he thought there was a light at the top of the street. Mr. Whitman took an action to look at the existing light. Mayor Caudle stated that they were waiting on several to be installed. Mr. Grays stated that we needed one at the corner of 5th St.

Adjournment

Motion from Mr. Whitman to adjourn.

Date approved: *Mar 4, 2024*

Casey S. Whitman, President

Mary Caudle, Mayor