

**Town of Triana  
Planning and Zoning Commission  
Monday, Sept 01, 2022  
6:30 P.M.**

**MINUTES**

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

Roll Call:

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

Members present constituted a quorum.

Minutes from July 18, 2022

Mayor Caudle motioned to accept the minutes from July 18, 2022. Second from Mrs. Nelson. Unanimous consent, motioned carried.

Opening Comments

Mr. Whitman stated that the Council enacted the Large Scale Development Moratorium. He stated the Council modified the Ordinance to make it clear that Annexations are allowed. Mayor stated that she requested a meeting with EOS to begin design work on the second phase of the sewer. She also stated that she has requested a meeting with Huntsville Utilities on a third water intake.

Rezoning Request from Michael Caudle for 0 Carr Lane from R-1 (Single Family) to R-2 (Multi-Family)

Mr. Whitman stated the property is between 170 and 180 Carr Ln. He stated the property is ½ Acre and Mr. Caudle wanted to build a tri-plex consisting of three units of two bedroom, one bathroom each. He stated that there is no sewer so septic would be required. Mayor Caudle stated that if he was approved he would need to submit detailed layout plans to include driveways, etc as part of the building permit. Mr. Whitman stated that this would be a “pocket rezoning” since it is currently surrounded by R-1. He stated that there was R-2 at the top of Carr Ln. Mrs. Burgess asked if there were other vacant properties nearby. Mr. Whitman checked the map and there were a few nearby that were the same size. Mr. Whitman stated that the property was also in the FAA 65 DNL zone and expected the Airport Authority to object.

The Commission discussed various means of connecting to existing sewer such as running a line up the RoW towards Ervin Ln or through the back of the property to Oregon. Mr. Grays asked if a grinder pump was an option to overcome gravity. Mr. Whitman and Mayor Caudle believed that it would. Mr. Whitman stated that it was about 1000' to go up Carr Ln towards Ervin or 1200' to go South to Bertha or Monique.

Mr. Parks asked if there were other R-2 nearby. Mr. Whitman stated no, other than the top of Carr Ln which was included in the original zoning due to Trailers and then the rezone that was approved on Oregon. Mr. Seay asked about rezoning fees for changes in rezoning. Mr. Whitman stated that the only one he knew about changing several times was the property on Record Street. Mr. Grays brought up the prior moratorium. Mr. Whitman stated that the current moratorium limits to four lots or more and he felt that it would drive the town to see more requests like this for duplex/triplex / quads in smaller properties around town. Mr. Parks said if the concern was setting a precedent, the best way is to just not set the precedent. Mayor stated that we can always state that certain areas are not supportable by capacity. She stated that new subdivisions will drive increased traffic all around town like Advent.

Mr. Whitman stated that high-density housing needed to be adjacent to Wall-Triana, 6<sup>th</sup> Street, or Zierdt. Mayor suggested that she preferred that any new high-density or subdivisions exit onto those major streets, not small streets. Mr. Whitman suggested that the time during the moratorium be used to develop a rezoning ruleset. Mayor Caudle added that the ruleset should include a Town Hall meeting to help develop it similar to our Comprehensive Plan meeting. Brenson Parks asked about districts and the next elections. Mayor stated that it was 2025. She stated that we have to make sure that any development on Wall-Triana, 6<sup>th</sup>, or Zierdt needs to include Commercial set aside. Mrs. Burgess asked if the West part of Savannah still included a plan for Commercial. Mr. Whitman stated that no, it was developed as R-3. Mayor Caudle mentioned the proposed plan for Mr. Murphy's 300+ Acre land on Wall-Triana Hwy and that we would need to make sure that any plans are set and not subject to change by the developer only and needs to be locked-in. Mr. Whitman stated that he would not vote to change any B-1 to R. Mayor Caudle stated that if we have it written down it will prevent people from asking in the first place. Mr. Whitman stated that he thought there was a provision to pre-determine adjacent county lands as being certain zoning categories. Mayor Caudle stated that when we annex land it comes in as a certain zoning. Mr. Whitman clarified that he meant determining a possible zoning prior to an owner asked to be annexed. The Commission briefly discussed the property that the County and City of Huntsville jointly own on 6<sup>th</sup>.

The Commission recognized Mrs. Cassandra Fearn to speak about the request. She stated that she was a nearby property owner and was not in favor of the rezoning or triplex. Mr. Seay asked what her reason was. She stated that the area is single family homes. Mrs. Nelson stated that other nearby vacant lots will likely ask for the same type of rezoning. Mr. Whitman stated that this was a good point and one way a developer could go around the moratorium if they bought up several small properties around town and asked for pocket zoning for duplexes, etc.

Mr. Whitman asked if there were any other discussion and asked for a motion to recommend approval to the Council or recommend denial to the Council. Mayor stated that tabling and asking for additional information was the third option. Mr. Grays asked if its rejected, it goes to the Board of Adjustment, and then the Council. Mayor stated yes, it does.

***Mr. Seay motioned to recommend approval of the rezoning request. Mr. Grays seconded the motion.***

Roll Call:

- Mr. Seay – Yes
- Burgess – No
- Whitman – No
- Caudle – Abstain
- Parks – No
- Nelson – Abstain
- Davis – No
- Grays – Yes

Two Ayes, for Nays, motion failed.

***Mr. Parks motioned to recommend denial of rezoning. Seconded from Ms. Burgess.***

- Mr. Seay – No
- Burgess – Yes
- Whitman – Yes
- Caudle – Abstain
- Parks – Yes
- Nelson – Abstain
- Davis – Yes
- Grays – No

Four ayes, two nays, motion carried. Mr. Whitman took an action to draft a letter to Mr. Caudle notifying him of the decision.

Public Comments

None.

Adjournment

Motion from Mr. Seay to adjourn.

Date approved: Oct 3, 2022

SIGNED ON FILE  
Casey S. Whitman, President

SIGNED ON FILE  
Mary Caudle, Mayor