

PLANNING COMMISSION AGENDA
OCTOBER 27, 2014

1. ROLL CALL:

PRESENT:

SEAN SCHADER
MATT HUTCHERSON
TONI BAHN
GERRY HARRIS
JUDY HORNE
ROBERT WILSON
JOSH CLARY

ABSENT:

ROBERT MANN

2. The minutes for September 22, 2014 meeting were approved with Josh Clary abstaining because he was not at the meeting.

3. Comments from Citizens: None

4. PUBLIC HEARINGS:

- A. Rezoning request-Gary Stearman-request rezoning from RE-1 to C-1.
Property owned By: Gary Stearman
Property location: 12461 Bethel Blacktop
Mr. Stearman requested it be tabled until further notice.

5. NEW BUSINESS:

- A. Variance request: Holland Crossing Duplexes – side set back and lot width.

Zak Johnston was here to present regarding variance request. Josh Carson-Attorney for Rausch Coleman-here to provide clarification on covenants for this development. The requested variance would be needed to be able to sell each side of duplex as a single family home. The commission has concerns about issues relating to insurance. Bobby Wilson referred to a subdivision in Fayetteville where the POA maintains the insurance for the entire subdivision. Commissioners like this idea. Rausch Coleman representatives said they would look into this type of insurance structure. They also asked for additional suggestions with regard to covenants. Judy asked statistics of rental vs ownership. Josh Carson, Attorney for Rausch, said zero lot line rentals about 40%, without it about 50%. After questions by Clary, Josh (attorney) said these might be bad statistics and would look into more accurate statistics and clarified it is less leased with zero lot line. Frontage setback was clarified. It is necessary to sell the duplexes to individual home owners.

Linda Peters of 5056 Coax Loop is concerned as to whether we have ordinances to handle or deal with all issues or does it rest solely with the POA. Steve Tennant, City

Attorney pointed out that we do not have ordinances in place. Peters asked that if residents do not come forward to participate in the POA they could hire a management company to do it. Dana said there currently is not a company in Arkansas dedicated to managing POA's but Rausch Coleman is open to suggestions in this regard. Judy clarified that POA vote stays with property owners not the tenants/renters.

The floor was closed for a vote to be taken on Variance Request: Holland Crossing Duplexes.

Motion to approve variance request for 4735 S. Alberta Street with the condition that Rausch Coleman will prepare a declaration of covenants, conditions and restrictions To include an overall insurance for all property owners and the idea that if a POA cannot be established with property owners Rausch Coleman will hire a property management company to manage the POA. Josh Carson, Attorney, said Rausch Coleman would be fine with accepting contingences along with variance passage.

The motion passed with the above stipulations being met before final approval.

Steve Tennant, City Attorney, requested a copy By Laws.

Bobby Wilson made a motion to adjourn and it was 2nd by Matt Hutcherson.



Toni Bahn, Secretary
Farmington Planning Commission



Gerry Harris, Acting Chairman
Farmington Planning Commission