

**MINUTES OF THE REGULAR SESSION OF THE  
PIPERTON PLANNING COMMISSION  
February 14, 2023, 6:00 P.M.**

The Piperton Planning Commission met on February 14, 2023 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Bob Archer and Commissioner Mimi Ragon. City Planner Brett Morgan, Fire Chief Reed Bullock, Building Official Elizabeth Reed and City Recorder Beverly Holloway were also present along with Charles McElwee, Jim Ragon, Bret Morris, and Vicki Hancock in the audience. City Engineer Harvey Matheny was absent.

**Agenda item 1.** Call to order, establish quorum

**Action taken:** Chairman John Henszey called the meeting to order at 6:00 p.m., and established that a quorum was present.

**Agenda item 2.** Prayer and Pledge of Allegiance to the American Flag

**Action taken:** Chairman Henszey led in the opening Prayer and Commissioner Bob Archer led in the Pledge of Allegiance to the American Flag.

**Agenda item 3.** Any changes to Agenda; Additions/Deletions; Motion to adopt the Agenda

**Action taken:** There were no changes to the Agenda, Commissioner Archer moved to approve the agenda as presented, seconded by Commissioner Mimi Ragon. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of January 10, 2023; Motion to approve the Minutes of the Regular Session of January 10, 2023

**Action taken:** There were no changes to the Minutes of the Regular Session of January 10, 2023, Mayor Henry Coats moved to accept the Minutes of the Regular Session of January 10, 2023 as presented, seconded by Vice-Mayor Mike Binkley. The Motion received all affirmative votes.

**Agenda item 5.** Consideration of an amendment to Article 8 of the Piperton Zoning Ordinance (Provisions Governing Signs) amending the allowable signage for Convenience Stores/Fueling Stations. Approval of an amendment to the Zoning Ordinance requires a recommendation to the BMC for adoption.

City Planner Brett Morgan stated we had discussed this at the last meeting regarding the provision governing signs and the addition is to Article 8.14.1.G. as number 6) Convenience Stores/Fueling Stations to which Mr. Morgan read the following aloud

- a) Convenience stores shall be allowed one wall sign for each additional franchise business operating within the store's building envelope. The secondary business' sign shall be subordinate in size to that of the principal business.
- b) One additional branding sign shall be allowed to be affixed to the canopy overhanging fueling pumps. The location, proportions, and colors (including the canopy color) shall be approved by the PC/DRC.
- c) The cumulative sign area of all signs shall comply with the maximum per zone lot allowance prescribed in **Article 8.12.2.**
- d) Industry standard colors (red, green, and amber) shall be allowed for electronic fuel price signs but must be approved by the DRC.

Mr. Morgan stated he had spoken with Mr. Hamoud (Piperton Fast Lane) and told him he was allowed only one sign on the canopy and the canopy should match the facade of the building.

**Action taken:** Vice-Mayor Binkley moved that the Planning Commission approves the amendments to Article 8 (Provisions Governing Signs) as recommended to the Zoning Ordinance and recommends it to the Board of Mayor and Commissioners with changing franchise to business in 6a and removing additional in 6b, also adding the secondary sign will be subordinate to the main building sign in 6a, and then add 6d, the standard colors for fuel prices are allowed red, green or amber but must be approved by the DRC, seconded by Commissioner Archer. The Motion received all affirmative votes.

Jim Ragon inquired if there were limits on the gas price lumens (the brightness).

Vicki Hancock stated that sign is much brighter than the previous sign.

Commissioner Archer stated that is something that needs to be investigated.

Mr. Morgan stated he didn't believe we have any restriction on that necessarily and we can certainly tone down the brightness.

Chairman Henszey inquired if we could have some information on lumens at the next meeting.

**Agenda item 6.** Consideration of an amendment to Article 3 of the Piperton Zoning Ordinance (General Provisions) amending the requirements for Residential Use of an Accessory Structure. Approval of an amendment to the Zoning Ordinance requires a recommendation to the BMC for adoption.

Mr. Morgan stated article 3 is consideration of amendments to the conditions of approval for accessory residential, we gave a list of the conditions of approval but in that list number 8 and 9 required a proof of deed restrictions to be submitted to the City, and that language puts a cloud on the deed was not acceptable to the City Attorney and so we have revised the language and created an affidavit that accomplishes the same thing to which Mr. Morgan read item 14 aloud, this becomes part of the sales documents should it sell.

**L. Accessory Residential** – provides a habitable living area associated with, but not necessarily connect to, the principal structure. Accessory Residential uses are subject to the following provisions.

1. Must comply with all applicable provisions of Article 3.3 regulating accessory structures.
2. Use shall be limited to family members, household employees, caretakers, or caregivers.
3. Shall not be used for home day care, professional office, or home occupation.
4. Access for each accessory dwelling shall be restricted to the existing access to the lot from a given street or alley. (No additional or multiple driveways will be permitted.)
5. Must be accessory to an existing principal dwelling (nothing shall prevent such unit from being located within or inside the principal structure).
6. Shall not include mobile homes, recreational vehicles, or travel trailers.
7. Shall be of durable exterior building materials that are the same or higher quality as surrounding developments, (however, when the principal structure is predominately brick or stone, the introduction of smooth wood or fibrous cement siding is appropriate to reinforce the ancillary and subordinate nature of the accessory dwelling unit.)
8. Shall not be sold apart from the principal structure. ~~Proof of deed restrictions to this effect shall be provided prior to the issuance of building permits.~~

9. Shall not be leased or rented. ~~Proof of deed restrictions to this effect shall be provided prior to the issuance of building permits.~~
10. Must meet all Fire Department requirements concerning sprinkler systems.
11. The maximum building height, measured to the peak of the roof, for a detached accessory building containing an accessory dwelling unit shall not exceed 13 feet for a one-story building and 22 feet for a two-story building. The height of an accessory dwelling unit attached to a principal dwelling shall not exceed the existing height of the principal dwelling.
12. Must meet the building setback requirements for the principal dwelling on the lot. Structure shall not encroach into any easement or septic system drip field
13. Domestic water shall be served by the same meter as the principal structure.
14. Owner of the principal structure shall complete, sign, and date the City of Piperton Accessory Residential Affidavit which states the "residence is to serve as a residential, not rental, accommodation limited to **family members, household employees, caretakers, and caregivers only**, and will not be used for any purpose for which I, any member of my family, or any other person, group, or enterprise, of whatever description, would receive any compensation of any kind whatsoever from anyone." The completed Affidavit shall be recorded with the property deed.

Commissioner Archer inquired since the attorney has been involved in this discussion this document if we approve it as listed would it carry the same weight as a deed restriction, is it as binding as a deed restriction.

Mr. Morgan stated a deed restriction definitely clouds the title, the affidavit is just a promise to do it, this is just an effort for people to do right knowing that we can't police these things in full and the HOA's generally have it in their covenances that people can't do that anyway.

**Action taken:** Commissioner Archer moved that the Planning Commission approve amendments to Article 3 (General Provisions) and recommend this amendment to the Zoning Ordinance to the Board of Mayor and Commissioners, seconded by Mayor Coats. The Motion received all affirmative votes.

**Agenda item 7.** Consideration of the Design Guidelines Manual. Approval of the Manual require the DRC's recommendation to the BMC for final approval per Ordinance No. 156-08.

Mr. Morgan stated we reviewed the manual last month and there was not a lot of revisions made to it and Mr. Morgan went over the review checklist, this is not a complete checklist, it is just a general overall list. The City has a site plan application and a very other applications as well as the application for building permit after all approvals are done. When the State made provisions allowing the Planning Commission to be the DRC, it allows for the review of commercial, industrial and multi-family, we have no multi-family in this document but the next process should included multi-family, the current document shows commercial and industrial examples. Small discussion ensued.

**Action taken:** Commissioner Archer moved that the Planning Commission approve the recommended Design Guidelines Manual and acting as the DRC recommends it to the Board of Mayor and Commissioners for final approval, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

**Agenda item 8.** Any other old/new business, questions or matters from the audience  
Mayor Coats inquired on AOC's lighting to which Mr. Morgan will contact them.

Chairman Henszey stated requiring the gateway signage, I have been around to all the gateway entrances and for the most part there is already a sign there about where we would want to put the new signs and I have asked the City Engineer (Harvey) for all the right-of-way information such as how much right-of-way does the State have on Hwy 196, Hwy 72 and Hwy 57 so we can get an idea of who will need to get permission from and who we need easements from and we need to know from the State if we can place these solid brick signs or what is their requirements for materials so we still have work to do.

Mr. Morgan stated he believed Harvey was going to reach out to TDOT about the right-of-way issue as well. I have the signs before three different sign companies for pricing and installation and would like to have a fourth.

Chief Bullock stated the website has the new major road plan map, zoning map and the land use map on it.

**Agenda item 9.** Adjournment

**Action taken:** Vice-Mayor Binkley moved for adjournment, seconded by Commissioner Ragon. The Motion received all affirmative votes, and the meeting was adjourned at 6:48 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: \_\_\_\_\_ date: \_\_\_\_\_