

**MINUTES OF THE REGULAR SESSION OF THE  
PIPERTON PLANNING COMMISSION  
September 12, 2023, 6:00 P.M.**

The Piperton Planning Commission met on September 12, 2023 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Vice-Mayor Mike Binkley, and Commissioner Mimi Ragon. City Planner Brett Morgan, Building Official Elizabeth Reed, and City Recorder Beverly Holloway were also present along with Jim Ragon, Dave Moore, Michael Tushek, Diane Green, Vicki Hancock, Peter Huggins, Jeff Browning, Letha Granberry, Jack Murphy and et al in the audience. Commissioner Bob Archer and City Engineer Harvey Matheny were 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 Vice-Mayor Mike Binkley 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, Vice-Mayor Binkley 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 August 8, 2023; Motion to approve the Minutes of the Regular Session of August 8, 2023

**Action taken:** There were no changes to the Minutes of the Regular Session of August 8, 2023, Mayor Coats moved to accept the Minutes of the Regular Session of August 8, 2023 as written, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

**Agenda item 5.** Consideration of Piperton Pentecostal Church wall sign, 710 Hwy. 57  
Applicant: Billy Patton (Pastor)

City Planner Brett Morgan stated the applicant has requested approval of a wall sign (2 feet tall x 3 feet wide) with white lettering on a dark background. Staff recommends approval of the sign.

**Action taken:** Mayor Coats moved to accept the Pentecostal Church wall sign, seconded by Commissioner Ragon. The Motion received all affirmative votes.

**Agenda item 6.** Consideration of an Accessory Structure application on Lot 28, 140 Lake Edge Dr., Lakes of Greenbrier

Applicant: Dave Moore

Mr. Morgan stated this item came before this body last month and was postponed. Although the building meets the square footage requirements of the City, it did not meet the requirement of matching the principal structure materials. Mr. Moore

has submitted additional materials. With this building over 1,200 square feet, it must have approval of the Planning Commission and a recommendation to the Board of Mayor and Commissioners. The additional materials show each end of the building as fully bricked to the top of the ridge board and then a wainscoting across the front of the building. It should match the character and materials of the principal structure. It will be a white-gray brick and not the red as shown on the submitted drawing.

Dave Moore stated it is the same brick that we ordered for the house and it is all brick on the front and the sides that are visible with metal siding on the back because it backs up to acres of woods. You can't see it.

Mr. Morgan read Article 3.3, section E for Accessory Structures for the benefit of all.

Chairman Henszey stated the drawing doesn't show us the best view that you could have presented.

Mr. Moore stated that is correct and after talking with Mr. Morgan, I feel like in the best interest of everybody since I will be living here and I build here in Piperton, I will do the whole front of it all the way up and everything on the front and the two sides will be brick. The roof will be the same black metal I used on the house. You can't see this building when you pull into my cove. White garage doors and white on the windows.

Chairman Henszey inquired on the entry road to this building to which Mr. Moore stated we will use the driveway that we use to the house. Chairman Henszey inquired on the use of this building.

Mr. Moore stated the far garage will be used for a car, the next one will house the tractor and the lawn mower and the third one will be our gym.

Diane Green (Lakes of Greenbrier HOA) stated we ran all the documents past our attorney as well but you will still need to submit an architectural request to our HOA.

Mr. Moore stated I do not per the deed and covenants.

Mrs. Green stated per our attorney, you do.

Vice-Mayor Binkley stated that has nothing to do with this body.

Jeff Browning stated we would like to see an updated drawing.

Jack Murphy stated it is visible from the cul-de-sac. There are no structures this large in that part of the community. It is completely different than the community and the intentions of the community when it was first developed. I think it should be modified to be something that is more acceptable with the rest of the property unless there is a very good reason why it shouldn't be.

Vice-Mayor Binkley stated a little bit of the response to that is because it is 10 acres.

Peter Huggins stated if you are coming up the road until you get to my driveway the majority of this building will not be visible however if I walk out of my side door to my driveway, this building will be all I see. I appreciate the design adjustments that have been made but this will be a very significant change in terms of the view that I have as the property directly beside me.

Chairman Henszey inquired about landscaping.

Mr. Moore stated he is not opposed to doing stuff like that.

Mr. Huggins inquired is this set back as far on the property as possible.

Mr. Moore stated yes, without getting into the very low part of it. When this is done, we will plant trees along the property line and fencing the whole when we are done. It will look totally different.

**Action taken:** Vice-Mayor Binkley moved to approve and recommend to the Board of Mayor and Commissioners the accessory structure application on lot 28, 140 Lake Edge Drive in the Lakes of Greenbrier with the one condition listed but adding conditions that the brick will match the house brick and the brick will be across the entire front and both sides and that the metal on the roof will match the metal on the house, and also the paint will match that of the house, seconded by Commissioner Ragon. The Motion received all affirmative votes.

**Agenda item 7.** Consideration of textual changes to the Zoning Ordinance to clarify Piperton fencing requirements

Mr. Morgan stated from our last meeting there were questions regarding fencing especially in regards to Donnie Stage's fence application. There were some concerns that we weren't consistently applying the zoning ordinance so we wanted to take a look as to whether or not changes needed to be made in the way that we word it. The Zoning Ordinance addresses "fencing" in relationship to several issues:

1. Storage of RVs, motorhomes, and boats
2. Swimming pool security (4' height minimum)
3. Accessory play structures
4. Landscape screens and barriers. Residential/Commercial/Planned Developments
5. Signage
6. Automobile storage (8' height minimum)
7. Sexually oriented businesses

Mr. Morgan stated the main thing we really want to do is clarify enough so the Building Official knows whether or not she should ask the Planning Commission to consider something otherwise she needs to know she has the ability to give the permit without having to come to the Planning Commission to do it. The main article we go to is Article 3 section 3.13 item 3 (to which Mr. Morgan read for the benefit of all) is the general rule. The Planning Commission acting as the DRC has capacity to make changes without worrying whether or not it should. There can be 8 feet fences within the city.

Vice-Mayor Binkley stated we probably need to add prefabricated concrete panels at the top on the materials.

Mr. Morgan stated yes, they are popular now. Article 11.1.5 also speaks of fencing more specifically and deals with fencing that is a maximum of 6' except around outside service and storage areas. Also suggested adding (D) to that section which states "Privacy fencing (including walls) in a residential setting should match that of the neighboring properties in height and general style. Any fence within a residential neighborhood proposing a height of 8' must provide justification for the additional height and must receive approval by the Planning Commission acting in its capacity as the City's Design Review Commission." We can also add the concrete panels to this section.

Chairman Henszey inquired where should the penalties be located for starting without a building permit.

Building Official Elizabeth Reed stated it is located in the Fee Ordinance. It is double the permit fee. The fence permit is \$50.00 so it would be doubled to a \$100.00 permit fee if they have to come before this body. The Accessory structures goes by square footage.

Mr. Morgan stated I will add the changes and get a new ordinance before the Board.

**Action taken:** Mayor Coats moved to add item D under Article 11.1.5 and also add under 3.13.3 decorative concrete prefabricated panels and recommends it to the Board of Mayor and Commissioners, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

**Agenda item 8.** Consideration to rezone the Piper House and Park property from the RC – Rural Conservation zoning district to the O – Office zoning district and to recommend the rezoning to the Board of Mayor and Commissioners

Mr. Morgan stated at our staff meeting Monday, the renovation is getting pretty close and we need to think about getting the zoning in place to use the property as the admin offices but it is currently zoned R-C and I was tasked with presenting a plan to this body for review of three parcels. Subject to your approval and recommendation, a zoning ordinance would be written to amend the zoning map to create the office district (O) for three parcels of land.

**Action taken:** Vice-Mayor Binkley moved to approve the rezoning of the three tracts of land from R-C to O and recommends it to the Board of Mayor and Commissioners for approval, seconded by Mayor Coats. The Motion received all affirmative votes.

**Agenda item 9.** Any other unfinished/new business, questions or matters from the audience

Mr. Morgan stated Tuscan Iron Entries' PD-O is going before the Board next week. Also, the Exxon/Mobil on Hwy 72 had previously submitted a lighting plan with a requirement under canopy of 6-foot candles. We went back to them after realizing that the ordinance had not been updated properly in the past and told them that they could go up to 20-foot candles on average under that canopy. They resubmitted it back to staff and we approved it administratively as you can see in the revised plan.

Mayor Coats stated the Priddy property has sold and closed.

Vicki Hancock inquired about the lights at Circle K, I thought you said they were going to be reduced because it covers the road and to the Webb property.

Mayor Coats stated it is to standard.

**Agenda item 10.** Adjournment

**Action taken:** Vice-Mayor Binkley moved for adjournment, seconded by Mayor Coats. The Motion received all affirmative votes, and the meeting was adjourned at 7:02 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

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