

City of Eden
Planning and Zoning Commission
March 5, 2018

The Planning and Zoning Commission met on Monday, March 5, 2018 in the council chambers of the Eden City Hall at 6:00 p.m.

Present:

Commission Member Johna Williams
Commission Member Esther Gryniewicz
Commission Member Angela Regalado
Commission Member Jim Pfluger
Commission Member Troy Oleson
Recording Secretary, Celina Hemmeter

Public: Chris Chant, Elizabeth Chant, Julie Cox, John Cox, Sandra Buckys, Eugene S. Buckys, Chad Miller, Heather McCulloch, Grover Hall, Agapito F. Torres

The meeting was called to order. Celina thanked the board for serving as volunteers. Celina informed the public and Commission Members that the purpose of the Planning and Zoning Commission's ("Commission") Public Hearing is to allow the petitioner for the usage change to make their case to both the Commission and the public. The public will be given the opportunity to ask questions and to offer comments or suggestions within limits set by the Commission. Following the hearing, the Commission will make a written report/recommendation to the Eden City Council. If the Commission recommends against the proposed change, a favorable vote of $\frac{3}{4}$ of the Council will be required to grant the variance or rezone the property. The Council will hold a Public Hearing on this proposed zoning change on March 13, 2018. A second opportunity for public comment will be given at the Council's hearing. If the owners of 20% or more of the area of lots within 200 feet of the subject lots timely protest the proposed variance or rezoning in writing delivered to the City Secretary, then a favorable vote of $\frac{3}{4}$ of the Council will be required to grant the variance or rezone the property.

The purpose of the meeting was to hear a request from Adrian and Dawn Torres to rezone the following portion of Ballard 2nd Addition: Lot 3 Block 3, Lot 2 Block 3, W 47 feet of Block 1, and all of Block 4 Lot 3. The proposed zoning change is from Type "A" Single-Family Residential District to Type "F" Mobile Home Park District. Adrian and Dawn Torres did not attend the meeting but were represented by Agapito Torres.

Agapito Torres referred to the drawing provided by Adrian Torres of the proposed project. It was noted that the drawing was not to scale and therefore there was more room than it appeared to buffer the distance between adjoining properties. The proposed septic system was discussed as well as the option to possibly connect to City sewer main at the intersection of Duke and Ballard Streets. Agapito is licensed to install

septic systems and the system would have to be inspected and approved by TCEQ prior to being covered up. Agapito stated that he had assisted on an installation of similar size on a project in west Texas. Adrian has already cleared and cleaned up the lots but he has done this just to clean them up. Agapito clarified that the roads drawn on the proposal would indeed be paved and that AEP would be able to add additional transformers to the area and set poles as needed to provide electrical service.

Chris Chant spoke against the approval of the zoning change. Mr. Chant provided a petition signed by eleven citizens in the neighborhood near the proposed change. Mr. Chant also noted several concerns:

- The loss of property valuation in the neighborhood
- Increased Traffic on Duke, Forest, and Burleson Streets- traffic would double and the roads are already eroding
- Forest and Duke Streets are narrow and many residents park vehicles on the streets which would make it difficult and dangerous to move travel trailers, RV's and Motor Homes in and out of the proposed site
- Safety concerns: There are 18 youngsters in the neighborhood

Mr. Chant asked that the Commission deny the change, no amount of money is worth the life of a child.

Gene Buckys spoke against the approval of the zoning change. Mr. Buckys spoke about his concerns:

- Directly affects the property they purchased, as it shares a fence line
- Security and noise, typical residents would be the wind farm workers who are generally young men
- Sewer System: Septic systems are good when they work, but when they don't, they don't. The septic system would drain towards our property and having such a system near our property line would negatively affect our property values.
- Lighting: Purchased the property because of its location and country feel- the security lights would be an issue
- Poaching: Property has abundant wild game and the temptation would be to shoot and poach. This would mean firing directly towards the Buckys' residence.

Chad Miller spoke against the approval of the zoning change. Mr. Miller indicated that most of his concerns had already been discussed.

- Safety of neighborhood kids
- People not familiar with Eden may not be as careful or drive as carefully because they are not aware of the children
- Duke Street is only 24 feet wide and when there are vehicles parked on both sides of the street, there is only about 12 feet left down the middle
- If someone is looking to buy a home it will be a deterrent to have the increased traffic and travel trailers moving in and out down the residential street.

The Commission reviewed zoning map and properties that would be affected by the zoning change. The Commission discussed the fact that there is no alternate route other than through the adjoining neighborhood for access to the property. The

Commission discussed the uncertainties and uneasy feelings regarding migrant workers. The Commission discussed the need for interpretation of the Zoning Ordinance for required set back and yard requirements: Celina will contact the attorney for an opinion and interpretation.

Julie Cox asked what will become of the property in two years when the wind farm workers are no longer in Eden. Agapito said that the property would no longer be needed for a trailer park and would most likely be shut down. Agapito said that they are just trying to capture this business while it is here.

Commission members expressed that the location (due to the fact that there is no way to install an alternate entrance) is the negative determining factor because of the increased traffic.

Commission Member Jim Pfluger made the recommendation not to approve the zoning change. The board voted 5-0 in agreement.

There being no further business to come before the Commission, the meeting was adjourned.

Johna Williams

Angela Regalado

Esther Gryniwicz

Jim Pfluger

Troy Oleson

Celina Hemmeter, Recording Secretary