

5 **Tab 4 Resolution 2009-20 Variance 1775 N. US Hwy 27**
6 **Tab 5 Resolution 2009-17 SEU 1775 N. US Hwy 27**
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8 The City Council sitting as the Land Planning Agency heard the request for the special
9 exception use.

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11 **Scott Gerken** read Resolution 2009-20 & Resolution 2009-17 by title only and swore in
12 those wishing to speak on the matter.

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14 **Laura Jones** (City Planner) explained an overview of the requests as 1) variance would
15 reduce the required number of acres for a trucking terminal from 40 acres to 8.8; 2)
16 reduced landscape buffer from Class B to Class A. She reported the board voted 5-1 on
17 the variance; and explained the recommendations (Exhibit 1A) made by the Planning &
18 Zoning Board.

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20 **Rick Roderick** gave a synopsis of the property and the review form the P & Z Board.

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22 **Mayor Kelley** asked for public comment.

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24 **Lake County** resident (Lot 65) complained that the trucks run for hours at night.

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26 **Gary Umblin** (Lot 62) also stated the business operates at all hours of the night.

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28 **Mike Langley** (applicant) explained that currently there are no restrictions on the time
29 and addressed the issue of the buffering and explained that the noise should be reduced
30 by moving the work area to the south side of the property.

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32 The special exception use was discussed at length.

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34 **Dennis Gussy** (trucking employee) stated he did not work late night hours, and they try
35 to keep the noise and dust down.

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37 **Rick McCoy** (McCoy Engineering) explained that calcium chloride will be used to help
38 alleviate the dust.

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40 **MOTION by Rick Roderick, SECONDED by Joe Saunders to approve Resolution**
41 **2009-20 with the conditions recommended by P & Z.**

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43 **AYE:** Roderick, Ortega, Kelley, Price, Saunders

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45 **NAY:** None

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MOTION PASSED: 5-0

MOTION by Rick Roderick, SECONDED by Kelly Price to approve Resolution 2009-17 with the staff recommendations.

Laura Jones commented that Mr. Langley will need to get several permits prior to final approval of the actual special exception.

Discussion continued.


Scott Gerken clarified that the 6 month provision was added by the P & Z Board as a check point to allow adding more conditions if needed. He explained that if any violation occurs the neighbor needs to report it.

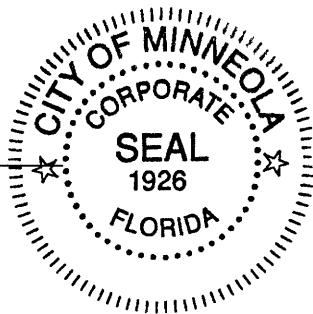
AYE: Roderick, Ortega, Kelley, Price, Saunders

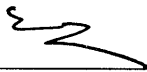
NAY: None

MOTION PASSED: 5-0

The Quasi-Judicial Hearing ended at 9:17p.m.

Attest:

Jan McDaniel, CMC





Mayor Pat Kelley