



City of Searcy

Planning Commission

September 6th, 2022
12:00 NOON
City Hall Chambers

Agenda:

1. Call to Order
2. Notice of Quorum
3. Approval of August Minutes
4. Rezone C2 to R2- Choate Law Firm **PH**
5. Final Plat- Ridgefield Su- PH II- Whitlow Engineering
6. Reasonable Accommodation Request- Frisbie House LLC
7. Adjournment

Searcy Planning Commission

Meeting Minutes

September 6th, 2022

This regularly scheduled meeting of the planning commission was held in the City Hall Chambers at noon.

Commission Members Present:

Steve Jordan, Chairman
Jim Wilbourn
Jamie Mobley
Larry DeGroat
Bill Patton
Jim House
Lisa Wray

City Of Searcy Staff Present:

Madison Lee, Recording Secretary
Jeff Webb, Code Enforcement
Phil Watkins, Code Enforcement
Richard Stafford, City Planner
Mark Lane, City Engineer
William Grady, Fire Inspector

Not Present:

Mike Cleveland

Chairman Jordan called a notice of a Quorum.

Approval of Minutes

The next item on the agenda was the approval of the August Minutes. **Commissioner Patton made a motion to approve the minutes with the appropriate corrections. Commissioner House seconded the motion. The motion was passed unanimously.**

Rezone C2- R2 Choate Law Firm

Chairman Jordan presented a rezone request for Don and Rebecca Brown. Kevin Lenley was Brown's legal representative. This property is off of Race Street and used for the former Choate Law Firm building. The Brown's are requesting to change it from C2 to R3. Mr. Lenley said the Browns are wanting to purchase this property and turn it into a bed and Breakfast. There will be a sum of 100,000 dollars of renovations done to this house. In order to get the residential renovation loan, the property has to be zoned residential. Richard Stafford did not recommend changing the zoning along Race Ave. into residential in his planning report. There are no other properties along Race Ave. zoned residential. Mr. Stafford also said the ordinance currently states that a bed and breakfast is not allowed use in C2 and the code would have to be changed in order for that to happen. Mr. Lenley asked that the Planning Commission grant a Conditional Use Permit to allow a one-unit dwelling in C2. There was discussion on if the Commission could grant a Conditional Use Permit when the applicant applied for a rezone. The Commission decided they could since there was still a public hearing being held. There was then discussion on granting a Conditional Use for a one-unit dwelling that would be attached to the property forever and no matter who owned it. Mr. Stafford advised that the Commission could place any

additional conditions on the Conditional Use Permit when approving. A discussion was then had about granting the Conditional Use Permit for one-unit dwellings while the Brown's lived there and did their renovations and if the property's use was ever commercial again, the Conditional Use would become void.

Chairman opened the public hearing

Jill Ballantine- Supported the request

Bill Barger- Against the request

Chairman Jordan closed the public hearing

Commissioner DeGroat made a motion to approve a conditional use permit to use as a one-unit dwelling with no time period and if it ever goes back to commercial then the conditional use permit will be void. Commissioner Wilbourn seconded the motion. The motion was passed unanimously.

Final Plat- Ridgefield Subdivision- PH II- Whitlow Engineering

Chairman Jordan presented a final plat for the Ridgefield Subdivision. No one was present to speak on this agenda item. Chairman Jordan suggested that this request be tabled until next month.

Reasonable Accommodation Request- Frisbie House LLC

Chairman Jordan presented a reasonable accommodation request for Frisbie House, LLC. Mark Frisbie said they started this house back in February. The House of Three is where 3 elderly/ disabled individuals share the cost of living and full-time care in a home in a residential neighborhood. Richard Stafford said the packets provide the background on this home which was provided in the planning report. Mr. Stafford said Code Enforcement has dealt with many complaints regarding the house of three. He said the parking is very tight and it's hard to turn around in the cul-de-sac. Another complaint is that they are running a business in a residential zone. Jeff Webb concurred that's what the violations were that they received. The parking requirement for a one-unit dwelling is two parking spaces. Chairman said we are dealing with the Arkansas Fair Housing Act. More discussion was had about what exactly the Federal Fair Housing Act does for residents. Mrs. Frisbie spoke, she said this is a house like any other in the neighborhood. Just like anyone else in the neighborhood who is having visitors, they are going to have people park up and down the streets. She said she doesn't understand why this is causing so much hatred.

Chairman requested that some of the people in the public come up and speak their thoughts on the subject. Tom Collier and his wife came up to speak. They did not support the house of three.

Commissioner DeGroat made a motion to approve as presented. Commissioner Mobley seconded the motion. The motion was passed unanimously.

With there being nothing further the meeting was adjourned.



Jim Wilbourn, Secretary