

Minutes for May 2018
Planning Commission meeting 05/07/2018

1. Call meeting to order at 6:00 p.m.

The May 7, 2018 Planning Commission meeting for the City of Little Flock was called to order by Chairperson, Tracy Englebrecht.

2. Roll Call

Present were:

Chairperson Tracy Englebrecht

Vice Chairperson Diane Stafford

Commissioner Ray Webb

Commissioner Keith Ramsey

Commissioner Luke Moffitt

Commissioner Terry Talbott

Absent were:

Commissioner Troy Davis

(Additional attendees are listed on the sign-in sheet)

3. Action on Minutes

Vice Chairperson Diane Stafford motioned to approve the April 2, 2018 Planning Commission minutes as presented.

Commissioner Ray Webb seconded the motion.

Motioned passed unanimously.

4. Unfinished Business

Porter, Bruce – Conditional Use Review tabled from April 2, 2018 Planning Commission meeting. No updated information was submitted.

5. New Business

A) Board of Adjustments-

• **Hoofard, Dale & Patti – 3632 N. 13th Street; Variance**

Chairperson Tracy Englebrecht stated the need for the Variance is due to the set-backs which require 1 foot per foot from the property line for any structures over 30 feet. He also informed the Board of Adjustments that Dale Hoofard did not come to the meeting because he is not applying for the Variance, Fortune Wireless and T-Mobile are. He invited the representatives to speak concerning the Variance application.

Steven Zega, the attorney for ECO-Site and also represents Fortune Wireless and T-Mobile, stood to speak. He stated, "The tower is 150 feet with a 10-foot lightening rod. It is proposed to sit 120 feet South, 122 feet East, in excess of 500 feet to the North, and 73 feet 10 inches west of the property lines. There is a certified letter from the engineer concerning the fall study in your packet. It is a mono pole and will have no guyed wires. It will also have an enclosed fence surrounding the structure."

Chairperson Tracy Englebrecht asked if the City had received any feedback from surrounding property owners. Secretary Jessica Ferguson reported the only one the City had received was from Gary Maybury, who opposed the Variance and the Conditional Use permit.

Chairperson Tracy Englebrecht opened for public comments.

Bill Watkins, attorney representing SBA Structures, stood to address the Board. He quoted Ordinance 14.04.05(c). His main concern is the Hoofard's representatives have not shown proof of hardships unique to the individual property. He asked the Board to

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deny the Variance because it is what the applicants want, and they cannot prove hardships. He went on to state that his clients may not be opposed to the Variance, but they also have not had time to do the RF propagation test to allow them to make the determination of particular interfaces with two towers located so close to each other. He requested the Board consider denying the Variance due to the applicants not proving the burden according to Little Flock's Code.

Keith Tisdale – 3815 N. 13th Street; He stated the proposed cell tower will be in his skyline from his front porch. He asked the Board to understand he prefers them to not approve the Variance for the cell tower. His concerns are the City already has one at the entrance to the City on 13th street and Little Flock is a rural area. He expressed frustration regarding the City potentially being ruined by billboards and cell towers if they approve this application.

Steve Zega stated Bill Watkins and Keith Tisdale addressed more the Conditional Use permit. He pointed out the tower is sited for this location for a specific reason to provide coverage for a specific geographic area. If it is not sited on that spot it will cause this tower to not be of use. He said, "That is a specific hardship about this property that is unique to that parcel. James Cardinal with Fortune Wireless has investigated other potential parcels, and this is it for the geographical region. We have presented you with reasons and a written narrative that is before you."

Chairperson Tracy Englebrecht informed the Board that this is the second time the application has been on the agenda. It was removed from the April 2018 Planning Commission agenda due to a technicality. He also pointed out nearly any parcel in the City of Little Flock would need a Variance if they were to apply to have a cell tower built. **James Cardinal** responded, "It is specific to each site and the topography of the location. Generally anything further than 200 feet from the tower you will see increase power and coverage. Under the tower and in shadows there will be some interference."

Vice Chairperson Diane Stafford asked if it mattered who the carrier was.

James Cardinal replied this tower is for T-Mobile customers.

Commissioner Luke Moffitt mentioned that T-Mobile is also on the current tower.

James Cardinal said he wanted to address Bill Watkins regarding that issue. He continued saying they cannot expand the insulation on the existing tower and it is a traffic issue. There are too many customers and usage in the area. He stated it is causing too many dropped calls due to traffic overload.

Ellen Leonard – 3625 N. Dixieland; asked if there was a way to boost the existing cell tower.

James Cardinal replied, "once the cell tower has been insulated and installed it is at its max and cannot be boosted.

Chairperson Tracy Englebrecht closed public comments.

Commissioner Luke Moffitt motioned to deny the Variance application for the cell tower on Dale & Patti Hoofard's property located at 3632 N. 13th Street.

Commissioner Ray Webb seconded the motion.

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Roll Call:

Chairperson Tracy Englebrecht - Yes

Vice Chairperson Diane Stafford - Yes

Commissioner Ray Webb - Yes

Commissioner Keith Ramsey - Yes

Commissioner Luke Moffitt - Yes

Commissioner Terry Talbott – Yes

Motion to deny the Variance passed unanimously.

- **Barrett, Raymond & Mary – 1901 Little Flock Drive; Variance**

Raymond Barrett said he is asking for a Variance to allow 30 feet of public street frontage to the North section of their property located at 1901 Little Flock Drive. The Variance will allow them to split the 2.02 acres into 2 - 1.01 acre lots.

Chairperson Tracy Englebrecht opened for public comments.

No comments were made.

Chairperson Tracy Englebrecht closed for public comments.

Vice Chairperson Diane Stafford motioned to approve the Variance for Raymond & Mary Barrett located at 1901 Little Flock.

Commissioner Terry Talbot seconded the motion.

Roll Call:

Chairperson Tracy Englebrecht - Yes

Vice Chairperson Diane Stafford - Yes

Commissioner Ray Webb - Yes

Commissioner Keith Ramsey - Yes

Commissioner Luke Moffitt - Yes

Commissioner Terry Talbott – Yes

Motioned passed unanimously.

B) Planning & Zoning-

- **Hoofard, Dale & Pattie – 3632 N. 13th Street, Conditional Use Permit**

Steven Zega, attorney for ECO-SITE, representative for Fortune Wireless and T-Mobile, requested to table the Hoofard's Conditional Use Application.

Chairperson Tracy Englebrecht said it will be tabled up to 3 months.

- **Barrett, Raymond & Mary – 1901 Little Flock Drive, Lot Split**

Raymond Barrett asked the Commissioners to approve a lot split for his property located at 1901 Little Flock Drive. The lot split will allow them to create 2 - 1.01 acre lots with the North lot being a flag lot.

Commissioner Keith Ramsey motioned to approve the Lot Split for Raymond & Mary Barrett located at 1901 Little Flock Drive.

Commissioner Luke Moffitt seconded the motion.

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Roll Call:

Chairperson Tracy Englebrecht - Yes

Vice Chairperson Diane Stafford - Yes

Commissioner Ray Webb - Yes

Commissioner Keith Ramsey - Yes

Commissioner Luke Moffitt - Yes

Commissioner Terry Talbott – Yes

Motioned passed unanimously.

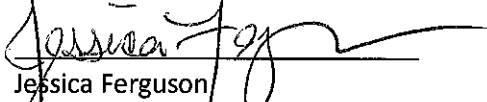
6. Adjourn

Commissioner Luke Moffitt motioned to adjourn.

Vice Chairperson Diane Stafford seconded the motion.

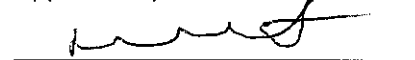
7. After Meeting Discussion

Respectfully Submitted By:



Jessica Ferguson
Planning Commission Secretary

Approved By:



Tracy Englebrecht
Planning Commission Chairperson