August 23, 2007
Planning Commission
14809 Gates Ave.
Magnolia Springs, Al.
5:00 P.M.

1. Call to Order
Chairman Farmer called the meeting to order at 5:00 p.m.

2. Invocation and Pledge of Allegiance
Ken Underwood led the invocation and pledge of allegiance.

3. Roll Call
Commission members present – Chairman Farmer, Councilmember Bob Holk, Steve Mobley, Mike Costigan, Jennifer Haffner, Karen Biel and Rodney Hubble. Also present: Diane Burnett – SARPC and Shawn Alves – Legal Counsel. Not present: Mayor Houser and Ed Stone

4. Approval of Minutes from July 26, 2007 Meeting
Motion by Member Costigan, 2nd by Member Hubble to approve the minutes from July 26, 2007 meeting. All in favor. Motion carried.

5. Resolution 2007-02 – Adopting Subdivision Regulations
Motion by Member Holk, 2nd by Member Hubble to adopt Subdivision Regulations as advertise and submitted through Resolution 2007-02. All in favor. Motion carried.

6. September Planning Commission Meeting
Chairman Farmer stated that there will not be any items on the agenda for September and suggested cancelling the meeting. He also discussed changing the Planning Commission meeting day, he stated our meeting is the same day as the County Planning Commission Meetings. He will speak with the county, since they will be doing our reviewing to see what day they suggest that we meet. It will be discussed at the October meeting.
Motion by Member Mobley, 2nd by Member Costigan to cancel the Planning Commission meeting in September. All in favor. Motion carried.

7. Reports and/or Announcement
Member Biel: Informed the commission that a re-zoning application had been submitted by Dale Younce, he has paid his fee and was told with the timing issue on advertising and sending certified mail to adjoining property owners that it would not be on the agenda till the October meeting, he understood that and was in agreement. Member Biel stated that the commission needs to set a public hearing before the October meeting and then the commission can vote to make a recommendation to the Town Council on the rezoning. It will be the Town Council that will make the final decision.
Motion by Member Costigan, 2nd by Member Mobley to set a public hearing on the rezoning application submitted by Dale Younce for October 4, 2007 at 4:00 pm. All in favor. Motion carried.
Chairman Farmer: The town needs a master plan which could take up to a year to complete and he asked Diane Burnett about the recommending to the Council that the Zoning Ordinance act as the Master Plan. Diane stated "state law recognizes your Zoning Ordinance as your Master Plan until such time that you have one". He would like to recommend to the Town Council that the Zoning Ordinance serve as the Master Plan for the Town. Member Haffner asked that with this recommendation does that mean that the Planning Commission would not look at any recommendation on rezoning for a year. Chairman Farmer stated that any one could apply for rezoning and that doesn’t prohibit the Town from rezoning, it’s just a guideline.

Motion by Chairman Farmer, 2nd by Member Costigan to recommend to the Town Council to adopt the zoning map as the Master Plan for now. Discussion: Diane reminded the commission that any recommended zoning change to the Town Council would take six (6) affirmative votes. Member Holk asked about the adoption of the Master Plan. Diane explained the Planning Commission adopts by resolution the Master Plan. If the Zoning Ordinance is used as the Master Plan the Planning Commission recommends to the Council to amend the Zoning Ordinance. Legal Counsel suggested placing this item on the agenda for discussion after you've met with the lady from Auburn. Chairman Farmer withdrew his motion.

8. Public Comment

Diane Burnett: Added that public hearings can be an agenda item at the regular Planning Commission meeting.

Motion by Chairman Farmer, 2nd by Member Mobley to change the rezoning public hearing from October 4, 2007 at 4:00 pm to October 4, 2007 at 5:00 pm, during the regular Planning Commission meeting and will be the first item on the agenda. All in favor. Motion carried.

Motion to adjourn by Member Holk, 2nd by Member Costigan. All in favor. Motion carried.

Meeting adjourned at 5:35 P.M.

Approved this the 4th day of October, 2007

ATTEST:

Karen S. Bell - Secretary

Les Farmer - Chairman