



MINUTES - CITY OF HAMMOND
PLANNING AND ZONING COMMISSIONS AND
BOARD OF ADJUSTMENTS MEETING
312 EAST CHARLES ST.
AGENDA - Thursday, November 10, 2022 at 5:00 P.M.

Work Session Thursday, November 3, 2022 NOON in City Council Chambers

I. CALL PUBLIC HEARING TO ORDER

The meeting was called to order by Kylan Douglas at 5:05pm

II. ROLL CALL: Matt Sandifer (P), Kylan Douglas (P) Monica Perez (P) Ron Matthews (P)
Trey St. Romain (Absent, later arrived)

III. APPROVAL OF MINUTES: October 20, 2022

Motion By: Kylan Douglas to table minutes from October 20, 2022.

Seconded By: Monica Perez

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews,

Against: NONE

Absent: Trey St. Romain

Motion Approved

IV. BOARD OF ADJUSTMENT - Public Hearing

OLD BUSINESS: NONE

NEW BUSINESS:

VAR-2022-09-00116 Variance request by Channing Garrett (owner) to waive **UDC #14-5364 Article 4.1.8 (C) Fences, Shrubs and Buffer Zones** to allow for an 10-foot wooden fence when the maximum height allowed is 4-foot, located at 606 Campo Street; Zoned RS-3.

Public Hearing:

For: Channing Garrett, Owner and applicant

Against: Kelvin Cryer at 613 Campo, Abraham Daniels at 608 Campo, Representative for 604 ½ Campo, Myra Ard at 501 Campo, Kip Andrews, Charles Green at 601 and 603 Campo

Discussion: Channing Garrett presented his application and asked for the variance for the higher fence due to safety concerns, privacy, and his business. He cited problems with his neighbors as seen in the police reports that are part of his application. He said people steal from him. He provided photos of fences in other parts of the city that are 10-feet high and stated that he had a building permit for the fence. **[Trey St. Romain entered the meeting.]** Landrum clarified that he didn't have a building permit as shown in the packet with the fence application and site plan for a 4-foot chain link fence. There is a letter stating that the fence application had been denied. Garrett said he can provide the permit and that the fence has been in place over four years. Garrett said he didn't have to do the variance. Matt Sandifer stated that some of the fences shown in the photos are not ten feet because he recognizes one of them since he built it. He also stated that there are different dimensions required in front versus back yards. We don't approve 10-foot fences except in rare occasions and those are for backyards. Garrett describes problems with his neighbors and the need for privacy.

Reverend Kelvin Cryer said the consensus of the residents is that they don't want the 10-foot fence. He has other issues too, and part of the fence is on someone else's property. He threatens us, and we called the police. He is also running a commercial trucking business, and the property is not zoned for that. Abraham Daniels said the fence is installed a foot over onto his property. His hangover on his roof is also running water onto my property. Matthews asks how long a permit is good for. Landrum stated six months. Representative for 604 ½ Campo described that he would like to tear down the fence since it's on his property. Garrett bullies everyone. **[Police officers escort out Garrett due to multiple disruptions.]** Commission explains that the property owner will need to get a lawyer to resolve the property situation and what the purview of the commission is.

Myra Ard stated that she has problems with Garrett. A man asks how long the process will take to get started. Mr. Daniels explains that the fence is dangerous for him as a neighbor who is trying to back out of his driveway next door. He said he can't see around it. Another person asks how someone get approved to operate a commercial business when it is zoned residential. Landrum explains that is a different issue handled through a business occupational license. The city has other matters that are being addressed in other venues, such as the city court and other departments. Tonight the only thing this commission has purview over is the fence and variance. Kip Andrews explains the history of some of the issues and the general opinion of the residents is to

remove the fence because it is an eyesore and it causes visibility and safety problems. Charles Green said that the neighbors fear Garrett.

Motion By: Ron Matthews to deny variance

Seconded By: Trey St. Romain

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved to Deny Variance

V. PLANNING COMMISSION - Public Hearing

OLD BUSINESS: NONE

NEW BUSINESS:

SUB-2022-10-00198 Major Subdivision request by Locascio LLC to resubdivide parcel 2-A-1 into parcels 2-A-1-A and 2-A-1-B of the Locascio Subdivision located at 1955 Southwest Railroad Avenue, and to accept the dedication of Locascio Drive in accordance with a survey by David Patterson, PLS, dated 10/4/22; Zoned C-H.

Public Hearing:

For: David Patterson, Surveyor representing property owner

Against: NONE

Discussion: David Patterson presented the application and discussed how he worked with Landrum and the City Engineer Chuck Spangler regarding this subdivision request and the road dedication. The original request was modified by the cul-de-sac as seen in the revised survey. Locascio is not planning any development at this time. The legal dedication is also presented as part of the case packet. Spangler preferred the cul-de-sac instead of the T-turnaround, and the property owner agreed. The road was built to city standards as stated in Spangler’s email, which is part of the packet. Landrum asked the commission to add the approval of the cul-de-sac dedication. Douglas asked for public comments, and no one spoke.

Motion By: Trey St. Romain to approve the subdivision with the cul-de-sac dedication

Seconded By: Matt Sandifer

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

VI. ZONING COMMISSION AGENDA-Public Hearing

OLD BUSINESS: NONE

NEW BUSINESS:

Z-2022-10-00114 Expanded Conditional Use request by Eric Long (owner) to allow for a mobile home located at 1400 Apple Street per survey by Richmond Krebs, PLS, dated 6/3/19; Zoned RS-3.

Public Hearing:

For: Eric Long, Owner and applicant

Against: Reginald Reed, son of adjacent property owner

Discussion: Eric Long presented the application and stated that he was purchasing the mobile home for his daughter to live there. Douglas asked Landrum if this was a proposed mobile home area. Landrum replied that the parcel is adjacent to a proposed mobile home area as described in the report. Landrum asked Long if his daughter would be living in the mobile home. Long confirmed that, so Landrum stated that her name would need to be added to the conditions for the ECU. Sandifer explained why the ECU is name-specific and is to avoid rental properties. Landrum stated there was one email sent against the rezoning, and she read the email aloud. Landrum clarified which Reginald Reed lived at the property next door. Douglas clarified that the daughter’s name is Aerial McGowan to add to the conditions.

Motion By: Kylan Douglas to approve the ECU with standard conditions and to add Aerial McGowan as occupant.

Seconded By: Matt Sandifer

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

Z-2022-05-00110 Rezoning request by Christopher Ruffin (owner) to rezone Lot A, Block 1 of Pine Ridge Addition, located at 712 Magazine Street from RS-3 to MX-N in accordance with a survey by William Bodin, PLS, dated 1/31/22.

Public Hearing:

For: Christopher Ruffin, Owner and applicant, Samuel Brown, pastor of church with adjacent property, Councilman Kip Andrews, Dwayne Long at 17106 Magazine, Earlene Dangerfield at 801 Hope, Alesa Dangerfield, Lynn Matthews at 703 MC Moore

Against: Mary Short at 712 Magazine

Discussion: Christopher Ruffin presented the application and requested the rezoning to build a restaurant that will not serve alcohol. Samuel Brown, pastor of church with adjacent property. Pastor Brown has no problem with the rezoning on this property. The church plans to build a school there and does not want another Touchdown or similar place, absolutely no alcohol. Councilman Kip Andrews had a meeting with Ruffin and other neighbors. The agreement at that meeting was for no alcohol or marijuana sales as conditions on this rezoning. Dwayne Long is in favor of the rezoning and stated that Ruffin is an honest guy trying to do something positive for the neighborhood. Sandifer described the higher level of zoning with restrictive conditions, which is opposite of what the commission normally approves with the lower level of zoning and expanded conditions. Landrum directed attention to the email from Mary Short that stated her opposition, but it was sent prior to the meeting with Councilman Andrews where the agreement was made to approve the rezoning with conditions. Earlene Dangerfield spoke in favor of the rezoning. Alesa Dangerfield asked if this was fair to prevent Ruffin from selling alcohol with all the other places in the neighborhood that sell alcohol. Lynn Matthews said he has no problem with Ruffin's rezoning. He cleaned up the property and wants to follow his dreams.

Motion By: Trey St. Romain to approve the rezoning with restrictions of no alcohol or marijuana sales

Seconded By: Kylan Douglas

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

Z-2022-10-00113 Rezoning request by Christopher Ruffin (owner) to rezone Lot B, Block 1 of Pine Ridge Addition, located at 706 Magazine Street from RS-3 to MX-N in accordance with a survey by William Bodin, PLS, dated 1/31/22.

Public Hearing:

For: Christopher Ruffin, Owner and applicant, Samuel Brown, pastor of church with adjacent property, Councilman Kip Andrews, Dwayne Long at 17106 Magazine, Earlene Dangerfield at 801 Hope, Alesa Dangerfield, Lynn Matthews at 703 MC Moore

Against: Mary Short, 712 Magazine

Discussion: Douglas stated that this case is similar to the prior case. Ruffin agreed to the same restrictions of no marijuana or alcohol sales. Douglas asked for any additional comments, and there were none.

Motion By: Trey St. Romain to approve the rezoning with restrictions of no alcohol or marijuana sales

Seconded By: Matt Sandifer


Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: NONE

Motion Approved

Motion to Adjourn: Kylan Douglas at 6:12pm. No opposition.

Certification of Secretary

I, Lacy Landrum, Recording Secretary of
The Hammond Planning & Zoning Commission,
and Board of Adjustments
do hereby certify that the above and foregoing
is true and correct recitation of the business transacted at the
regular meeting of the Hammond Planning & Zoning Commission
and Board of Adjustments held on November 10, 2022