

CITY OF DUQUESNE PLANNING AND ZONING COMMISSION
MEETING MINUTES

Date: 23 July 2012

Time called to order: 6:03 PM by Vice-Chairman Ken Ayton in the absence of Chairman Ray Brown.

Roll Call: **Present**: Vice-Chairman/Secretary Ken Ayton, Dale Daniels, Cathy Hudson, Gary Jackson, Gerald Keller, Bryan Low, Steve Reese and Denny White. **Absent**: Chairman Ray Brown, Russell Fleetwood, Roland Harmon.

A motion was made by Denny White and seconded by Steve Reese to place Mike Tally City Attorney on the agenda under the heading of old business, after the public hearing session of the meeting and accept the agenda as amended. **Ayes**: Ayton, Daniels, Hudson, Jackson, Keller, Low, Reese and White. **Nays**: None. The motion was passed.

The Public Hearing section of this meeting was convened by Vice-Chairman Ayton at 6:04 PM to discuss a rezoning request for 3505 E 10th Street from residential R1 to commercial classification. The public was asked if there were any comments either for or against the rezoning request. Sherri Bradley, 3503 E10th, spoke against the proposal. There were no other comments from the public. There was no representation present regarding pro request. **A motion was made** by Denny White and seconded by Dale Daniels to close the public hearing session. **Ayes**: Ayton, Daniels, Hudson, Jackson, Keller, Low, Reese and White. **Nays**: None. The motion was passed. The public hearing session was closed at 6:08 PM.

A motion was made by Steve Reese and seconded by Brian Low to recommend to the City Council to deny the request to rezone property at 3505 E10th Street, from residential to commercial status. **Ayes**: Ayton, Daniels, Hudson, Jackson, Keller, Low, Reese and White. **Nays**: None. The motion was passed.

Mike Tally, City Attorney, apprised the commission of the current status of actions taken by both this commission and the City Council that need to be revisited in order to comply with current regulations. He suggested that this commission should open up reconsideration of the rezoning approval of the properties at 1704 and 1706 Melissa Terry Lane and recommends denial of that request; furthermore recommend dismissal of the appeal request to rezone properties at 1704 and 1706 Melissa Terry Lane. Mr. Tally gave a detailed explanation of the current code regarding non-conforming use of property as it pertains to the above properties. Mr. Tally stated that commission and council procedures used so far did not follow stated code. He made recommendations regarding these issues for future consideration.

A motion was made by Denny White and seconded by Gerald Keller to withdraw previous approval of the request to rezone properties at 1704 and 1706 Melissa Terry Lane from R1, single family residential to R2, multi-family residential and to dismiss Mr. Terry's appeal of

the subsequent denial of the request. Ayes: Ayton, Daniels, Hudson, Jackson, Keller, Low, Reese and White. Nays: None. The motion was passed.

A motion was made by Denny White and seconded by Steve Reese to schedule the next Planning and Zoning Commission on Monday, August 13, 2012 at 6:00 PM. Ayes: Ayton, Daniels, Hudson, Jackson, Keller, Low, Reese and White. Nays: None. The motion was passed.

A motion was made by Denny White and seconded by Dale Daniels to adjourn. Ayes: Ayton, Daniels, Hudson, Jackson, Keller, Low, Reese and White. Nays: None. The motion was passed. The meeting adjourned at 6:38 PM.

Respectfully submitted, Secretary, Ken Ayton