

**MINUTES OF THE REGULAR MEETING
CITY OF RIVER OAKS
PLANNING AND ZONING COMMISSION
APRIL 19, 2010**

MEMBERS PRESENT:

LORI WATSON, CHAIRPERSON, CHAIRMAN, PLACE 1
ANNA SHERRILL, VICE-CHAIRPERSON, PLACE 2
KATHY RODDEN, PLACE 3
PAUL SIMPSON, PLACE 4
RUTH TEAGUE, ALTERNATE #1
JOANN BUTLER, COUNCIL LIAISON

STAFF PRESENT:

MARVIN GREGORY, ZONING ADMINISTRATOR (ZA)
PAULA NIELSEN, SECRETARY

MEMBERS ABSENT:

BRAD GALLMAN, PLACE 5
LOURDES MEDIA, ALTERNATE #2

1. CALL TO ORDER

At 6:34 p.m. Chairperson Watson called the meeting to order; a quorum was present.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice-Chairperson Sherrill delivered the Invocation and led the Pledge of Allegiance.

3. APPROVAL OF MINUTES FROM THE MARCH 15, 2010 REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

Vice-Chairperson Sherrill moved, seconded by Member Simpson, to approve the Minutes as presented. All voted "Aye."

4. **Training Workshop: Rules and Procedures of the River Oaks Planning and Zoning Commission.**

Planning and Zoning (P & Z) Members reviewed the organization chart that the ZA Gregory had provided to them. ZA Gregory further stated that the City of River Oaks utilizes a "Strong Mayor/City Administration" form of government in which the Mayor makes recommendations to the City Council and the City Council approves the Mayors recommendations if they so choose.

ZA Gregory further explained that the Zoning Board of Adjustments (ZBA) is the only board whose decisions are not subject to the City Council, and that their decisions can only be overturned by District Court. ZA Gregory explained to the P & Z members the process by which citizens initiate ZBA and P & Z hearing requests, and that the costs born by the citizen are sunk costs regardless of the outcome of the hearing. ZA Gregory also elaborated on the reasoning, purpose, and process for citizens to register "non-conforming" properties.

Member Teague inquired as to what the difference is between re-zoning and re-platting. ZA Gregory responded that a request for re-zoning is used when the City receives a request to change the allowable use of a piece of property. ZA Gregory further stated that a request for re-platting hearing is used when the City receives a request to either

combine parcels of property (Amended Plat) or a request to divide a piece of property (Re-Plat). ZA Gregory stated that he would be present at such meeting to answer all questions that members may have, but that he will not make recommendations.

Chairperson Watson stated that the City Council could override any decision made by P & Z regardless of overwhelming negative or positive response from the public. ZA Gregory stated that yes the City Council could do so, but that it would require a super-majority vote of four from the City Council. Member Rodden asked if the P & Z commission could make changes to City Ordinance. ZA Gregory responded that P & Z can make the recommendation to the City Council and that the final decision is made by the City Council. ZA Gregory stated that the goal of P & Z is what is in the best interest for the community as a whole.

Member Rodden inquired if the City's budget was available to the public. ZA Gregory stated that he is nearly ready to post the budget on the City's website.

5. **Executive Session** pursuant to Chapter 551, Texas Government Code, the Planning and Zoning Commission reserves the right to convene into Executive Session(s) from time to time on any posted agenda item to receive advice from its Attorney as permitted by law during this meeting. The Planning & Zoning Commission may convene in Executive Session to discuss the following:

Sec. 551.071: Pending or contemplated litigation or to seek advice from Attorney

None.

6. ACTION FROM EXECUTIVE SESSION

No Action

7. ITEMS FOR DISCUSSION

Citizen John Claridge asked if a member votes with a response of "present" is that response recorded as an "aye" vote. ZA Gregory responded that indeed it did.

8. ADJOURN


At 8:05 p.m. Member Teague made a motion, second by Chairperson Watson, to adjourned the meeting. All voted "AYE."

APPROVED THIS 19th DAY OF JULY 2010:



Chairperson of Planning/Zoning Commission

ATTEST:



Marvin Gregory, Zoning Administrator