

**PLANNING AND ZONING MINUTES**  
**MINUTES OF THE BENSON PLANNING AND ZONING COMMISSION**  
February 20, 2019

**1. CALL TO ORDER**

Chair Andrew Abernathy opened the meeting at 6:08pm.

**2. PLEDGE**

Chair Andrew Abernathy led the pledge.

**3. ROLL CALL**

Andrew Abernathy, Angie Roberts, Dennis Bringham, David Lambert and Elton Bowman were present. A quorum was present.

**4. APPROVAL OF MINUTES**

Commissioner Elton Bowman motioned to approve the November 19, 2018 Special Meeting minutes, December 4, 2018 Regular Meeting minutes and January 24, 2019 Work Session minutes. Commissioner Angie Roberts seconded. Motion passed 5-0.

**5. WORK SESSION**

Planner Michelle Johnson introduced Non-Conforming Uses and gave a brief explanation of non-conformance and the difference between a legal and not-legal nonconformance. Chair Andrew Abernathy explained that a parcel can become non-conforming if its size or some other physical aspect of the parcel becomes illegal under new regulations. The proposed section for non-conforming parcels did not have any changes made to it by Commissioners.

Regarding nonconforming structures, Commissioners agreed with the proposed threshold of 50% of the total square footage. If a structure is damaged at or more than 50%, then the entire structure must be rebuilt in conformance with the regulations in effect at the time of reconstruction in order to eliminate the nonconformance.

The proposed section regarding nonconforming land uses, the paragraph regarding nonconforming RV or manufactured home parks was struck as the known RV and manufactured home parks are legal land uses within their respective B-2 and R-3 zoning districts.

The section regarding non-conforming signs will be moved to Article 15, Signage.

The existing Article XXX Temporary Uses will be rewritten to remove all references to specific event types (Christmas trees, carnivals) and rewritten to establish both timeframe thresholds (e.g. 30 days, 90 days) or event thresholds (e.g. when the 150<sup>th</sup> house is sold).

**6. ADJOURNMENT**

Commissioner Angie Roberts motioned to adjourn at 7:43pm. Commissioner Elton Bowman seconded. Motion passed 5-0.