



**City of Westover  
Planning Commission  
MINUTES**

**September 26, 2023**

**CALL TO ORDER:**

Chairman Randy Wiggins

**ROLL CALL:**

Attendees: Mayor Larry Riggins, Chairman Randy Wiggins, Commissioners Wayne Jones, Angel Langner-Reed, Bobby Pardue, Paula Floyd, Ed Stowell, Mayor Larry Riggins

Other staff in attendance were Bill Justice-Attorney, Jerry South-Engineer, Deputy Chris Dahrens

Absentees: None

**PRAYER:**

Chairman Wiggins

**PLEDGE OF ALLEGIANCE:**

Led by Chairman Randy Wiggins

**COMMUNICATIONS:**

Audience communications were postponed until after the Public Hearing.

**READING AND APPROVAL OF MINUTES:**

The minutes of the August 22, 2023 meeting and the August 31, 2023 & September 14, 2023 Work Sessions were presented for adoption. A motion was made by Commissioner Jones to adopt the PC/Work Session minutes as presented. A second was made by Commissioner Pardue. All commissioners voted unanimously to adopt the minutes of August 22, August 31 & September 14, 2023.

**OLD BUSINESS:** Highway 280 Overlay Amendment.

A motion was made to open to discussion of the Highway 280 Overlay Amendment to the public. A motion was made by Commissioner Stowell, seconded Commissioner Jones. Unanimous approval. Chairman Wiggins advised public attendees that they should put cell phones on silent, cite Name/Address and were confined to three minutes. Discussions and decisions during this Public Hearing are final.

Mayor Riggins noted that the City of Westover had received several calls from the Westover community regarding the Highway 280 Overlay Amendment changes. Most of the discussions were regarding the required 200' depth frontage for retail development. Calls were prompted by 66 certified return receipt letters that were mailed to property owners contiguous with the Highway 280 corridor. The City of Westover received return receipts from more than half of the letters sent. Letters were also sent to property owners by USPS regular mail.

Members of the Planning Commission fielded all questions presented by the invited public attendees. The majority of the questions centered around the 200' setback on the Highway 280 corridor designated for retail businesses, the properties with existing buildings which would be grandfathered and exempt from new regulations, and affirmation of the current/past notifications by Mayor Riggins to the public of multiple work sessions over the years related to the City of Westover Zoning Ordinance.

Mayor Riggins explained that the Highway 280 Overlay District is in the Zoning Ordinance which was adopted by the Town Council in 2004, amended in 2008. Mayor Riggins displayed the City of Westover Zoning map and pointed out the designated retail Highway 280 frontage areas called for in the City of Westover Comprehensive Plan. Commissioner Stowell further explained the guidance given to Shelby County municipalities by ALDOT.

It was noted by Commissioner Jones that Shelby County officials came to Chelsea and Westover in the past to help with guidance in development of the Zoning Ordinance. Commissioner Stowell also made the public aware that the bulk of the decision-making for the Zoning Regulations were dictated by ALDOT and Shelby County laws.

Ryan Tyler, Skiers Marine, had multiple questions about development of new storage buildings for his clients. Chairman Wiggins recommended Mr. Tyler to call the City of Westover to schedule an appointment for further discussion of his company needs.

Several property owners asked further questions about grandfathering of current buildings on Highway 280 frontage.

Mike Kelley presented a letter regarding sewage development which was not relevant to the Public Hearing of 09/26/2023.

A motion was made by Commissioner Stowell and a second was made by Commissioner Floyd to close the public session. There was unanimous acceptance by the Planning Commission. This session of the meeting was closed at 7:15 p.m.

Chairman Wiggins asked for a motion to vote on the requested approval of the US Highway 280 Overlay Amendments. A motion was made by Commissioner Stowell and the second was made by Commissioner Floyd. The motion was unanimously approved.

**NEW BUSINESS:** Public Hearing regarding requested changes to the plat of currently approved Stonehenge Subdivision.

A motion was made to open the discussion of the requested Stonehenge Subdivision plat changes by Commissioner Pardue with a second from Commissioner Stowell. The motion was unanimously approved.

Mayor Riggins requested Chairman Wiggins to call on the Stonehenge Subdivision developer, Mr. Chip Brasher, to share the reasons for the changes to the original Stonehenge Subdivision plat that was approved by the City of Westover Planning Commission.

Mr. Brasher explained that rising costs forced him to revisit the original plans which were started two years ago. The delays were primarily due to the COVID outbreak and the delay of receiving wetland permits. The request is for development of 163 lots instead of 120 lots. This is an increase in the plat of 43 lots. Some lots were reduced to 50' wide to accommodate the additional lots. All changes in the plat are in compliance. He stated that without this change, the development would be too expensive for buyers or it would be a loss for Brasher Holdings to continue with the project.

Engineer for Brasher Holdings, Jeremy Taylor, explained thoroughly using the plat map what the changes would entail and net results of the acceptance would be. Jeremy explained how the drainage would flow in the subdivision due to the increased # of homes. There was a discussion of the roads, construction truck impact on roads, including designation of Lot 65 as an entrance for construction vehicles to lessen impact on residential roadwork. Commissioner Pardue asked about the impact to the Traffic Study with the increase in homes as related to commercial outparcels. Jeremy explained that the original plat contained a right turn lane only which was in spec. Shelby County asked for left/right turn lanes, which is above requirements. This has been incorporated in the proposed changes.

Jerry South spoke to the ALDOT guidance regarding driveways and Highway 280 access. Distances are already established by ALDOT. Commissioner Jones asked about community/common areas in the subdivision. Mr. Brasher committed to carrying the cost of grading for a community park and the ensuing maintenance by the HOA of the development.

There was a discussion of new lot costs, elevation of lots in the subdivision. It was noted that the only thing that had changed on the new plat was the width of the lots.

The public had some general questions about lot size, community park, and other common areas. Brasher engineer, Jeremy fielded all questions.

Attorney for City of Westover, Bill Justice, cited State and Local laws that dictated if a developer meets all guidance set forth in the ALDOT, Shelby County laws and the City of Westover Zoning Ordinance, the Planning Commission of the City of Westover cannot decline the request of the developer. He also cited related laws from the 2001 Civil Court of Appeals documents.

A motion was made by Commissioner Jones and a second was made by Commissioner Stowell to close the public session. There was unanimous acceptance by the Planning Commission members.

Chairman Wiggins asked for a motion for a Roll Call vote on the requested approval of the Stonehenge Subdivision Amendments. A motion was made by Commissioner Stowell and the second was made by Mayor Riggins. Commissioner Floyd-Abstain, Commission Langner-Reed-No, Commissioner Jones-Yes, Commissioner Pardue-Yes, Commissioner Stowell-Yes, Mayor Larry Riggins-Yes, Chairman Randy Wiggins-Yes, Planning & Zoning Clerk, Norma Lovorn-Yes. The motion passed to amend the plat as requested. This session of the meeting was closed at 7:50 p.m.

**REPORTS:**

- Neighborhoods: Commissioner Floyd – None
- Signs: Commissioner Jones – None
- City Council: Ex Officio Jones/Mayor Riggins – Mayor Riggins noted that an invoice from the installer of the new sewer system to pay the bill was pending. Once this invoice is paid, all funds from the American Rescue Funds Plan Act used for development will be depleted.
- City Report: None
- Education: Planning & Zoning Clerk – None
- Businesses: Commissioner Pardue – None

**RESOLUTIONS:** None

**MISCELLANEOUS BUSINESS:** None

**ADJOURNMENT:** A motion was made by Commissioner Pardue to adjourn meeting. A second was made by Commissioner Stowell.

All commissioners voted unanimously to adjourn the meeting. Motion was adopted and meeting was adjourned at 8:10 p.m.

Randy Wiggins  
Randy Wiggins, Chairman

  
Norma Lovorn, Planning & Zoning Clerk