

PITTSYLVANIA COUNTY PLANNING COMMISSION

REGULAR MEETING

January 5, 2016

MINUTES

VIRGINIA: The Pittsylvania County Planning Commission met on Tuesday, January 5, 2016, in the General District Courtroom, Chatham, Virginia. Mr. Shelton, Director of Code Compliance, called the meeting to order at approximately 7:00 p.m. Mr. Shelton called the roll.

PRESENT

Morris Stowe	Tunstall District
Richard Motley	Chatham-Blairs District
Janet Mease	Callands-Gretna District
Dr. Charles H. Miller, Jr.	Banister District
Curtis Arthur	Staunton River District
David Weatherford	Westover District
Brian Horne	Dan River District
Joe Davis	Board of Supervisors Representative
Odie H. Shelton, Jr.	Director of Code Compliance/Zoning Administrator
Greg Sides	Assistant County Administrator/Director of Planning

APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN FOR THE YEAR 2016 – Upon motion of Mr. Motley, seconded by Mr. Horne, and by a unanimous vote, Mr. Stowe was elected Chairman for the year 2016. By motion of Ms. Mease, seconded by Mr. Arthur, and by a unanimous vote, Mr. Motley was elected Vice Chairman for the year 2016.

HEARING OF THE CITIZENS

Mrs. Brenda Bowman, former Chair of the Pittsylvania County Board of Supervisors, stated she had enjoyed the past four (4) years, and she thanked the Board for the years they had worked together. Mr. Stowe and Mr. Motley expressed their appreciation for her years of service to the County.

APPROVAL OF THE MINUTES

A motion was made by Mr. Motley, seconded by Mr. Arthur, and by a unanimous vote, the December 1, 2015, minutes were approved as presented.

CHAIRMAN'S REPORT

Mr. Stowe welcomed Mr. Joe Davis, Board of Supervisors Representative for the Dan River District, to the meeting.

THE ZONING PRECEPTS WERE READ by Mr. Stowe **TO OPEN THE PUBLIC HEARING** at approximately 7:09 p.m.

Case 1, Wanda Kay Adkins, R-16-001 – Mr. Stowe opened the public hearing at 7:09 p.m. Mr. Shelton, Director of Code Compliance, reported that Wanda Kay Adkins had petitioned to rezone a total of 29.78 acres, two (2) parcels of land, located on State Road 728/Hillside Road, in the Dan River Election District from R-1, Residential Suburban Subdivision District to A-1, Agricultural District. Mr. Shelton also stated once the properties are rezoned to A-1, all uses listed under Section 35-178 are a permitted use. Wanda Kay Adkins was present to represent the petition. She stated she had nothing to add. Following questioning from several of the Board members, Ms. Adkins stated the individuals who rent from

her wanted to have a few milk cows and a few chickens. She also stated she and the renters were working together and she would put up fencing. Keith McCoy, Jerry Riddle and Jeff Dykes spoke in opposition to the petition. Their concerns included, but were not limited to, the following: Concerns that should the properties be rezoned to A-1, it would devalue the surrounding properties; concerns regarding what would happen should the properties be rezoned to A-1 and be sold at a later date; A-1, Agricultural District zoning allows for so many permitted uses. Mrs. Adkins did not offer a rebuttal. Mr. Stowe closed the public hearing at 7:16 p.m. During the discussion, it was stated there were concerns regarding the surrounding areas and there are parcels zoned A-1 located at the rear of the petitioned parcels; however, along the highway on Hillside Road, the parcels are consistently zoned R-1. It was also stated the neighbors had no objection to the petitioner fencing her properties; however, should the parcels be rezoned to A-1, this would be permanent. A motion was made by Mr. Horne, seconded by Mr. Motley, to recommend the Board of Supervisors **deny** the rezoning request. Motion passed unanimously.

Case 2, Benny R. Saunders, Sr., R-16-002 – Mr. Stowe opened the public hearing at 7:18 p.m. Mr. Shelton, Director of Code Compliance, reported that Benny R. Saunders, Sr., had petitioned to rezone a total of 1.93 acres, two (2) parcels of land, located on State Road 754/Gallows Road, in the Staunton River Election District from R-1, Residential Suburban Subdivision District to A-1, Agricultural District. Mr. Shelton also stated once the properties are rezoned to A-1, all uses listed under Section 35-178 are a permitted use. Benny Saunders was present to represent the petition. He stated he had nothing to add. There was no opposition to the petition. Mr. Stowe closed the public hearing at 7:19 p.m. During the discussion, it was stated there is a single-wide mobile home located down the highway from the petitioned parcels and there are no other houses nearby. A motion was made by Mr. Arthur, seconded by Mr. Horne, to recommend the Board of Supervisors rezone the properties from R-1, Residential Suburban Subdivision District to A-1, Agricultural District. Motion passed unanimously.

Case 3, Carl Mayo, R-16-003 – Mr. Stowe opened the public hearing at 7:20 p.m. Mr. Shelton, Director of Code Compliance, reported that Carl Mayo had petitioned to rezone 1.50 acres, located on State Road 726/Malmaison Road, in the Banister Election District from A-1, Agricultural District to RC-1, Residential Combined Subdivision District. Mr. Shelton also stated once the property is rezoned to RC-1, all uses listed under Section 35-267 are a permitted use. Sandra Hairston, Mr. Mayo's sister, was present to represent the petition. She stated she had nothing to add. There was no opposition to the petition. Mr. Stowe closed the public hearing at 7:22 p.m. During the discussion, it was stated this is consistent with the area. A motion was made by Dr. Miller, seconded by Mr. Arthur, to recommend the Board of Supervisors rezone the property from A-1, Agricultural District to RC-1, Residential Combined Subdivision District. Motion passed by unanimously.

Case 4, Beatrice E. Robertson & Kimberly E. Rice, R-16-004 – Mr. Stowe opened the public hearing at 7:23 p.m. Mr. Shelton, Director of Code Compliance, reported that Beatrice Robertson and Kimberly Rice had petitioned to rezone 7.60 acres, located on State Road 608/Ridgeway Road, in the Staunton River Election District from B-2, Business District, General to RC-1, Residential Combined Subdivision District. Mr. Shelton also stated once the property is rezoned to RC-1, all uses listed under Section 35-267 are a permitted use. Beatrice Robertson and Kimberly Rice were present to represent the petition. They stated they had nothing to add except their mother's residence was destroyed by fire in August, 2015, and their mother just wanted to have her own home. Following questioning from one of the Board members, they stated the home would be placed in the same location. There was no opposition to the petition. Mr. Stowe closed the public hearing at 7:24 p.m. During the discussion, it was stated the area has been cleaned up and the petitioners' mother deserves a new home for her personal residence. A motion was made by Mr. Arthur, seconded by Dr. Miller, to recommend the Board of Supervisors rezone the property from B-2, Business District, General to RC-1, Residential Combined Subdivision District. Motion passed unanimously.

This concludes the Rezoning cases.

Case S-1, White Oak Grove Outreach Center, S-16-001 – Mr. Stowe opened the public hearing at 7:25 p.m. Mr. Shelton, Director of Code Compliance, reported that White Oak Grove Outreach Center had petitioned for a Special Use Permit on 6.56 acres, located on State Road 718/Dry Fork Road, in the Chatham-Blairs Election District to allow for placement of a 24 feet x 60 feet modular building to be used as classroom space and to allow use of the Outreach Center as a private school. Robert Harris and Rev. Edward Pope were present to represent the petition. They stated the Alternative School moved to the present location three (3) years ago and Heritage Christian Academy had been there for two (2) years. They also stated they needed a Special Use Permit to allow the modular building to be placed on the property. Following questioning from a Board member, they stated the building would be placed on the back side of the property next to Pleasant Gap Drive. They also stated there would be no more students in the building than are presently allowed; no additional parking spaces would be needed, the building is fire retardant, but does not have a sprinkler system, and the building has no utilities except electricity. It was also stated there were no problems with the Health Department. Donald Gilbert spoke regarding the petition. He stated he lives next door to the petitioned parcel and all his questions had been answered. He also stated he is neither for or against the petition, the area is growing, and he is not going to interfere. Mr. Stowe closed the public hearing at 7:34 p.m. During the discussion, it was stated the White Oak Grove Outreach Center is growing, no additional parking space will be needed, and this will be an improvement for Pittsylvania County. A motion was made by Mr. Motley, seconded by Mr. Arthur, to recommend the Board of Zoning Appeals **grant** this Special Use Permit request. Motion passed unanimously.

This concludes the Special Use Permit case.

OLD BUSINESS

2015 Annual Report – The Board members reviewed the 2015 Annual Report and the Chairman and Vice Chairman thanked Mr. Shelton and his staff for their hard work.

NEW BUSINESS

Mr. Sides presented the Board members with a proposed revision to Chapter 35, **Section 35-819.MAINTENANCE AND REMOVAL OF SIGNS.** of the Pittsylvania County Zoning Ordinance regarding removal of the following excerpt: ‘and it shall be the duty of the applicant at the hearings to prove by affidavit that he has fully complied with the requirements of this section and has continuously maintained the sign or signs up to the time of the hearing.’ Mr. Sides then requested a vote be made to authorize Mr. Shelton to advertise and hold a public hearing on the proposed revision. Mr. Shelton stated he felt this would be a good thing to do away with this wording and he felt the wording is flawed. A motion was made by Mr. Motley, seconded by Mr. Weatherford, to advertise and hold a public hearing on the proposed revision to the Pittsylvania County Zoning Ordinance. Motion passed unanimously.

The meeting was adjourned at approximately 7:45 p.m.

Morris Stowe, Chairman

Kathy H. Belton, Clerk