

PITTSYLVANIA COUNTY PLANNING COMMISSION

REGULAR MEETING

Thursday, September 8, 2016

MINUTES

VIRGINIA: The Pittsylvania County Planning Commission met on Thursday, September 8, 2016, in the General District Courtroom, Chatham, Virginia. Mr. Stowe, Chairman, called the meeting to order at approximately 7:00 p.m. Mr. Stowe 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
H. F. Haymore, Jr.	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

ABSENT

HEARING OF THE CITIZENS

No citizens came forward to speak.

APPROVAL OF THE MINUTES

A motion was made by Mr. Motley, seconded by Mr. Horne, and by a unanimous vote, the August 2, 2016, minutes were approved as presented.

CHAIRMAN'S REPORT

There was no Chairman's Report.

THE ZONING PRECEPTS WERE READ by Mr. Stowe **TO OPEN THE PUBLIC HEARING** at approximately 7:01 p.m.

Case 1, Jason Karl Keesee & Beth Calloway Keesee, R-16-021 – Mr. Stowe opened the public hearing at 7:01 p.m. Mr. Shelton, Director of Code Compliance, reported that Jason and Beth Keesee had petitioned to rezone 42.10 acres, located off U.S. Highway 29 (off Dual Track Road), in the Callands-Gretna Election District from M-1, Industrial District, Light Industry to A-1, Agricultural District. Mr. Shelton also stated once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use. Jason Keesee 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 7:02 p.m. During the discussion, it was stated the parcel is surrounded by properties zoned A-1, Agricultural District. It was also stated two (2) adjacent parcels were rezoned to A-1 in August, 2016. A motion was made by Ms. Mease, seconded by Mr. Motley, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

Case 2, K H C Associates, LLC, R-16-022 – Mr. Stowe opened the public hearing at 7:04 p.m. Mr. Shelton, Director of Code Compliance, reported that K H C Associates, LLC, had petitioned to rezone 182.49 acres, located on State Road 640/Spring Garden Road and on State Road 706/Abbott Place, in the Banister Election District from R-1, Residential Suburban Subdivision District to A-1, Agricultural District. Mr. Shelton also stated once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use. Kelly Jones, Agent for K H C Associates, LLC, was present to represent the petition. She stated she had nothing to add. Larry Farmer was not opposed to the petition; however, he stated he was an adjacent property owner and was concerned regarding the possibility of poultry or hog (pork) operations should the property be rezoned to A-1. The Board members stated there are numerous properties surrounding the petitioned parcel that are zoned A-1, and the same type of operation(s) could be permitted on those parcels of land. Mr. Stowe closed the public hearing at 7:10 p.m. During the discussion, it was stated there are abundant agricultural properties in the immediate area. A motion was made by Dr. Miller, seconded by Mr. Arthur, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

Case 3, Shonitra A. Slayton, R-16-023 – Mr. Stowe opened the public hearing at 7:11 p.m. Mr. Shelton, Director of Code Compliance, reported that Shonitra Slayton had petitioned to rezone 24.14 acres, located on State Road 600/Cedar Forest Road, in the Banister Election District from R-1, Residential Suburban Subdivision District to A-1, Agricultural District. Mr. Shelton also stated once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use. Shonitra Slayton 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 7:12 p.m. During the discussion, it was stated this parcel is surrounded by properties zoned A-1, Agricultural District. A motion was made by Dr. Miller, seconded by Mr. Haymore, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed by unanimously.

Case 4, Adam Edgar Cooper & Jennifer Reynolds Cooper, R-16-024 – Mr. Stowe opened the public hearing at 7:13 p.m. Mr. Shelton, Director of Code Compliance, reported that Adam and Jennifer Cooper had petitioned to rezone 1.00 acre, located on U.S. Highway 40/W Gretna Road, in the Callands-Gretna Election District from A-1, Agricultural District to R-1, Residential Suburban Subdivision District. Mr. Shelton also stated once the property is rezoned to R-1, all uses listed under Section 35-222 are a permitted use. Adam Cooper 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 7:14 p.m. A motion was made by Ms. Mease, seconded by Mr. Horne, to recommend the Board of Supervisors grant the rezoning request. Motion passed unanimously.

This concludes the Rezoning cases.

Case S-1, Stanley E. Murphy & Vickie S. Murphy, S-16-010 – Mr. Stowe opened the public hearing at 7:15 p.m. Mr. Shelton, Director of Code Compliance, reported that Stanley and Vickie Murphy had petitioned for a Special Use Permit on 21,025 square feet, 0.48 acre, located off State Road 755/Mercury Road (at the end of Winterhaven Trail), in the Staunton River Election District. He then stated Crown Castle intended to remove an existing 87' pole and replace it with a 108' steel monopole tower for AT&T. David Marshall with Donohue & Stearns, PLC, and Marvin Greer with Crown Castle were present to represent the petition. Mr. Marshall stated Crown Castle would be “dropping and swapping” the tower with no other changes. He also stated the land area and the existing shelter would remain the same. There was no opposition to the petition. Mr. Stowe closed the public hearing at 7:17 p.m. A motion was made by Mr. Arthur, seconded by Mr. Motley, to recommend the Board of Zoning Appeals grant this Special Use Permit request. Motion passed unanimously.

This concludes the Special Use Permit case.

Case Z-1, A & S Property Management, LLC, Z-16-002 – Mr. Stowe opened the public hearing at approximately 7:18 p. m. Mr. Shelton, Director of Code Compliance, reported A & S Property Management, LLC, had petitioned for a Sign Permit on 0.83 acre, located on U.S. Highway 41/Franklin Turnpike in the Westover Election District to allow for an 8' x 20' (160 square feet), double-sided (total of four (4) panels), illuminated, off-site advertisement sign. W. Henry Sasser, Sr., was present to represent the petition. He stated he had nothing to add. Following questions from a Board member, Mr. Sasser stated the sign would have LED lights that would be shining downward and coming back onto the sign. Wayne

Dishman, Lavada Dishman and David Bray spoke in opposition to the petition. Their concerns included, but were not limited to, the following: The area is too congested and confined for a billboard; No control over what is put on a billboard – it goes to the highest bidder; and this billboard would be a distraction to the traffic. Mr. Dishman then presented a petition to the Board members signed by local businesses in opposition to the petition. Mr. Sasser offered a rebuttal and stated the State will not allow advertisements for beer, cigarettes, or pictures of naked women to be put on billboards; it must be an advertisement for a business. One of the Board members questioned Mr. Sasser as to whether the billboard could be smaller than 8' x 20'. Mr. Sasser stated the billboards are normally 10' x 20' (200 square feet) or 8' x 20' (160 square feet), and if it was smaller, there would be stipulations. Mr. Stowe closed the public hearing at approximately 7:45 p.m. A motion was made by Mr. Haymore, seconded by Mr. Motley, to recommend the Board of Zoning Appeals **deny** this Special Use Permit request **with the right to bring the case back without penalty.** (SECTION 35-852. Procedure for BZA to waive 12 month requirement to repetition without penalty.) Motion passed unanimously.

This concludes the Sign Permit case.

OLD BUSINESS

Mr. Sides stated at the August meeting the Board members were presented with information and encouraged to schedule a public hearing in October regarding an Amendment to the Pittsylvania County Zoning Ordinance under the Supplementary Regulation section to include solar energy facilities. Mr. Motley had concerns regarding SECTION 35-141(B), Large Scale Solar Energy Facilities, Item #2, which reads as follows: 'Ground-mounted large-scale solar energy facilities shall be a Permitted Use in the M-1, Industrial District, Light Industry zoning district and the M-2, Industrial District, Heavy Industry zoning district, and by Special Use Permit in all other zoning districts.' His concern was why the A-1, Agricultural District zoning district was not included in this section and why A-1 requires a Special use Permit. A motion was made by Ms. Mease, seconded by Mr. Davis, that a discussion of the Solar Panel Ordinance be placed on the October agenda, that any changes be made, and a recommendation be made to advertise for a Public Hearing in November. Motion passed unanimously.

NEW BUSINESS

There was no new business.

The meeting was adjourned at approximately 8:05 p.m.

Morris Stowe, Chairman

Kathy H. Belton, Clerk