

PITTSYLVANIA COUNTY PLANNING COMMISSION

REGULAR MEETING

March 5, 2019

MINUTES

VIRGINIA: The Pittsylvania County Planning Commission met on Tuesday, March 5, 2019, in the General District Courtroom, Chatham, Virginia. Mr. Motley, Chairman, called the meeting to order at approximately 7:00 p.m. Mr. Motley called the roll.

PRESENT

Richard Motley	Chatham-Blairs District
Timothy Dudley	Staunton River District
Morris Stowe	Tunstall District
Janet Mease	Callands-Gretna District
Colette Henderson	Banister District
H. F. Haymore, Jr.	Westover District
Brian Horne	Dan River District
Dr. Charles H. Miller, Jr.	Board of Supervisors Representative
Karen N. Hayes	Deputy Director of Community Development
Greg Sides	Assistant County Administrator
J. Vaden Hunt	County Attorney

MOMENT OF SILENCE

The Board observed a moment of silence.

PLEDGE OF ALLEGIANCE

The Board recited the Pledge of Allegiance.

HEARING OF THE CITIZENS

No citizens came forward to speak.

APPROVAL OF AGENDA

A motion was made by Mr. Stowe, seconded by Mrs. Mease, and by a unanimous vote, the agenda was approved as presented.

APPROVAL OF THE MINUTES

A motion was made by Mr. Horne, seconded by Mr. Dudley, and by a unanimous vote, the February 5, 2019, minutes were approved as presented.

CHAIRMAN'S REPORT

Mr. Motley welcomed Mr. Greg Sides, Assistant County Administrator, and Mr. J. Vaden Hunt, County Attorney, to the meeting.

THE ZONING PRECEPTS WERE READ by Mr. Motley **TO OPEN THE PUBLIC HEARING** at approximately 7:03 p.m.

Case R-19-005, Charles R. Balderson, Jr., & Carol M. Balderson – Mr. Motley opened the public hearing at 7:03 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Charles and Carol Balderson had petitioned to rezone a total of 16.02 acres, two (2) parcels of land, located on East Gretna Road in the Banister Election District from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to make the zoning consistent with the adjacent parcel of land zoned A-1. She then stated once the properties are rezoned to A-1, all uses listed under Section 35-178 are permitted. Mr. and Mrs. Balderson were present to represent the petition. Mr. Balderson stated he had nothing to add. He then stated he had previously leased the land for tobacco, but oats would be raised on the land this year and he wanted to make the zoning consistent. There was no opposition to the petition. Mr. Motley closed the public hearing at 7:05 p.m. A motion was made by Dr. Miller, seconded by Mrs. Mease, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

Case R-19-006, Union Grove Amish Church Trustees & Chatham Amish Church Trustees – Mr. Motley opened the public hearing at 7:06 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Union Grove Amish Church Trustees and Chatham Amish Church Trustees had petitioned to rezone a total of 19.67 acres, four (4) parcels of land, located on Walkers Well Road, in the Callands-Gretna Election District from C-1, Conservation District to M-1, Industrial District, Light Industry, to manufacture roof trusses. She then stated once the properties are rezoned to M-1, all uses listed under Section 35-383 are permitted. Jason Schrock was present to represent the petition. He stated he had nothing to add. There was no opposition to the petition. Mr. Motley closed the public hearing at 7:09 p.m. A motion was made by Mrs. Mease, seconded by Mr. Haymore, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

Case R-19-007, Donion W. Wilson & Olivia V. Wilson – Mr. Motley opened the public hearing at 7:11 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Donion and Olivia Wilson had petitioned to rezone 30.66 acres, located on Cobbs Knob Road, in the Tunstall Election District from M-2, Industrial District, Heavy Industry, to A-1, Agricultural District, for agricultural use – plant trees. She then stated once the property is rezoned to A-1, all uses listed under Section 35-178 are permitted. Mrs. Wilson was present to represent the petition. She stated she had nothing to add except she and her husband wanted to plant trees on the property. There was no opposition to the petition. Mr. Motley closed the public hearing at 7:12 p.m. A motion was made by Mr. Stowe, seconded by Mr. Horne, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

Case R-19-008, True Way Deliverance Church – Mr. Motley opened the public hearing at 7:13 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that True Way Deliverance Church had petitioned to rezone 0.83 acre, located on Oak Crest Road, in the Banister Election District from R-1, Residential Suburban Subdivision District, to B-1, Business District, Limited, for a child day care center. She then stated once the property is rezoned to B-1, all uses listed under Section 35-346 are permitted. Ms. Betty Brandon was present to represent the petition. She stated she had nothing to add. Following questioning from the Board members, she stated the day care center would have approximately 12-15 children with 4-5 personnel. She also stated once the property is rezoned, the Fire Marshal would inspect the structure and then a building permit would be obtained. There was no opposition to the petition. Mr. Motley closed the public hearing at 7:16 p.m. A motion was made by Ms. Henderson, seconded by Mrs. Mease, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

Case R-19-009, Carol Ann Bennett & Jason Eddie Bennett - Mr. Motley opened the public hearing at 7:17 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Carol Ann Bennett and Jason Eddie Bennett had petitioned to rezone 12.46 acres, located on E Gretna Road, in the Callands-Gretna Election District from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. She then stated the County's GIS showed this property as A-1, Agricultural District and based on that information, the surveyor divided the property, which would have been allowed according to the will of Sammie Bennett. She then stated in reviewing the map, it was found that the property is actually zoned R-1 on the official zoning maps; therefore, to probate the will, split the property between the heirs, and to rectify the mistake of the County's records, an application was submitted to rezone the property. Mrs. Hayes also stated once the property is rezoned to A-1, all uses listed under Section 35-178 are permitted. Ms. Diane Moon, Administrator of the Estate, was present to represent the petition. She stated she had nothing to add. David and Cynthia Bowler spoke in opposition to the petition. Their concerns included, but were not limited to, the following: what could

be placed on the property should the rezoning be granted; would the value of their land be decreased if single-wide mobile homes were placed on the property, etc. Mrs. Hayes explained that the petitioned parcel of land had no road frontage and the only way to probate the will would be for the property to be zoned A-1, Agricultural District. Ms. Moon offered a rebuttal and stated her niece and nephew are young, are not married, and the purpose of the rezoning was to allow the will to be probated. Mr. Motley closed the public hearing at 7:25 p.m. A motion was made by Mrs. Mease, seconded by Mr. Haymore, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

Case R-19-010, Marvin E. Hylton & Margaret E. Hylton – Mr. Motley opened the public hearing at 7:27 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Marvin and Margaret Hylton had petitioned to rezone a total of 19.12 acres, two (2) parcels of land, located on Highway 58 West and on Stony Mill Road, in the Westover Election District from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. She then stated the County's original zoning maps showed these properties as A-1, Agricultural District, and the computer records showed the properties as R-1, Residential Suburban Subdivision District. She also stated in 2010 the original zoning maps were changed from A-1 to R-1 to match the computer records; therefore, to rectify the mistake of the County's records, an application was submitted to rezone the properties. Mrs. Hayes then stated once the properties are rezoned to A-1, all uses listed under Section 35-178 are permitted. No one was present to represent the petition; however, Mrs. Hayes stated the case could be heard. There was no opposition to the petition. Mr. Motley closed the public hearing at 7:29 p.m. A motion was made by Mr. Haymore, seconded by Mr. Dudley, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

Case R-19-011, Pittsylvania County Board of Supervisors – Mr. Motley opened the public hearing at 7:30 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Pittsylvania County Board of Supervisors had petitioned to rezone 14.89 acres, located on E Witt Road, in the Chatham-Blairs Election District from A-1, Agricultural District to RMF, Residential Multi-Family District, to renovate the old Blairs School into apartments. She then stated once the property is rezoned to RMF, all uses listed under Section 35-280 are permitted. Mr. Greg Sides, Assistant County Administrator, was present to represent the petition. He stated the building located on the petitioned parcel is no longer used as a school; it is in a state of disrepair and is a health hazard. He then stated the plans for the old school building include renovation or demolition. He also stated the Board of Supervisors supports this action. Mr. John Stiltner with Landmark Properties presented an overview of the proposed plans for the old school building and answered questions from the Board members. He then presented the Board members with a site plan for the proposed apartments. There was no opposition to the petition. Mr. Motley closed the public hearing at 8:31 p.m. A motion was made by Dr. Miller, seconded by Mr.

Dudley, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed unanimously.

This concludes the Rezoning cases.

OLD BUSINESS

RESOLUTION – CERTIFICATION OF “SUBSTANTIALLY IN ACCORD” DETERMINATION.

Mrs. Hayes reported the Certification of “Substantially In Accord” Determination for Maplewood Solar I, LLC, Case S-19-002, was signed by Mr. Motley prior to the start of the meeting.

NEW BUSINESS

There was no new business.

The meeting was adjourned at approximately 8:33 p.m.

Richard G. Motley, Chairman

Kathy H. Belton, Clerk