

PRESENT: R. Thomas, Chairman
C. Bragg, Vice Chairman
R. Harris
T. Jennings
W. Schindler
L. Tate, Senior Planner
E. Goodloe, Planner I

ABSENT: K. Leonard
J. Wilkinson, Director of Community Development

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, June 14, 2022 at 4:45 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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Ms. Tate discussed the items on the agenda for the upcoming BZA meeting.

The Planning Commission reviewed the following rezoning request and traveled to the following sites, which will be considered at the Public Hearing.

Gold Shop, Inc.
33 Depot Rd.
Weyers Cave, VA

Dillon and Erica Sipe
Troxell Ln.
Staunton, VA

Chairman

Secretary

PRESENT: R. Thomas, Chairman
C. Bragg, Vice Chairman
R. Harris
L. Howdyshell
T. Jennings
K. Leonard
W. Schindler
L. Tate, Senior Planner
E. Goodloe, Planner I

ABSENT: J. Wilkinson, Director of Community Development

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, June 14, 2022, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mr. Thomas stated as there were seven (7) members present, there was a quorum.

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Minutes

Mrs. Carolyn Bragg moved to approve the minutes of the called and regular meeting held on May 10, 2022.

Mr. Larry Howdyshell seconded the motion, which carried unanimously.

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Public Hearing

Mr. Thomas stated that there were three Public Hearings on the agenda.

Mrs. Leslie Tate introduced the first agenda item being a request to rezone from General Business to General Agriculture approximately 0.26 acres of 0.46 acres (TMP 020A 3 45) owned by Gold Shop, Inc. and located at 33 Depot Road in Weyers Cave in the Middle River District. The property is located in an Urban Service Area of the Comprehensive

Plan planned for future business development. The proposed general use of the property is a residence on agriculture zoned property.

Mr. Thomas asked if the applicant was present and wished to speak.

Mr. Christopher Simonetti of 129 Seawright Rd. stated that he has owned the property for 20 years. He stated that he ran his business at the property for 10 years and for the last 10 years the property has been vacant. Mr. Simonetti stated that he would like to turn the existing building into a residence.

Mrs. Bragg asked if he planned to add to the existing structure.

Mr. Simonetti stated that he would not be adding any additions.

Mr. Thomas opened the public hearing asking if anyone present wished to speak.

With none to speak, Mr. Thomas closed the public hearing.

Mr. Randy Harris made a motion to recommend approval of the rezoning request.

Mr. Bill Schindler seconded the motion which carried unanimously.

Mrs. Tate introduced the next item on the agenda as A request to rezone from Single Family Residential 15 to General Agriculture approximately 3.8 acres (TMP 066-89) owned by Dillon and Erica Sipe and located east of Troxell Lane approximately 500 ft. from the intersection of Troxell Lane and Jefferson Highway in Staunton in the Beverley Manor District. The property is located in an Urban Service Area of the Comprehensive Plan planned for future medium density residential development at a density of 3-4 dwelling units per acre. The proposed general use of the property is residential lots on agriculture zoned property.

Mr. Thomas asked if the applicant was present and wished to speak.

Mr. Dillon Sipe of 140 Forever Ct. stated that he is currently building his home on the property and would like to be able to sub-divide the lot for his son and sister to be able to build on.

Mr. Jennings asked who maintained Troxell Lane.

Mr. Sipe stated that he did not know who maintained the lane.

Mr. Schindler asked if the rezoning would allow for the possibility on manufactured homes on the lots.

Mrs. Tate stated that manufactured homes are allowed on General Agriculture zoned properties.

Mr. Thomas opened the public asking if anyone present wished to speak on the request.

Ms. Stephanie Haskins of 122 Troxell Ln. stated that she was not in favor of the request stating she felt it would have a negative impact on the community. Ms. Haskins stated she felt this was just a loophole to create more housing. Ms. Haskins also mentioned that the lane was maintained by the residents.

Mrs. Kelly Troxell of 118 Troxell Ln. expressed her concerns for the traffic safety on the road. Ms. Troxell also felt the request would create a loophole for more houses. Ms. Troxell asked the commission to deny the request.

Mr. Sipe stated that it was his intention to have his forever home on the property and abide by the rules.

With none left to speak Mr. Thomas closed the public hearing.

Mr. Schindler made a motion to deny recommendation of the request because it is not in compliance with the comprehensive plan.

Mrs. Bragg seconded the motion

Mr. Jennings asked if Troxell Ln. was maintained by VDOT.

Ms. Sarah Splaun of 35 Troxell Ln. Stated that for the lane to be up to VDOT specs it would have to be widened and that would put the road right at the front door on her property.

The motion was voted on with all in favor of denying the request.

Mrs. Tate read the last item on the agenda for public hearing that was an ordinance to amend Chapter 25. Zoning. Division B. Agriculture Districts. Article VII. General Agriculture (GA) Districts. Section 25-74. Uses permitted by Special Use Permit. R. Short-term rentals, bed and breakfasts, and vacation rentals.

Mrs. Tate noted that the amendment would add that the principal and/or detached accessory dwelling unit being utilized as a Bed and breakfast or Short-term rental shall contain a water-flushed toilet and lavatory as an integral part of the structure: or must have existing confirmation from the Virginia Department of Health that the current sewage disposal system is adequate for the proposed use: There shall be no more than two (2) tents, recreational vehicles, or campers operating as a Bed and breakfast or Short-term rental per parcel: The tents, recreational vehicles, or campers operating as a Bed and breakfast or Short-term rental shall contain a water flushed toilet or must have confirmation from the Virginia Department of Health that the current or proposed sewage disposal system is adequate for the proposed use.

The amendment would also remove the section stating The owner of record or facility operator personally resides in the principal dwelling or accessory dwelling unit or on a parcel immediately adjacent to or directly across the street from the parcel on which the principal dwelling or accessory dwelling unit operating as a Bed and Breakfast or Short-term rental is located; The owner of record shall provide to the Zoning Administrator

proof of the current lease agreement between the owner and facility operator as a pre-condition of the permit. The owner shall submit subsequent lease agreements, within 10 days of signature, when the lessee changes; and If the principal and/or detached accessory dwelling unit is not connected to public sewer, The principal and/or detached accessory dwelling unit being utilized as a Bed and Breakfast or Short-term rental shall contain a water flushed toilet and lavatory as an integral part of the structure, or they must have existing confirmation from the Virginia Department of Health has confirmed that the current sewage disposal system is adequate for the proposed use.

Mr. Howdyshell asked how many complaints were made about tents.

Mrs. Tate stated that she did not know that number.

Mr. Schindler asked if the complaints were investigated.

Mrs. Tate stated that yes, they were and if found in violation a letter was sent to the property owner.

Mr. Howdyshell stated that he felt the ordinance was trying to put everything into the same box. He stated that he felt primitive camping should have its own ordinance.

Mr. Thomas opened the public hearing asking if anyone present wished to speak on the amendment.

Mr. James Wenger of 320 Middle River Rd. spoke in favor of the amendment stating that he was interested in having camping sites on his property.

Ms. Sarah Plemmons of 2991 Old Parkersburg Tpk. Also spoke in favor of the amendment. She was in favor of removing the section concerning property owners of facility operators living on site or on an adjacent property.

With no one else to speak, Mr. Thomas closed the public hearing.

Mr. Howdyshell stated that he believes primitive camping should be in its own category.

Mr. Jennings stated that he felt the county should follow whatever decision the Health Depart makes concerning the facilities on site.

Mrs. Bragg shared her concern with not having the facility operator or owner on site.

Mr. Howdyshell stated that the size of the parcel should be looked at.

Mr. Leonard asked how these sites would affect a property's value.

With much discussion Mr. Howdyshell made a motion to table the amendment request.

Mr. Jennings seconded the motion which was carried unanimously.

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New Business

Mrs. Tate read and presented a resolution to Mr. Thom Jennings thanking him for his service on the Planning Commission.

Mr. Howdyshell made a motion to accept the resolution.

Mrs. Bragg seconded the motion which carried with all in favor.

With this also being Mrs. Tate's last meeting as Augusta County Senior Planner, Mr. Thomas and the Commission members thanked her for her service to the Planning Commission.

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Staff Reports

Mrs. Tate reviewed with the Planning Commission the upcoming items on the agenda for the July meeting of the Board of Zoning Appeals.

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Adjournment

With there being nothing else to discuss, Mr. Howdyshell made a motion to adjourn.

Mrs. Bragg seconded the motion which carried unanimously.

Chairman

Secretary