

PRESENT: R. Harris, Chairman
W. Schindler, Vice Chairman
C. Bragg
L. Howdyshell
R. Thomas
K. Leonard
K. McComas

J. Hensley, Planner II
E. Goodloe, Planner I
D. Wolfe, Director of Community Development

ABSENT:

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, February 13, 2024 at 4:00 p.m. in the Board of Supervisors Conference Room, Augusta County Government Center, Verona, Virginia.

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The Planning Commission reviewed two (2) rezonings up for public hearing. Staff also presented a redlined version of the Bylaws for the Planning Commission as discussed during the Planning Commission's regular meeting in January.

Rezoning Requests:

JRE Fishersville, LLC
TMP 066D (2) 4A
Extension of James River Equipment
Across from 94 Expo Rd
Fishersville, VA

D & H Properties, LLC
TMP 085C (9) 3
Lyndhurst, VA

Chairman

Secretary

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ABSENT:

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, February 13, 2024 at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mr. Randy Harris stated that there was a quorum.

Mr. Harris also welcomed Kristy McComas from the Pastures District to the Planning Commission. He said it was very nice to have a full Commission.

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MINUTES

Mr. Larry Howdyshell moved to approve the minutes of the called and regular meeting held on January 9, 2024.

Mr. William Schindler seconded the motion, which carried unanimously, 7-0.

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PUBLIC HEARINGS

Mr. Harris stated that there were two (2) public hearings that evening.

Ms. Julia Hensley introduced the first item as a request from JRE Fishersville, LLC to rezone approximately 2.843 acres from General Agriculture to General Industrial on TMP 066D (2) 4A. The property is located on Expo Road directly across from James River Equipment in Fishersville in the Beverley Manor Magisterial District. The purpose of the rezoning is to rezone to General Industrial in order to be in compliance for the display and storage of agricultural and construction equipment. The parcel is an extension of the James River Equipment business located at 94 Expo Rd. The property is located in an Urban Service Area of the Comprehensive Plan planned for General Industrial.

Ms. Hensley displayed the following visuals: an aerial map showing the property included in the request; a zoning map of the property indicating that the parcel is currently zoned General Agriculture; the Future Land Use Map of the property showing that, according to the Augusta County Comprehensive Plan, the parcel in question is planned for General Industrial; and a map of the Planning Policy Areas for the property showing that the parcel is located within an Urban Service Area of the Comprehensive Plan.

Ms. Hensley asked if the applicant was present.

Mr. Irvin Marshall with James River Equipment, 94 Expo Road, Fishersville. He stated that they had been using the 2.8 acres since 1995 to display equipment under the assumption that it was General Industrial. He explained that staff recommended going through a rezoning to fix it and that is why they were there.

Mr. Harris asked the Commissioners if they would like to discuss or had questions for staff or the applicant; seeing none, he opened the public hearing asking if anyone wished to speak.

Seeing none, Mr. Harris closed the public hearing.

Mr. Schindler made the motion to approve based on staff approval, that it was compatible with the Comprehensive Plan and the existing uses of surrounding properties.

Mr. Robert Thomas seconded the motion, which carried unanimously, 7-0.

Ms. Hensley introduced the second request from D & H Properties, LLC. The request is to rezone approximately 60.635 acres from Single Family Residential 10 (SF-10) to General Agriculture with proffers on TMP 085C (9) 3 located near Lyndhurst in the South River Magisterial District. The purpose of the rezoning is to rezone from Single Family Residential 10 to General Agriculture in order to grow crops on the land. The parcel adjoins the parcel to the south also owned by D & H Properties, LLC. The property is located in a Community Development Area of the Comprehensive Plan planned for Low Density Residential.

Ms. Hensley displayed the following visuals: an aerial map showing the property included in the request; a zoning map of the property indicating that the parcel is

currently zoned Single Family Residential 10; the Future Land Use Map of the property showing that, according to the Augusta County Comprehensive Plan, the parcel in question is planned for Low Density Residential; and a map of the Planning Policy Areas for the property showing that the parcel is located within a Community Development Area of the Comprehensive Plan.

Ms. Hensley asked if the applicant was present.

Mr. Guy Wilson stated that he and his wife own D & H Properties, LLC. They closed on the property in October of last year. He did not realize it was not already Agriculture.

Mr. Harris asked the Commissioners if they would like to discuss or had questions for staff or applicant on this request.

Mrs. Caroline Bragg stated they had gone out and toured the property. Her question was on the access of the property. Will the access be on Featherstone or off of Mt. Torrey?

Mr. Wilson stated that he would look for guidance from whomever. When he bought the property, he had cut a whole in the woods and put up a gate and the farmer could access it through his other property. He said it would make more sense off of Mt. Torrey.

Mrs. Bragg asked if he talked to VDOT?

Mr. Wilson said he had not.

Mr. Harris asked if any of the other Commissioners had any questions for Mr. Wilson, seeing none, he opened the public hearing asking if anyone wished to speak.

Bryan Edson, 452 Mt. Torrey Rd. on the corner of the property in question. He spoke in favor of the request.

Clement Waggy, 562 Mt. Torrey Rd. spoke in favor of the request.

Bonnie Craig, 5 Blackford Way, spoke in favor of the request.

Mr. Harris closed the public hearing.

Mr. Bragg stated she had gotten a few calls from the neighbors in the area in favor of the rezoning. The only concern she had was the access point and encouraged Mr. Wilson to talk to someone about that. She made the motion to approve the request with proffers, which included: No swine, poultry operations on the property. Also, no dog kennels, vehicle repair businesses, or junkyards will be allowed on the property.

Mr. Howdyshell said the land was very farmable and he was glad to see the go back to Agriculture, and seconded the motion, which carried unanimously, 7-0.

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NEW BUSINESS

Mr. Harris stated that there was one item under New Business which was the review of the Planning Commission Bylaws.

Ms. Hensley stated the Bylaws had been last amended in August of 2023. She displayed screenshots of the By Laws, stating the first couple of pages where housekeeping amendments that were corrected. She stated that there had been discussion on changing the language for Article 3-3, electing the annual officers. The third page is updated section and article numbers. In Article 8-2 changes were made to the reference of "State Law" to "the Code of Virginia" to match the remainder of the Bylaws, and the last page updated the title of State and Local Government Conflict of Interest Act, and changing the approved by date.

Mr. Harris asked if there were any discussion among the Commissioners?

Mrs. Brag stated she would like them to add in Article 2-2 "the term shall commence on July 1 of the calendar year after the regular election of the respected magisterial district supervisor." In Article 3-3, "the officers shall be elected annually at the November regular meeting." She made the motion to accept the By Laws with the additions.

Mr. Howdyshell wanted to clarify that the officers will be voted on in November, but they will not take position until January 1.

Mr. Harris said it was just in case they do not have anything on the agenda or inclement weather cancels a meeting.

Mr. Thomas seconded the motion, which carried unanimously, 7-0.

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STAFF REPORTS

Ms. Elizabeth Goodloe reviewed the agenda items with the Commissioners for the March 2024 Board of Zoning Appeals meeting.

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ADJOURNMENT

There being no further business to discuss, Mrs. Bragg made a motion to adjourn.

Mr. Schindler seconded the motion, which carried unanimously, 7-0.

Chairman

Secretary