PUBLIC HEARING
SEPTEMBER 18, 1989

A Public Hearing to discuss the Proposed Zoning Ordinance was held September 18, 1989 at 7:00 P.M. in the council chambers with the Mayor Charles E. Dean presiding. Council members present were B. B. Holt, R. B. Hutton and L. C. Life. Absent was R. E. Davis, H. W. Leap and R. L. Snow. Also present was Dale Davenport, Attorney, Betty H. Engle, Assistant Clerk and Warren Pence, Chief of Police.

The following people spoke regarding the proposed zoning.

Jim Spart of Route 3, Elkton, who owns property on Wirt Avenue which is in the R-5 residential stated that his understanding was that the town is considering zoning this property for town houses, and his contention was that this particular street would be ideal for that, and since this street is one of the most visible from Route 33 he would propose to build garden type town houses, and would like this to be allowed in the rezoning.

Herbert Baugher of Park Avenue who owns property on Wirt, would like to see it zoned as B-1 to allow businesses, possibly a Mini Mart or some other type business that would also look good from Route 33. He also spoke regarding property he owns in R-2 as a perfect place for town houses or condominums because of the size of the property, and would like to see an open minded council and zoning commission and not a dictoral one and let citizens have some input.

Marsha Fuller of 418 W. Spring Avenue spoke concerning the neighborhood in which she resides and stated that she is very much in favor of that neighborhood remaining strictly a residential area and strongly recommends that the council accept the proposed R-2 zoning. She also submitted a petition with twenty-six signatures that support the zoning the zoning commission recommends.

Alfred Comer of Shenandoah, Va. who is in the process of negotiating for a child care center in the Elkton area and the land that he is talking about is in M-1 which is light industrial, and he has been talking to Randal Dean in having the land surveyed, and there isn't to much on record as to the status of child care. Mr. Comer stated that this property is on Shenandoah Avenue adjacent to where Randal Dean has his building, and the shopping center behind, and feels this would be an ideal location. Mayor Dean told Mr. Comer that this would be taken into consideration.

Glendon Hensley stated that he has a question regarding the time frame on the adoption of the zoning ordinances, and if they have any idea when it would take place. Mayor Dean stated it would be adopted at the next council meeting October 23, 1989. Mr. Hensley's reason for asking that question is he is trying to get a letter to begin construction on a piece of property that they presently own that is zoned accordingly.

Joe Correa of 406 Rockingham Street asked if Elkwood was considered in the R-8 zoning, and was told that the part not developed now is, and what is presently developed is R-3. His concern was that it remain strictly residential, and that nothing else be allowed up there with no exceptions such as a Bed and Breakfast, etc. He stated the reason he bought property in Elkwood was not to have anything like this as neighbors.

Brian Kelley who owns the old Milling Company buildings was concerned as to the area being changed to industrial which is fine, but he wanted to know if someone bought his property and wanted to use it as office space, he wasn't sure it would be allowed, and the property is not suitable for industry considering the age and condition of the buildings.

Councilman Holt answered that most of these ordinances would have flexability.

Gary Wood of Waynesboro stated that he and his partner are looking at land in the Town of Elkton belonging to Randal Dean on Shenandoah Avenue. They were not considered particularly with the zoning, but was concerned with the set-backs. The present zoning is R-2 and the proposed zoning would be M-1. He stated that Mr. Monger had said under M-1 that the set-backs would be twenty-five feet from each property line front, back and rear. That would render much of that property useless for anything larger than a thirty foot building.

Councilman Holt stated that variances could be granted if you show genuine hardships. The general intent of that provision for variances is that the Board of Zoning Appeals would be authorized to grant a variance.

Councilman Holt spoke on behalf of several people on Stuart Avenue and the general area that has contacted him concerning changing Stuart Avenue from residential to commercial or business. They strongly object to this change. There has been no request for this to be done and until the time that a need for this to be done that it remain residential, and even then that only the first block that has the cleaners be considered for business, since there are nice homes on the north end of Stuart Avenue.

Joe Correa added a foot note to what he had already said asking that consideration be made that the zoning of Elkwood fall in to remaining a highly restricted residential zone, that limits the development to single family dwellings with no loop holes, or any clauses that allow special use permits be issued for any of those presently allowed, and would appreciate this consideration.

As there was no further discussion, the public hearing adjourned.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

RECORDER: Betty H. Engle
Betty H. Engle, Asst. Clerk