Planning Commission Minutes
September 14, 2005

Planning Commission Members Present:

Daniel Talbot, Jeremy Ream, Madelyn Dixon, Wake Gooden
Excused: Troy Lester, Wayne Printz
Staff Present : Dennis Donachy, Charlotte Shifflett

Call To Order:
Dan Talbot, Chairperson called the meeting to order at 7:00 pm. The agenda called for a review of July meeting minutes. Jeremy Ream made a motion the minutes be accepted as written. Madelyn Dixon seconded the motion.
Motion Carried: (3-0 voice vote)

Vacancy:
Harry Armbruster was copied with a packet and invited to the meeting. He was available to answer several questions presented by Commission members.

Dan Talbot recommended that Mr. Armbruster's name be submitted to Town Council for approval Madelyn Dixon made a proposal that the Commission accept Mr. Armbruster to fill the vacancy left at Thomas Schroeder's resignation. The motion was seconded by Jeremy Ream.
Motion Carried: (3-0 voice vote)

By-Laws:
The current by-laws were adopted in November, 1995. Some of the language has been corrected to make this the first revision. It was noted that they do not need to go to Council for approval.

Member:
It was noted that the Commission needs to have another member. The issue was discussed as to whether or not the Public Works Director should serve? It was recommended that Marty Shifflett serve as a member beginning at the meeting in October.

Administrative:
The by-laws state that a member of the Administrative Branch should be a member. Currently, the Mayor serves on this position.

DISCUSSION:
Mr. Donachy requested permission to give the members some preliminary Zoning Permit requests in advance to get the Commission's input.

1) Representatives were present from C & D Investors Inc. They attended the meeting on behalf of Charles and Debrah Dingledine who submitted a request to construct (7) new Town Houses on Wirt Avenue with the front of the houses facing Wirt
   Resolution:
   Members reviewed the plat and questions arose relative to lot size and set backs requirements in R5 codes. After careful consideration it was apparent that the number of houses constructed would have to be reduced form (7) to (5).

   Dan Talbot expressed an opinion noting that R5 zoning rules are proven and fair. It is in the Town's best interest to use the uniform system versus a case-by-case

basis. Mr. Donachy will send a letter and advise the requestors in writing of the Planning Commission's decision to allow the request to go forth with the number of units restricted to five!

2) Thomas Schroeder presented a question about the difference between a duplex versus 2 single dwellings on property located in designated R4 zoning. Mr. Donachy informed Mr. Schroeder that townhouses are permitted in R4 zoning localities. If the issue of a small lot becomes a concern, you may need to vacate lot lines; so that land sells with the house.
Resolution:
With specific questions directed toward the Diehl property located on East Spring it was noted that duplexes are permitted but not town houses.

3) Mr. Donachy presented a lot line adjustment request for the Albert (Bill) Davis property located at 409 Monger Hill and joining Rooster's Restaurant on Spotswood Tr. After a brief review and discussion of Bill's original request several minor changes need to be implemented before this is approved. The plat shows employee parking spaces but has no reference to an easement to the adjoining rental property.
Resolution:
Members agreed that a revised plan should be submitted. They would accept the request for a lot line adjustment if Mr. Davis removed the employee parking space and in addition showed an easement from Old Spotswood Tr into the rental house.

Mr. Donachy will contact Mr. Davis in writing and advise him of the Commissioner's decision.

4) An individual, who owns property on E Washington Street zoned R 2,presented a preliminary request that would allow him to build a family member a house behind the existing dwelling.
Resolution:
There is no language in R 2 code that allows for this.

The term "guest house", although not referenced in the R 2 zoning regulations, may cover this proposal. However, a "guest house" would not allow the property to become a rental home after the original occupant is deceased. Additionally, all codes require only (1) set of utility hookups per R 2 lot.

5) The fifth and final plan for discussion was submitted by an individual on North St. There is a 2 story frame dwelling situated on the property at this time. Morgan Avenue is adjacent to the property also.
Resolution:
The commission will allow Morgan Avenue to act as the required street frontage as it is parallel to the property and is 50 ft wide in right of way. Alternatively, the existing driveway to North Street could be used as a part of the property to allow subdivision. A Zoning Permit will need to be submitted to the Zoning Administrator to make it official.

6) Mayor, Wayne Printz has requested that the Planning Commission consider generating correspondence that would support his request to Rockingham County to have property located on N Eastside H/Way (out-of-town) rezoned from M 1 to A 2?

Resolution:
Members discussed the proposed zoning request and came to the conclusion that it may be considered apparent spot zoning and may create an issue in the future for additional requests.

A letter will be composed and forwarded to officials in Rockingham County suggesting that rather than downgrade from M 1 to A 2 that it may be considered to zone all property as either A1 or A2. Mr. Donachy and Dan Talbot accepted the responsibility to write in the Mayor's behalf with the proposal.

7) It was brought to the Commissioner's attention that some Woodbridge Subdivision lots are questionable when coming into compliance under the R 2 Zoning. Rockingham County approved the developer's plans before annexation occurred; therefore, the lots are grand fathered under the Rockingham County codes. It was noted that the county codes have since been revised to match our codes. Some applicants may be building smaller homes than planned on the lots in question in order to resolve some issues.

Immediately following the discussion of Zoning Requests Proposals, the minutes were read and approved.

Madelyn Dixon made a proposal to accept the March minutes as read. Jeremy Ream seconded the motion.
Motion Carried: (4-0 voice vote)

Old Business:

Discussion:

Currently, no volunteers have expressed an interest in becoming a Planning Commission Member. A vacancy was created when Tom Schroeder resigned in March, 2005.
An advertisement will be placed in local newspapers in an attempt to spark some interest in filling the vacancy.

With no further business to discuss, the meeting was adjourned. The next meeting will be held August 17, 2005 @ 7:00 pm in the Council Chambers.

_____ _____
Signature-Chairman Signature-Secretary