Planning Commission Minutes
February 9, 2005

Planning Commission Members Present:

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

Call To Order:
Dan Talbot, Chairperson called the meeting to order at 7:00pm. The Public Hearing was first on the agenda.

Speaker #1:
Janet Shifflett
282 S Eastside H/Way
Elkton VA 22827

Mrs. Shifflett approached the podium as the first speaker. She lives directly beside the new Liberty Station. Her original request was that she be rezoned from B2 to B1.

Since that request was submitted in August 2004, the Planning Commission and Council have passed a new revision of B2 zoning. Dan Talbot reiterated that B2 zoning is quite similar to B1 specifications with different setbacks. Mrs. Shifflett asked. "What are the setbacks?" Dan replies, "B2 requires a setback of 25 ft. with 50-foot frontage and a 10-foot setback on rear and sides". She was informed the new revision has no impact on existing structures. However, future construction of any new buildings would require a permit.

Mrs. Shifflett's zoning will likely remain as B2 as shown on the new revised, proposed rezoning map which the Commission will be voting on at tonight's meeting. If the Commission votes to accept the map it will then be forwarded to Council for another Public Hearing and a vote to accept the map as revised by commission members.

She stated, "My brother may be requesting to place a modular on property adjoining me". If his request is presented to the Commission he may be required to apply for some type of permit before proceeding with his plan. Mrs. Shifflett was excused.

Speaker #2:
Denise Wetzel:
1659 E Washington
Elkton, VA 22827

Mrs. Wetzel introduced herself to the panel and noted that her property is currently zoned B1. She pointed to the map and identified her property, which lies in behind the Valley Grocery and Martins store with the property fronting on East Washington. The revised map lists it as being changed to R2.

She was informed that the Commission will be voting to accept or reject the revised proposed map before adjourning tonight's meeting. Upon finalization Public Hearing will be scheduled by Council for approval. The Public Hearing will be advertised two weeks in advance. Mrs. Wetzel was excused.

Ray & Gary Wood Property
At the January meeting the Wood brother's request for subdividing property, located on North St, was discussed. Dan Talbot stated that the major question the Commissioner's presented was placement of a new driveway. The second question arising was it's planned use.

The Wood's attended the meeting tonight to find out the results of the decision. Mr. Donachy checked with VDOT and found out that the driveway meets regulations. If placed on the opposite side of the stop sign it would have required 50-foot frontage. His investigation and observations led him to recommend approval of the request. The planned use should present no problem as long as they are in compliance with zoning.

Chairperson, Dan Talbot inquired if either Mr. Wood had any questions?

Ray Wood asked, "What is the current zoning?" He was informed that R5 is the current zoning and no plan exists to change it since the property was not included in any phase of annexation. At this point, if rezoning became an issue it would become the owner's responsibility to request a change. The process of rezoning is a very detailed and complex matter. **The vote tonight will be for subdivision**. Pending the outcome of tonight's vote the Commission does not see a need for the owners to attend another meeting as long as they stay within guidelines of the Code Book.

Wake had a further question regarding water run-off. He was concerned it may be worse if an asphalt drive is put down. Dan informed him that a requirement is listed requiring run-off to meet the same standards that existed prior to construction. Mr. Donachy noted that the town, not the landowner, would make sure they abide with that problem should it arise. A member noted that curb/guttering had to be constructed on Clark Avenue in an attempt to handle water run-off on that street. The problem should be addressed before it becomes an issue.

Mr. Wood believed the town had created the problem with run-off in the area mentioned.

The discussion was closed with the Chairperson giving permission for the property to be sub-divided. The acreage allows plenty of room for setback requirements. The floor was opened for additional questions. There was no response or further questions submitted.

Wake Gooden made a motion to accept the request for sub-division of Wood property**.**
Tom Schroeder seconded it. (Mrs. Dixon was late and did not get to vote.)
Motion carried (4-0 voice vote)

Dan Talbot excused the Woods and called the regular meeting to order.

Minutes:
The minutes from January 12, 2005 meeting were read. It *was noted that the word **will** (pg 1) be changed to **may** This change is found para. 2 under **Discussion.***
The minutes were accepted.
Motion carried (4-0 voice vote)

It was mentioned that potential buyers have inquired about zoning in the Pentecostal Hill area. Currently it is proposed to be R8-Planned Development. It was also noted that the fenced in field over next to Roosters is going to be zoned B2 which members feel is appropriate. After Council schedules a Public Hearing a vote will be held to accept or reject the revised, proposed map presented by the Planning Commission.

New Business:

Signs:

Mr. Donachy presented a request, which would revise the language in the Sign Ordinance.

1) Adding the word "banner" to be included with the sign ordinance. In addition to the word "banner" it should state a size.

Dan Talbot noted that the Sign Ordinance was changed approximately a year ago. Section E (3-b) was modified. This is recorded in the Planning Commission minutes of December 3, 2003.

He continued the discussion by pointing out that the Commission may need to identify what are permanent/temporary signs? He opened the floor to anyone having questions up to this point?

Jeremy Ream noted that as a businessman he sometimes has 5 or 6 ads that his suppliers expect him to post. He feels once they are placed on the building they are not a distraction and wonders what's the difference?

Mr. Donachy noted that signs and banners are regulated. This prompted a member to voice a concern about signs/ and or banners that are attached to buildings vs. the free standing ones.

Mr. Donachy presented a question, "Does this Commission regulate signs? I will withdraw my suggestion. Forget #1; requesting to add the word banner.

Recommended Code Changes

Mr. Donachy went on to say he has received inquiries from contractors who wish to know if the size of parking spaces complies with other jurisdictions? Under his proposed *Recommended Code Changes* he requested the following:

►Chapter 110 Section 110-703, B to add:

(5) **Parking space size may be 200 sq. feet. Parking space width may be 10 feet; parking space length may be 20 feet. Two-way drives may be a minimum of 22 feet in width**.

►Chapter 110 Section 110-705, A (5) delete reference to sign:

(5) **The home occupation shall not produce obnoxious odors, glare, noise, vibration, electrical disturbance, or other conditions detrimental to the charter of the surrounding area, and in general shall give no evidence of nonresidential character of use.** (del) other than through the use of a sign meeting requirements for professional nameplates, as spelled out in 110-706.

►Chapter 110:

Change all references to Home Occupation in Chapter 110 from Special Exception to Accessory Use:

a. 110ع-602. C. (7) to D, (10)

b. 110ع-603. C. (7) to D, (10)

c. 110ع-604. C. (10) to D, (10)

d. 110ع-605. C. (9) to D, (10)
e. 110ع-606. C. (9) to D, (10)

f. 110ع-607. C. (12) to D, (6)

g. 110ع-608. C. (3) to D, (5)

▲ Change 110-905, D. to include Fire Marshall approval.

D. Fire protection. The installation of adequate fire hydrants in a area subdivision locations approved, (add) **approval by the County Fire Marshall is required.**

► Change 59ع-2 to include obtaining other permits;

A. The owners or occupants of property abutting upon any street, alley or sidewalk and being located in the Town of Elkton, desiring to construct or maintain any structure, or connect any existing or new structure or portion of any property thereof to property owned or maintained by the Town of Elkton or abutting neighboring property owners, shall contact the public Works office prior to beginning any project to obtain all of any permits and regulations required for such properties. Examples of such work may be but limited to the following: new construction, renovations, encroachments, driveways, culverts, drainage ditches, storm drains, fences, satellite dishes, swimming pools, siding demolition, excavation, tree planting or removal etc.

B. (Add)
Depending on the scope of the work, permit and/or reviews of plans may be required from the following: Rockingham County Building Official, Rockingham County Fire Marshall, Virginia Department of Transportation, DEQ and the Health Department. It shall be the responsibility of the applicant to ensure all permits and/or reviews are accomplished before work on the project is started.

Each Commission member is requested to review these suggestions before the next meeting. This topic will be added to next month's agenda. The members were advised that we will be discussing the Comprehensive Plan in the March meeting.

Thomas Schroeder announced that he will be resigning from the Planning Commission and moving into the county. An advertisement will be placed to pursue candidates who may wish to serve in the position being vacated by Tom.

With no further business to discuss, the meeting was adjourned. The next meeting will be held March 9, 2005 @ 7:00 pm in the Council Chambers.

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Signature-Chairman Signature-Secretary