Planning Commission Minutes
March 9, 2005

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

Call To Order:
Dan Talbot, Chairperson called the meeting to order at 7:00pm.

There were two requests presented to the Planning Commission for approval:

a. *Brent and Karla Berry* came forth to request a lot line adjustment on property located at 409 Virginia Avenue. In addition, they requested approval to build a single-family dwelling on Lot #4.

   The Berry's inquired if the town would ever take over maintaining the road any time in the future? Mr. Donachy noted the town does not deal with private driveways. If this occurred in the future it would be required to meet VDOT standards.
   At this point, a member mentioned several roads in the recently annexed areas. It was noted that Wind Song Hills Subdivision meets VDOT requirements but West Summit Avenue will need improvements to meet these same standards.

A motion was made to approve the lot line adjustment and permission to construct a single-family dwelling in accordance with local and county codes. The minutes shall state that the Berry's will not have to appear before the Commission in the future regarding this issue! It was seconded and the vote was cast.
Motion Carried: (4-0 voice vote)

b. Catherine Grady requested that her property, located on Water Street, be subdivided. The property is currently zoned B1. Mr. Donachy, Zoning Administrator, noted that her fees have been paid and she has met all requirements. His recommendation was that the request be passed; but his personal feeling was that Mrs. Grady should consider her options about future usage.

Mr. Printz made a motion to pass the request and allow the property to be subdivided. Dan Talbot seconded the motion.
Motion Carried: (4-0 voice vote)

Charlotte will present members in advance of any pending requests to be discussed at a regularly scheduled meeting. It was decided that she should advise the Requestor in writing of the Planning Commission's decision. The letter will further state that the party is responsible to submit any paperwork to the county for recording purposes.

After the votes regarding the zoning permits were held, the minutes from the last meeting were approved as read.

Old Business:

Castro Property:

In answer to a member's question it was noted that the Mr. Castro's property, located on S. Eastside H/Way, is zoned Business.

Signs:

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. However, the revised Sign Ordinance was not included in the recent updates to the Code Book

Code Update:

Mr. Printz made a motion to include the sign revision in the next update of the Code Books. Jeremy Ream seconded the motion.

Motion Carried: (4-0 voice vote)

Code Update:

►Chapter 110 Section 110-703

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

►Chapter 110 Section 110-705, A

(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 **(add) other than through the use of a sign.**

Discussion:

A brief discussion was held relative to "Home Occupation Permits". Mr. Donachy is currently signing these permits. His recommendation to the Commission was to make changes, which would state "Accessory Permit" rather than "Home Occupation". In the future the Zoning Administrator will sign the permits but it is his option to ask the Planning Commission for guidance when he deems it necessary.

Code Update:

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)

Code Update:

▲ Change 110-905, D.

Fire protection. The installation of adequate fire hydrants in an area subdivision with. (add) a**pproval by the County Fire Marshall is required.**

Code Update:

► Change 59ع-2 to include B

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.

Madelyn Dixon made a motion to accept Mr. Donachy's suggested changes as presented. Jeremy Ream placed a second to the motion.
Motion Carried: (4-0 voice vote)

The copy of requested updates will be placed with the Clerk of Council to await a future General Code Publisher printing Purchase Order.

New Business:
Dan Talbot will be contacting Mike Breeden to discuss the land outside of town limits, which is under study to be developed in the future. This property is connected to Elkton Water and Sewer and therefore it should be in compliance with Town of Elkton Codes due to the long-term implications and potential annexations.

Joe Paxton is on our distribution lists and should be receiving a copy of our Planning Commission meeting minutes. Charlotte was requested to contact Rockingham County offices and have a copy of their minutes distributed to our Chairman. Mr. Donachy has a meeting scheduled with the County on March 11, 2005.

The McDaniel Brothers have requested a 6-month extension on their original request to develop "Willow Oaks" Subdivision located on their North street property.

The discussion, which followed, brought up the issue of present capacity levels at the Sewer/ Waste Treatment facility. The McDaniel's will be notified of this situation, in writing, and informed their request has been put on hold for now.

The Comprehensive Plan is nearing completion. Mr. Donachy will move forward with an attempt to resolve some remaining issues.

With no further business to discuss, the meeting was adjourned. The next meeting will be held April 13, 2005 @ 7:00 pm in the Council Chambers.

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Signature-Chairman Signature-Secretary