PLANNING COMMISSION MEETING
May 1, 2007

Attendance:

Talbot, Dan – Chair
Armbruster, Harry – Vice-Chair
Dixon, Madelyn* – Secretary*
Morrison, Cathy – Commissioner
Pence, Theodore – Commissioner
Ream, Jeremy – Commissioner

Shifflett, Charlotte – Admin Rep*
Shifflett, Kim – Admin Rep
Shifflett, Marty – Zoning Admin

(*) denotes absence of member

Approval of Minutes:

Marty moved to approve minutes from April 2007 meeting, second by Theo (passed 4-0).

Cathy moved to approve minutes from the Joint Public Hearing from April 18, 2007, second by Harry (passed 4-0).

Agenda Items:

- **Richard Brown** – Andrew Moody appeared before the commission asking for subdivision of lot(s) at Brown's Pharmacy
  - It was noted that the road frontage is measured at setback; looking at the plat there isn't enough room.
  - Dan suggested that Mr. Moody come back before this body next month with the appropriate changes and we will review for recommendation to the council.

- **Nick Campbell** – reviewed Nick's request for a lot line adjustment between his lot and Julie Lambert's lot.
  - Neither lot is made a nonconforming lot.
  - Cathy made a motion to approve the lot line adjustment; seconded by Theo and passed

- **Possible Ordinance Change**
  - **Accessory buildings (all sections)**

    The combination of all accessory building and the main structure cannot consume greater than 50% of the overall lot area. If the main structure exceeds 50% of the lot area, than no detached accessory buildings are allowed.

    The exterior appearance of accessory buildings must be of similar materials of construction and finishes as the main structure. In addition, the materials of construction and finishes must be compatible with the overall nature of the neighborhood in which the accessory building is located.

  - **Fences**
    - Fence running parallel to the street and the front of the main structure situated on a lot shall not exceed 3 feet in height.
  - **§ 110-609 Planned Unit Development DistrictR8**

    E. Site design requirements. The following are the site design requirements for the R-8 Planned Unit Development District:

    5. Street design. The street system within the project area shall:

g. ~~Include curb, gutter and sidewalks as required by the town.~~ Include curb & gutter on all streets and sidewalks that service at least done side of all streets.

6. ~~Street names and signs. The name of proposed streets shall not duplicate existing street names irrespective of the use of the suffix street, avenue, boulevard, driveway, place, lane or court. Proposed streets, which are obviously in alignment with other already existing and named streets, shall bear the names of the existing streets. Street names shall be indicated on the master plan, final plan, preliminary and final subdivision plat. Street signs shall be provided at all intersections.~~ Street names shall comply with 911 regulations. Street signs shall be provided at all intersections.

8. ~~Pedestrian circulation. Provision shall be made for pedestrian circulation, which will enable residents, visitors and/or patrons to walk safely and conveniently between the various functional areas of the project and adjacent circulation systems, as determined appropriate by the town, including sidewalks if determined appropriate by the town~~. Strike (if determined appropriate by the town).

- **§ 110-703 Off Street parking**

A. Strike (except downtown business district B1)
C Strike (except B1 business)

- **§ 110-713 Special Regulations for Apartment Houses (NEW)**

A. No more than 17 dwelling units per acre
B. Apartment buildings shall be of a finished masonry construction.
C. Apartment complexes are to contain curb, gutter, & sidewalks that service all living quarters and amenities within the complex.
D. Each dwelling unit shall be provided with two paved parking space as provided in §110-703 B1 & comply with all other aspects of 110-703.
E. All common areas shall be maintained by the apartment owners. If not maintained, maintenance can be done by the town & billed to the owners at the current town rate.
F. Adequate lighting will be provided for the entire apartment complex at the apartment house owner's expense.

- **§ 110-910 Lot line adjustment**

A. A lot line on an existing parcel may be revised or vacated if the revision or vacation will not be in conflict with any provisions of this chapter.

B. ~~The property owner or proprietor of a tract of land in Elkton shall file a plat meeting the requirements of § 110-908. The Planning Commission shall review the proposed revision and make recommendations to Town Council. Council consideration will follow the~~ process outlined in § 110-909.

The property owner or proprietor of a tract of land in Elkton shall file a plat meeting the requirements of 110-908. The zoning administrator shall review the proposed revision for compliance with all applicable codes and assure that said revision or vacation does not conflict or in anyway allow for any use that is not the intent of the zoning ordnances that govern said property. Upon satisfaction, the zoning administer may at his discretion approve said adjustment or vacation or forward it to the planning commission for review and recommendations. If the adjustment or vacation is forwarded to the planning commission, said adjustment or vacation shall be considered by the Town council following the process outlined in 110-909 prior to approval.

C. The zoning administrator may initiate the abandonment and or adjustment of lot lines with individual property owners if existing structures on said property cause the property to be out of compliance with current ordnances and thus results in difficulties in the execution of the duties of the office of zoning administrator including but not limited to enforcing proper land use within a zoning area.

- **§ 143-36 Temporary Street Closure**

  A Street and or alley can be temporarily closed if the following apply:

  1. The closure is for a purpose that benefits the town's population
  2. The closure does not crate long term impact to the adjacent property owners.
  3. There is a defined period of the closure (not to exceed 2 years).
  4. If the closure exceeds thirty (30) days, the street shall be brought up to current VDOT standards by the party that requested the closure.
  5. Traffic is not diverted in a manner that would cause undue congestion in other areas or other safety issues as attested to by the chief of police.
  6. Request must be submitted in writing to Town Council for their approval at least 30 days prior to the proposed closure.

- **§ 143-37 Permanent Street Closure**

  A Street and or alley can be permanently closed if the following apply:

  1. The town superintendent must certify that the street must certify that the street/alley has no useful purpose to the town or its residents by nature of current use, zoning, cost of opening, or point of origin and destination.
  2. The closure does not create long term impact to the adjacent property owners.
  3. The closure does not create any fire safety issues as verified by the fire marshal.
  4. The closure does not cause a paring issue on current streets or cause traffic to be diverted in manner that would cause undue congestion in other areas and or cause any issues that would otherwise not be considered in compliance with VDOT standards.
  5. Request must be submitted to the planning commission for their recommendation.
  6. Council will make a final determination after a public hearing, legal review, and consideration of the recommendation of the planning commission.

Pathforward(s):

- Check other localities accessory building codes and bring back to next months meeting
  Responsibility: Marty Shifflett Timing: June 5, 2007

- Reschedule Lee & Associates for next months meeting re: Richard Brown subdivision of lot
  Responsibility: Marty Shifflett Timing: June 5, 2007

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Chair/Dan Talbot Secretary/Madelyn Dixon