PLANNING COMMISSION MINUTES
AUGUST 5, 2008

PRESENT:
Dan Talbot/Chair Harry Armbruster/Vice Chair Cathy Morrison
Charlotte Shifflett/Admin. Asst.
Excused:
Madelyn Dixon Theodore Pence/Council Representative
Guests:
Lauri Sigler Kitty Shifflett Colleen Grady Christy Gissing
Maurice Johnson

The meeting began at 7:10 pm with Dan Talbot presiding. A letter of resignation was submitted by Jeremy Ream and will be forwarded to Town Council.

2008-045
Elva Catherine Shifflett
Mrs. Shifflett submitted a request to divide property on Prospect Avenue that lies within R 5 zoning district. She presented a preliminary plat but did not have enough road frontage to place the house in the location as shown on plat. The Planning Commission will work with Mrs. Shifflett in an attempt to place the house in a length wise position that will make it conforming to code. Issue on hold. **Tax Map 131B4-5-4**

2008-044
Didier Hensley
Mr. Hensley inquired if property located on E Washington be rezoned from R2 to R4. This property will also require sub-division. The Zoning Administrator will contact Mr. Hensley and discuss the issue as to whether he intends to pursue the request.

Mayor Printz noted that we may need to revisit the zoning map since the Town would have the ability to collect more revenues if rezoning was allowed.
The duty of the Planning Commission is to ensure codes are followed within Town, not to collect and/or increase revenues.

- Rezoning Process if Mr. Hensley files request:
  - Request re-zoning
  - Pay fee
  - Public Hearing

Tax map 131B4-(3) B 2 L 5

2008-040
Colleen Grady
A request was submitted, to make an exception to add an addition to an existing house on Water Street in B 2 Business District The house is considered a non-conforming structure under the revised Town Code. A Public Hearing was held in April 2007 and the revision was passed. There was no zoning change, only the code. Ms. Grady will possibly make a decision to appeal to the BZA.
Tax Map 131B1 (A) L 21

Christy Gissing
Ms. Gissing's house is located at 416 Gibbons Avenue and is zoned M 1. In February of 2000 the active Town Manager mailed a letter to the Gissing's as follows:
"The house located at 416 Gibbons Avenue is located in an M-1 (light industrial) zoning area. This area allows one or two family dwellings with lot requirements being the same as those in the R-4 district. This house is in compliance with the Code of the Town of Elkton and can continue being used as a residence and may be replaced if damage."

After revising the code and holding a Public Hearing in April 2007 this structure fell into the non-conforming description. Ms. Gissing is requesting that a letter be written to the bank clarifying the usage.

- She was requested to obtain a list of specific questions from her bank and submit to the Zoning Administrator before correspondence is written.

Tax Map 131B1-(1) B 26 L9

FEMA Maps

- Charlotte was requested to copy or order copies for Planning Commission and Council.

Old Business:
Maurice Johnson
A discussion was held in an attempt to resolve the issues surrounding Mr. and Mrs. Johnson's structure located at 208 Woodbridge Dr.

- On the original permit the drawing listed 6 ft from the main dwelling rather than the required 10 ft as specified in our Town Code.
  - The Town will act in good faith and give an automatic approval on the 6 ft estimate since the issuance of a permit relied on the data as recorded on the original request.
  - The 5 foot set-back on the side yard is recognized under the same conditions listed above.
  - The town application drawings display no plans for a 2nd story being constructed.

- Rockingham County entered into the picture upon inspection of the garage. The Town was contacted and made aware of the discrepancy in drawings relative to a 2nd story.
  - The County was concerned it may be used as living quarters.

Mayor Printz visited the property and made a determination that Mr. Johnson's intent is to use the 2nd story for storage, thus, eliminating any questions that it will be used as living quarters in the future.

- The Town Attorney, Lauri Sigler is working with Rockingham County in an attempt to resolve the issue if *"this is a habitable space"?*
  - Dimensions of the structure are 14' X 36'.

Planning Commission Candidates:
A member inquired as to the status of the recommendation, made to Council by the Planning Commission, that would allow Marty Shifflett to become a member.

- Margretta Isom, guest and a member of Council, was requested to have Marty's name placed on the Agenda for Council to vote at the next meeting.
- Maurice Johnson has volunteered to serve as a member of the Planning Commission. Cathy Morrison made a motion that Maurice Johnson's name be recommended to Council for approval to serve on the Planning Commission. The motion was seconded by Harry Armbruster.

- Margretta Isom, guest and a member of Council, was requested to have Maurice's name placed on the Agenda for Council to vote at the next meeting.

Voice Vote =3-0
Motion Carried

- Margretta Isom, guest and a member of Council, was requested to have Marty's name placed on the Agenda for Council to vote at the next meeting.

Discussion

- The members spent some time discussing Business Zoning vs. Residential Zoning.
  - The fact that pro's and con's exist depends mostly on the current situation. The fact remains that it is impossible to please all property owners.

- Lauri Sigler, Town Attorney, advised Chair/Dan Talbot that our next agenda will include an R-6 Zoning discussion at the request of Town Council relative to the proposed sale and construction of a Senior Living Complex.
- A Special Use Permit may be presented to the Planning Commission requesting some of the following issues be addressed:
  a. *increase* in density
  b. *include* more conditions
  c. *parking* Multi family currently requires 2 spaces per unit (*propose that a senior community may only require 1 ½ spaces per unit.*) Code will need to be amended.
  d. *define* a category for 55 and older
  e. *alternative parking* Request that the visitor's lot may be gravel only.

With no further business, the meeting adjourned. The next meeting is scheduled for September 2, 2008 at 7:00 pm in the Council Chambers located at 20593 Blue and Gold Drive in the Elkton Area Community Center.

Submitted By:
Charlotte Shifflett

Daniel Talbot/Chair

Madelyn Dixon/Secretary