

**PLANNING COMMISSION**  
**March 16, 2005**

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, MARCH 16, 2005, AT 7:30 pm IN THE COUNTY MEETING ROOM.

Those present were:

- Gary Lowe, Chairman
- Brent Wilson, Vice-Chairman
- Jim Davis, Member
- Helen Phillips, Member
- Mike Skeens, Member
- Mickey Cox, Ex-officio Member
- Catherine Clossin, Community Development Director
- Bart Svoboda, Zoning Official
- Marsha Alley, Secretary

The chairman called the meeting to order.

Mr. Lowe stated that he had enjoyed working with the members of the Commission and commended them for a job well done. He added that it has been a pleasure serving the county from this avenue and announced that he will be running for the at-large seat on the Board of Supervisors in the Fall of 2005 to serve the county in a different capacity.

Mr. Lowe stated that there would be two public hearings, one for a rezoning request and one for a special use permit request. He explained that those who wished to speak must sign-up and reviewed the public hearing process for those who had not attended before.

**PUBLIC HEARING: Handbilt Homes, Inc.—Rezoning Request #05-159**

Mr. Lowe read the request: Handbilt Homes, Inc. requests a re-zoning from R-1 to R-2 on a 0.48 acre tract located in Ruckersville on Preddy Creek Road identified on County Tax Maps as 66-(12)-2C2. (RZ#05-159)

Ms. Clossin gave a report and PowerPoint presentation regarding the request. She stated that this request would effectively result in “spot zoning” and would alter the predominantly single family character of the area. She added that RSA advised that water service for a duplex can be provided through a single meter. She noted that the Health Department could approve a three bedroom drainfield but pointed out that occupancy would be limited to six people for the entire dwelling.

Ms. Clossin stated that staff recommends denial of the request.

Joe Draego addressed the Commission as the applicant. He stated that his daughter recently graduated for the School of Massage and would like to stay in the area. He explained that he would like to rent the upper floor to his daughter to assist her and rent the lower floor to assist in the mortgage. He added that there would be plenty of

parking area provided. He also added that school-aged children would not be an issue as the apartment would be targeted to young professionals. He added that he was surprised that staff recommended denial.

The chairman opened the public hearing.

Carl Schmitt addressed the Commission. He stated that he believes this request results in "spot zoning" which he believes to be a bad idea and it is not supported by the Comprehensive Plan. He added that the intent of the district is to provide single family housing with water and sewer availability. He noted that there is no intention for sewer to serve this site. He pointed out that neighbors may likely be concerned as this could be the first step in more intense residential zoning in their area. He concluded that approval of the request would be a bad idea.

There being no further public comment, the public hearing was closed.

Mr. Wilson asked where his daughter lives now.

Mr. Draego stated that she currently lives in an apartment in town.

Mr. Wilson asked if the house is already on the site.

Mr. Draego stated that it is a new residence under construction, adding that there would be 1,000 square feet on each floor with one bedroom and one bathroom on each floor.

Mr. Skeens asked if there were any plans to build an addition later.

Mr. Draego stated that there definitely were no plans for an addition.

Mr. Skeens asked if an addition was considered later, would the applicant have to come back to the Commission.

Mr. Svoboda stated that the applicant would not have to come before the Commission for an addition. He added that it would be a Health Department issue regarding the increase in the number of bedrooms.

Mr. Draego stated that the Commission could require that as a condition.

Mr. Lowe explained that the Commission cannot condition a rezoning request but added that the applicant may voluntarily proffer items. He noted that proffers could not be reviewed tonight but added that they could be submitted prior to the public hearing with the Board of Supervisors. He explained that the Planning Commission would make a recommendation tonight which will then be forwarded to the Board of Supervisors.

Mr. Draego asked if the request would be more desirable with proffers.

Mr. Lowe stated that it could sometimes make a difference.

Mr. Davis asked if the house would be a spec house.

Mr. Draego stated that it is not. He added that if the request is not granted, he will build a single family home for his daughter only.

Mr. Lowe stated that he shared some of the same concerns previously stated. He added that he understands and sympathizes with the applicant and what he is trying to achieve, but he added that he is uncomfortable to approve the request in that particular area.

Ms. Phillips reminded the Commission that the area in question is the most densely populated portion of the county.

Mr. Draego stated that there are no townhouses in the area, noting that there are single family homes on both sides of the street.

There was discussion on the affect that the rezoning may have on the area and future issues that may arise as a result.

Mr. Wilson made a motion to recommend denial of RZ#05-159.

Ms. Phillips seconded the motion.

The vote was taken.

AYE

Mr. Davis

Ms. Phillips

Mr. Wilson

Mr. Skeens

Mr. Lowe

NAY

The motion carried by a unanimous vote.

**PUBLIC HEARING: Robert & Sandra Short, Jr.—Special Use Permit Request #05-735**

Mr. Lowe read the request: Robert & Sandra Short, Jr. request a special use permit for an equestrian facility on a 200.88 acre tract, which is zoned A-1, Agricultural, located on Aviemore Lane and identified on County Tax Maps as 58-(A)-4. (SUP#05-735)

Ms. Clossin gave the staff report and PowerPoint presentation regarding the request. She stated that the request is for the boarding of horses, riding lessons, trail riding, and an occasional show. She pointed out that there may also be an indoor arena in the future. She added that the Health Department comments state that it appears that the development will not have a negative impact on the existing drainfields and wells and that if drainfields are proposed, permits will need to be issued accordingly. She noted that the proposal conforms to the goals and objectives of the Comprehensive Plan.

Ms. Clossin stated that staff recommends approval of the request but would like to see a formal site development plan to address run-off of animal waste into Welsh Run, the effect of nighttime lighting on adjacent properties, traffic, noise impacts, and the hours of operation, etc.

Robert Short addressed the Commission as the applicant. He stated that he is very comfortable with the staff recommendation and he is willing to work with the county in any way, adding that he will provide any information that is needed. He added that he wants to have a first-class, environmentally conscientious operation.

The chairman opened the public hearing.

Carl Schmitt addressed the Commission. He stated that he certainly supported the request. He reviewed the waterways and ways to protect them as well as low-impact development techniques.

There being no further public comment, the public hearing was closed.

Mr. Davis asked Mr. Short to point out the proposed operation on the presentation sketch.

Mr. Short pointed out that there is one existing barn on the property and a second barn is proposed. He added that an outdoor riding area and the right for a future indoor facility are also proposed.

There was discussion on the proposed structures and their uses.

Mr. Short stated that he is comfortable in moving in whichever direction that the Planning Commission prefers.

Mr. Davis asked how many horses are allowed on the property.

Mr. Short stated that he owns about 200 acres which may allow about 100 horses but added that there will not be that many horses there. He added that he expects to have 25 stalls and a few horses in pasture, which may be approximately 30-40 horses maximum.

Mr. Davis asked if Mr. Short would own the horses.

Mr. Short stated that the 25 boarded horses would belong to others and that any extras would be his own.

Mr. Davis asked if there would be any night time activities.

Mr. Short stated that he did not see a need for night time activities, adding that he lives on the property as well.

Ms. Phillips asked if this would be a casual operation or a formal academy.

Mr. Short stated that it could be either, noting that there would be trail riding and lessons as well as riding and jumping, etc. He added that he wanted it to be a comfortable place for families to come not a stuffy environment.

Ms. Phillips asked what the indoor arena would be used for.

Mr. Short stated that it would be used for lessons and shows for the students.

Ms. Phillips stated that for a county with a horseshoe in its seal, this request seems quite appropriate.

Mr. Skeens asked if restrooms would be installed.

Mr. Short stated that he is unsure at this point but assured the Commission that he would comply with any requirements.

Mr. Wilson asked when Mr. Short would be ready to begin the project.

Mr. Short stated that he is ready to move on the project as soon as it is approved.

Mr. Lowe asked where the trail riding would take place.

Mr. Short stated that the trail riding would be solely on his own property.

Mr. Lowe asked how many attendees were expected for the shows.

Mr. Short stated that he estimated 30 people.

Mr. Lowe asked what the seasons would be for the horse shows.

Mr. Short stated that he expects there to be two or three shows per year, usually in the

spring and summer. He added that the shows are for the horse boarders and students but the public would be welcome to attend at no charge.

Mr. Lowe explained that projects like this could be quite successful and grow so the Commission just wants to cover all bases. He stated that the proposal sounds wonderful but added that the Commission wants to make sure that there are no unintended consequences.

Mr. Lowe asked if there would be outside lighting.

Mr. Short stated that there would only be lighting for safety and security.

Mr. Davis stated that 30 attendees seemed like too few and asked how many were anticipated.

Mr. Short explained that he had meant 30 show entries when he answered earlier.

There was discussion on the proper limitation for attendance and participation. It was determined that attendance would be limited to 200 people, 40 show entries, and 50 horses on the property.

Mr. Lowe asked Ms. Clossin how she preferred that the water issues be addressed.

Ms. Clossin state that she recommended that Mr. Short work closely with the Conservation District and the County Engineer.

Mr. Wilson asked when the site development plan would be ready.

Mr. Short stated that he has spoken with David Blankenbaker to prepare the site development plan and will notify him as to the conditions agreed upon tonight.

There was discussion on the options of moving forward tonight.

Mr. Short stated that he would prefer to have the Commission make a recommendation tonight with the requirement of submitting the site development plan so that the project could move forward. He added that if that requirement was attached to the recommendation, he would have to comply in order to be approved by the Board of Supervisors. He pointed out that this was his preference but that he was willing to follow the direction of the Commission.

Mr. Wilson made a motion to recommend approval of SUP#05-735 subject to the submittal of a complete site development plan addressing issues related to runoff of animal waste into Welsh Run, no outdoor lighting, traffic impacts, and hours of operation, with the limitations of 200 people in attendance, 40 horse entries per show,

and 50 boarding horses.

Mr. Davis seconded the motion.

The vote was taken.

AYE

Mr. Wilson  
Mr. Skeens  
Mr. Davis  
Ms. Phillips  
Mr. Lowe

NAY

The motion carried by a unanimous vote.

There was a five-minute break.

**OLD/NEW BUSINESS**

Ms. Clossin reminded the Commission that the Board of Supervisors had asked the Commission to direct Planning staff to study the issues regarding “hardships” and offer some alternatives. She reported that presently manufactured homes are being used for medical and financial hardships and suggested that “granny flats” be considered to address these needs. She noted that the “granny flat” could be included as a by-right use in the A-1 and C-1 districts. She explained that a “granny flat” is basically an accessory apartment which is allowed only in the main dwelling. She added that there would be a limit of one “granny flat” per dwelling and the size would be limited to 35% of the total square footage of the main dwelling. She noted that there could be no accessory apartment to the accessory apartment and that 3 off-street parking spaces total would be required for the structure. She pointed out that the owner must reside in the dwelling. She advised that the “granny flat” is being used in many areas across the country to meet these types of housing needs.

She explained that the current process for the approval and enforcement of hardships is time-consuming for both the applicant and staff. She noted that the process requires the applicant to reveal very personal financial and medical information which places the applicant and the county in an uncomfortable position.

Mr. Davis asked if it is legal for the county to release that information.

Mr. Svoboda explained that the submission of the information waives the confidentiality for the application process.

Mr. Cox stated that the Board of Supervisors wants a poverty level guideline and more information from the physicians in order to review the requests. He added that there is not a problem to check on these cases while out checking other sites.

Ms. Phillips asked how property value would be affected.

Ms. Clossin stated that it would vary by property.

Mr. Svoboda stated that the accessory apartment would add value to the property whereas the manufactured homes depreciate in value.

There was discussion, including input from the audience, on the accessory apartment, attached, detached, or within. Other issues discussed were cost comparison between accessory apartments and mobile homes, accommodations for living, sleeping, and sanitation, size control of 35 %, septic system approvals, and the impact on the county resources and population.

Mr. Lowe asked staff to research regional statistics on accessory apartments for the next meeting.

Mr. Skeens asked if staff could include statistics on the manufactured homes for the last ten years as well.

Ms. Clossin stated that the information would be gathered and presented at the next meeting.

### **APPROVAL OF MINUTES**

The minutes of the February 16, 2005 meeting were unanimously approved as submitted.

### **OTHER PLANNING MATTERS**

Mr. Skeens informed the Commission that a concern was raised at the last Town Council meeting regarding skateboarders skating on town and county property. He added that the town is asking for suggestions for alternative sites for the youths to skateboard, noting that the courthouse area is not a good option.

Margaret Hope added that the town does not want to stop the skateboarders but rather move them to an alternative site.

Ms. Clossin stated that Julius Bates, Parks and Recreation Director, is looking into some other options for the skateboarders.

There was discussion on how to address this issue.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned.

Respectfully submitted,

*Marsha Alley*  
Secretary