

**PLANNING COMMISSION**  
**February 21, 2007**

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, FEBRUARY 21, 2007, AT 7:30 PM IN THE COUNTY MEETING ROOM.

Those present were:           Graydon Lamb, Chairman  
  Davis Lamb, Vice-Chairman  
  Jim Davis, Member  
  Phyllis Woodfolk, Member  
  Mickey Cox, Ex-officio Member  
  Bart Svoboda, Zoning Administrator  
  Marsha Alley, Secretary

Mr. Lamb called the meeting to order. He stated that there would be one public hearing tonight.

**PUBLIC HEARINGS**

**Ordinance Revision OR#06-005—Accessory Apartments**

Graydon Lamb reviewed the public hearing process and asked Mr. Svoboda for a report.

Mr. Svoboda presented information regarding the request and read the staff report. He explained that the Board of Supervisors (BOS) originally asked the Planning Commission to explore this issue on June 27, 2006 and asked them to revise their proposal on November 14, 2006. He reviewed the suggested revisions from the BOS. He added that staff recommends approval of the suggested language.

Graydon Lamb opened the public hearing.

Peter McGough, interested citizen, addressed the Commission. He stated that he supports the proposed ordinance revision adding that he is currently in a situation where he could assist a family member if this ordinance revision was approved. He added that he has been following the progress of the proposal and would like to see it approved.

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

Davis Lamb stated that he did not like the idea of limiting the number of bedrooms to one and that he did not think that limiting the resident to a family member would always be helpful.

There was discussion on limiting the number of bedrooms to one, noting that it would not be feasible in a mother/son or father/daughter situation.

Phyllis Woodfolk stated that she believed that item B should be removed completely as the aging community that would benefit from this may require an unrelated caregiver. She added that she believed two bedrooms would be more reasonable.

Graydon Lamb stated that he agreed and also believed that it should be allowed by-right without a special use permit.

Jim Davis added that allowing the use by-right would not require the public to lay out personal financial issues and would not be an invasion of their privacy.

There was discussion on the special use permit requirement.

Jim Davis asked what would happen if the BOS did not approve this round of revisions.

Bart Svoboda stated that the BOS would decide to approve, deny, or to send it back to the Planning Commission for further review.

Mickey Cox pointed out that there may be septic issues with adding two bedrooms and that he would like to see "Health Department approval" specified in item K.

Bart Svoboda summarized the discussed changes.

There was discussion regarding the special use process, cost, and timeline.

Davis Lamb made a motion to recommend approval of OR#06-005 with the specific language as outlined below:

#### **SPECIFIC LANGUAGE**

**Accessory Apartment:** a completely separate, private apartment unit installed in the extra space of an owner-occupied single-family detached dwelling and shall be in accordance with the following parameters:

- A. The accessory apartment and the principal dwelling shall be in the same ownership. The owner must occupy at least one of the dwelling units as a permanent legal residence, except for temporary absences not to exceed six months. The owner occupancy shall be verified by a notarized affidavit from the owner.
- B. ~~The tenant of the accessory apartment shall be a legal family member.~~ Strike completely so that any caregiver would be allowed.

- C. The installation of accessory apartment is permitted by-right in Agriculture, A-1, Conservation, C-1 and, Residential, R-1, zoning districts ~~with a special use permit~~. Strike *special use permit* due to the difference in cost between the SUP (\$500) and the Accessory Apartment permit (\$100) and due to the time consuming SUP process for the applicant.
- D. The accessory apartment must be a complete, separate housekeeping unit, independent in function from the principal dwelling.
- E. The accessory apartment must be connected to the principal dwelling by habitable space.
- F. Not more than one accessory apartment may be established in a principal dwelling.
- G. The accessory apartment shall be designed so that the appearance of the building in which it is located remains that of a single family detached dwelling.
- H. The accessory apartment shall contain a max of 30% of the building's total floor area, and be no larger than 800 square feet, or smaller than 300 square feet.
- I. The accessory apartment shall not have more than ~~one~~ two bedroom. Change number of bedrooms to accommodate situations of Mother/Son and Father/Daughter sleeping arrangements.
- J. Two additional off-street parking spaces shall be provided for the accessory apartment.
- K. The effective period of the accessory apartment permit shall be granted after application approval, the completion of a routine housing inspection verifying the property remains the principal residence of the owner and that all Health Department, State and County Code requirements have been met. Add to clarify the need for Health Department review and approval.
- L. The accessory apartment permit will expire with change of ownership.
- M. Proof of home owner's association conveyance approval, if applicable.

BOS revisions in Red. (11/14/06)

PC recommendations in Blue. (2/21/07)

Phyllis Woodfolk seconded the motion.

A vote was taken.

AYE

Jim Davis  
Davis Lamb  
Phyllis Woodfolk  
Graydon Lamb

NAY

The motion to recommend approval of OR#06-005 carried by a 4-0 vote.

## **OLD/NEW BUSINESS**

Bart Svoboda stated that there would be three ordinance revisions and the CIP at the March meeting. He asked the Commission if they would prefer to hold a work session or public hearing for the CIP in March. The Commission discussed the options and decided to hold a public hearing for the CIP in March.

Bart Svoboda informed the Commission that the vacant seat would hopefully be filled soon.

## **APPROVAL OF MINUTES**

The minutes for the January 17, 2007 meeting were unanimously approved as submitted.

## **OTHER PLANNING MATTERS**

### **Planning Commission Appeals:**

#### **Oxford Hills**

Bart Svoboda explained that the developer for Oxford Hills wished to extend the deadline for construction and development for five years to allow the county and the developer to address water issues in the area. He added that staff recommends approval at the Planning Commission's discretion in regard to setting a timeline for development.

Steve Jones, developer for Oxford Hills, addressed the Commission. He explained the request and how it would be advantageous for the county and the developer. He added that they have been working with the county on water issues but some things seem to take longer than anticipated. He added that they still have to submit final plans for the subdivision but that they need to get the infrastructure in place.

There was discussion regarding the time frame, 12 months versus 36 months, for extension and the memo of understanding.

Jim Davis asked what the fall-out would be if the extension was not approved.

Bart Svoboda stated that the final plat would be submitted within 12 months of the preliminary plat approval.

Steve Jones stated they are trying to use more gravity systems than pump stations.

There was discussion on motions.

Phyllis Woodfolk made a motion to grant approval of PCApp#06-003 for 36 months with an update to the Planning Department in 18 months.

Davis Lamb seconded the motion.

The vote was taken.

AYE

Jim Davis  
Davis Lamb  
Phyllis Woodfolk  
Graydon Lamb

NAY

The motion to grant approval carried by a 4-0 vote.

**Creekside**

Graydon Lamb explained that this request is based on the same reasons as the previous request.

Bart Svoboda agreed. He noted the locations of the sites, adding that they involved the same system.

Phyllis Woodfolk made a motion to grant approval of PCApp#06-004 for 36 months with an update to the Planning Department in 18 months.

Jim Davis seconded the motion.

The vote was taken.

AYE

Phyllis Woodfolk  
Davis Lamb  
Jim Davis  
Graydon Lamb

NAY

The motion to grant approval carried by a 4-0 vote.

**ADJOURNMENT**

There being no further business, the meeting was adjourned.

Respectfully submitted,

*Marsha Alley*  
Secretary