

Department of Planning & Community Development



A meeting of the Franklin County Planning Commission was held on May 10, 2022, in the Board of Supervisors meeting room located at the Franklin County Government Center.

THOSE PRESENT:

Sherrie Mitchell- Chair, Snow Creek District

Debbie Crawford- Vice Chair, Union Hall District

David Clements- Rocky Mount District

C.W. Doss, Jr.- Blue Ridge District

David Pendleton- Blackwater District

Cheryl Ege- Gills Creek District

Angie McGhee- Boone District

OTHERS PRESENT:

Lisa Cooper- Director, Planning

Tim Mack – Senior Planner

Tina Franklin – Clerk

Megan Fenner – Clerk

Chris Dadak - County Attorney

The meeting was called to order by Chairwoman Mitchell at 6:00 p.m. The next order of business was the approval of the minutes from the April 12, 2022, meeting. Chairwoman Mitchell asked the Planning Commission if there were any comments or corrections to the minutes as written; there were none. Chairwoman Mitchell announced the minutes would stand as written.

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

Department of Planning & Community Development



APPLICATION for SPECIAL USE PERMIT – Application of Thomas C. & Mary J. Odderstol, Applicants and Owners, requesting a special use permit, with possible conditions, on an approximate 1.126 acres of property zoned A-1, Agricultural. The property is located 550 Plybon Lane in the Union Hall district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0460908000. The purpose of this special use permit request is to allow for the short-term tourist rental of a dwelling. This property has a future land use designation of Low Density Residential (Case # SPEC-04-22-17288).

Mr. Timothy Mack presented the staff report.

The applicant is requesting a special use permit to allow for the short-term tourist rental of a dwelling on a property that is approximately 1.126 acres and located at 550 Plybon Lane (formerly Red Barn Lane) in the Union Hall district. This is the only dwelling located on the parcel and where the short-term rentals would take place.

The dwelling is a two-story, single-family residence built in 1989, and consists of three (3) bedrooms and two (2) full baths, and has a total living area of 2424 square feet. The applicant does not currently reside in the primary dwelling on the property full-time.

Nearby parcels are a mix of other single-family residences, wooded and/or vacant lots, and zoned A-1, Agricultural. The property has dense wooded areas to the north side of the dwelling, and sits on a small, stub-like peninsula that abuts Smith Mountain Lake on both sides and to the rear (South). The dwelling sits at the end of the peninsula and has access to a community dock and bathhouse that will be available to guests. The applicant is also proposing to place a sign on the lakeside of the property with a contact name and number to increase interest in, and patronage of, the short-term rental of the dwelling. The closest home to the proposed short-term rental dwelling is an approximate 750 feet away (across the water). There are currently no other homes under construction near this property.

The Virginia Department of Health (VDH) has a permit from 1998 for a three-

Department of Planning & Community Development



bedroom residence, but NOT for full-time use. The current septic tank size is not for a three-bedroom residence – but for a two bedroom. It has a very small drainfield and a new one was designed for the home during the development of Lakeside Farms. VDH also reported that they have not received a construction permit for the new drainfield; treatment will be required for the new drainfield (see DRT comments). Given this information, staff has modified condition number five (5) to reflect the requirement that the applicant/owner must provide documentation from VDH that approves the septic and drain field for its proposed use (i.e., a short-term tourist rental of a dwelling). Staff has also added the condition (number six [6]) that, until the property upgrades the existing septic tank, the dwelling can only house two (2) adults per bedroom – for a total of four (4) guests.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its April 20th meeting. As of the date of this report, staff has received several public inquiries about the petition, primarily out of curiosity, with no express support or opposition. Additional comments and concerns may be raised as a result of the public hearings.

Ms. Sherrie Mitchell asked if there were any questions by the commission for staff. Ms. Debbie Crawford advised she has never seen the “not for full time use.” The wording was explained by Mr. Timothy Mack.

Ms. Sherrie Mitchell advised that they would now hear from the applicants. Mr. Thomas Odderstol and Ms. Mary Odderstol approached the commission. Mr. Thomas Odderstol advised they ran into issues with their insurance policy but have found a work around. They will be obtaining an umbrella policy that covers them for up to a million dollars. Mr. Odderstol advised they would answer any questions from the commission. Ms. Debbie Crawford asked if the applicants would upgrade the septic system to accommodate the three bedrooms. Mr. Odderstol advised they will and it is in working order. Mr. Odderstol was unsure if the number of occupants for the residence was specified. Ms. Lisa Cooper advised that the Franklin County ordinance lists there shall only be two persons aged three and older to a bedroom.

Ms. Sherrie Mitchell opened the floor to citizen comments. Mr. Norman Fraley

Department of Planning & Community Development



approached the commission to express support for Odderstol. Mr. Fraley stated that he owns the property neighboring that on the application. Mr. Fraley advised that he has learned Red Barn has historic use as a venue for gatherings, and he would like to see it return to that use.

Ms. Sherrie Mitchell asked if any commission members had further questions. Ms. Cheryl Ege requested verification on regulations regarding the sign the applicants plan on posting to the lake-side of the property. Ms. Lisa Cooper advised it is in the conditions that staff review and approve any sign prior to posting.

Ms. Debbie Crawford motioned that the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety and general welfare to the community. Ms. Crawford moved to recommend approval of the applicant's request for a special use permit to allow for the short-term tourist rental of a dwelling with the seven (7) conditions recommended in the staff report. Mr. David Pendleton seconded the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: Ege, Doss, McGhee, Clements, Pendleton, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell announced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Appalachian Power Company (AEP), Applicant and Owner, requesting a special use permit, with possible conditions, on an approximate 21.37 acres of property zoned A-1, Agricultural. The property is located along Dodee Lane in the Union Hall district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0520003601. The purpose of this special use permit request is to allow for the expansion of a legally nonconforming private campground with the addition of a larger bathhouse. This

Department of Planning & Community Development



property has a future land use designation of Low Density Residential (Case # SPEC-04-22-17289).

Mr. Timothy Mack presented the staff report.

Appalachian Power Company, applicant, is requesting a special use permit to allow for the expansion of a legal non-conforming private campground known as Camp Kilowatt with the addition of a 984 square foot bathhouse with three parking spaces to be constructed closer to the campsites on a property that is approximately 21.37 acres above the 800-foot elevation contour and located along Dodee Lane in the Union Hall District. The existing 500 square foot bathhouse on the property will be demolished. The property also includes a boat ramp and eight boat slips used by campers and authorized AEP staff only.

Since the late 1960s the property serves as a private campground that was in operation prior to the current Franklin County Ordinance, rendering it a legal non-conforming use. In accordance with Section 25-164 of the County Ordinance, any existing nonconforming use or activity, enlarged, increased, extended, or altered, shall conform to the provisions of its designated zoning district. In A-1, Agricultural zoning districts, private campgrounds are a use permitted by issuance of a special use permit granted by the Board of Supervisors.

In relation to the larger bathhouse, the applicant is proposing to upgrade the existing electrical service provided to campsites from a 30-amp to 50-amp service. The applicant is not proposing any changes or alterations to the existing 34 campsites, nor will there be any campsites added or additional utilities, such as water and sewer, extended to the campsites. The campsites are only used by AEP employees, retirees, their families, and invited guest. The campsites are designed for tents campers, pulled behind campers, and/or recreational vehicles (RV). The campground is gated and generally closed during the winter months.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its April 20th meeting. As of the date of this report, staff has received several public inquiries about the petition, primarily out of curiosity, with no express support or opposition. Additional comments and concerns may be raised as a result

Department of Planning & Community Development



of the public hearings.

Ms. Sherrie Mitchell asked if any commission members had any questions for staff. Ms. Debbie Crawford requested clarification of location on the concept plan map would the new construction take place. Ms. Cheryl Ege requested staff to confirm the location of the new bathhouses.

Ms. Sherrie Mitchell advised they would now hear from the applicant. Mr. Matthew Pritts, attorney, introduced another map that pointed to each area they have applied for a special use permit. Mr. Pritts went over the history of Camp Kilowatt, which has been around since the late 1960's and has not been intrusive to the community surrounding it. He also explained they are not looking to change the number, location, or configuration of any of the campsites. Electrical services will be upgraded to 50 amps. The existing bathhouse will be demolished, allowing for a larger bathhouse that will be compliant with VDH requirements. Mr. Pritts also assured that Camp Kilowatt will remain a private campground for employees, retirees, their families and invited guests.

Ms. Debbie Crawford asked how many lights the applicant is planning on putting on/around the bathhouse. Applicants advised that they will only have lights above every exit/entry doorway, and the conditions state they have to be downcast. There will be no dusk to dawn lights.

Mr. Matthew Pritts advised they have suggested to modify the language of one of the conditions to state they have permission to remove dead, decaying and dying trees. Ms. Debbie Crawford asked if the applicants are planning to replace any trees that are removed due to death or decay. The applicant advised they would allow the trees to be replaced through natural growth, rather than re-planting themselves.

Ms. Cheryl Ege asked if the applicants had any plans for the color scheme. Mr. David Agee, an employee of AEP, advised that they have discussed the color choices with the vendor. Mr. Agee advised he didn't have the exact color choice available right now but advised that the color would match the surrounding area.

Ms. Sherrie Mitchell opened the floor to community discussion.

Department of Planning & Community Development



Mr. Rick Zagol, advised their home is directly across from the swimming area. Mr. Zagol advised that Camp Kilowatt has been a great neighbor to them over the years. Mr. Zagol questioned if the applicants were planning to have a vegetation barrier on the lake side.

Mr. Keith Gardner had the same comments and seconded those made by Mr. Rick Zagol.

Mr. Barney Nester advised that since 2001 they have only positive things to say. Mr. Nester requested a definition of low density residential. Mr. Nester also wanted to know how the large equipment coming in and out of the area would effect their road. Mrs. Sherrie Mitchell advised that the low density residential is coming from their comprehensive plan. Ms. Mitchell confirmed with staff that everything shown in the AEP land use map surrounding Camp Kilowatt is a low-density residential area. Ms. Lisa Cooper advised the "low density residential" designation guides growth over a period of time. In these areas you can see subdivisions and different types of housing, but you can also have small commercial use that supports the area.

Ms. Lisa Cooper advised that a traffic narrative will have to be delivered and approved. AEP will look to see if anything will have to be done to improve the roadway.

Ms. Debbie Crawford stated she didn't have a problem with the dead, dying, diseased trees being removed. Ms. Crawford stated she would like to add the condition that the building is painted with a color scheme that matches the surrounding landscape.

Ms. Debbie Crawford motioned that the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety, and general welfare to the community. Ms. Crawford moved to recommend approval of the applicant's request for a special use permit to allow for the expansion of a legal non-conforming private campground with the addition of a larger bathhouse in accordance with Sec. 25-164, Sec. 25-155, and Sec. 25-179 of the Zoning Ordinance, with the eight

Department of Planning & Community Development



(8) conditions as recommended in the staff report, with the addition of condition nine (9) regarding color. Mr. David Clements seconded the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: Ege, Doss, McGhee, Clements, Pendleton, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT - Application of Appalachian Power Company (AEP), Applicant and Owner, requesting a special use permit, with possible conditions, on an approximate 21.37 acres of property zoned A-1, Agricultural. The property is located along Dodee Lane in the Union Hall district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0520003601. The purpose of this special use permit request is to allow for the construction of a maintenance and office facility. This property has a future land use designation of Low Density Residential (Case # SPEC-04-22-17290).

Timothy Mack presented the staff report.

Appalachian Power Company, applicant, is requesting a special use permit to allow for the construction of a maintenance and office facility on a property that is approximately 21.37 acres above the 800-foot elevation contour and located along Dodee Lane in the Union Hall District. This property is known as Camp Kilowatt. The proposed structure will be 6,171 square feet with eight (8) parking spaces and located in the vicinity of the existing bathhouse (to be demolished), approximately 250 feet from the nearest property line. The office area will be an estimated 2,330 square feet (roughly 40 percent of the whole structure) with a kitchen and bathroom for employees. The maintenance area of the structure will be an estimated 3,841 square feet (roughly 60 percent of the whole structure) and will be used for repairing and servicing company-owned boats as well as for the storage of tools and other equipment associated with AEP's Debris Management Plan

Department of Planning & Community Development



approved by FERC order issued September 16, 2010. The debris management staff is responsible for managing and clearing debris within the boundaries of Smith Mountain Lake. There will be eight (8) Appalachian employees will be using this facility.

In accordance with Section 25-179 of the County Ordinance, public utilities – structures are allowed as a special use permit in A-1, Agricultural zoning districts. The proposed facility will be owned, operated and used by AEP, and will support the services of crew to remove debris and keep the lake clear of boating and swimming hazards. This operation of debris removal is an essential requirement of Appalachian's federal license to operate the hydroelectric Project.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its April 20th meeting. As of the date of this report, staff has received several public inquiries about the petition, primarily out of curiosity, with no express support or opposition. Additional comments and concerns may be raised as a result of the public hearings.

Ms. Sherrie Mitchell asked if there were any questions by the commission for staff. Ms. Debbie Crawford requested clarification on what area will be for the boat storage.

Ms. Sherrie Mitchell advised they would hear from the applicant again.

Mr. Matthew Pritts, attorney, spoke on the importance of debris management to the surrounding area, and how a new maintenance facility would improve their ability to keep up debris management. Mr. Pritts advised this site will not be used to unload or store debris. Mr. Pritts advised the office area would also allow for staff to be present during business hours, adding to manpower and security. Mr. Pritts advised that the noise coming from this area would be less than that coming from an auto shop. They would only be using the area to work on boats when they break down, rather than having a constantly running mechanic shop. Mr. Pritts advised they heard concerns of gas and oil storage. He advised gasoline would be stored in gas cans if anything, rather than any underground storage.

Department of Planning & Community Development



Mr. Matthew Pritts, attorney, proposed modifying the language of condition 2 to include employees directly involved in the operation and maintenance of the Smith Mountain Pumped Storage Project. Mr. Pritts advised that the presence of 8 staff members on site would not be significant enough to disturb the area or create increased traffic.

Ms. Debbie Crawford advised they received a photo from a concerned citizen, of a backhoe at the campsite. Ms. Crawford questioned if they are not storing debris at this location, why was the equipment at the campsite. Mr. Matthew Pritts advised someone broke the window of the equipment while it was on the water, so they had to bring it to land to repair the window.

Ms. Cheryl Ege questioned if the structure was going to be a steel building. Mr. Matthew Pritts confirmed. Ms. Ege wanted to know if a color scheme matching the surrounding area would be possible. Mr. Pritts confirmed.

Ms. Sherrie Mitchell asked if any member of the public.

Mr. Rick Zagol advised he was concerned of the scope of the entire project. Mr. Zagol questioned the wording of the second condition requested by the applicant. Mr. Zagol was concerned if the commission opened the wording on the condition allowing workers to use the office, who else would be coming to the area and when. Mr. Zagol also questioned how many boats will be stored? Mr. Zagol commented on the small size of the cove, and stated he has grandchildren that play in the cove. Mr. Zagol expressed concern of the barge traffic coming in and out of the cove.

Mr. Keith Gardner also expressed concern regarding the volume of traffic coming in and out of the campground. Mr. Gardner questioned how many boats can they expect to come and go from the area. Mr. Gardner requested a better understanding of the traffic that is expected in the area.

Ms. Linda Quinn advised the new structure is going to be 12 times the size of the existing structure. Ms. Quinn expressed concern over what is happening in that large of a space, and the amount of noise that will be coming from the campground. Ms. Quinn agreed that the color of the structure should be considered. Ms. Quinn also advised that landscaping can be used as a visual buffer and a sound buffer.

Department of Planning & Community Development



Ms. Dorothy Garner expressed concern for the amount of traffic coming and going from Dodee Lane. Ms. Garner believed that the traffic and increased presence in the area would be significant.

Mr. Matthew Pritts, attorney, advised he is told there is one boat that they use, so they are not expecting any substantial change in boating traffic. Mr. Pritts also requested residents to keep in mind that the campers do bring their own boats and jet skis to launch at the boat ramp. There is no need for a barge at this location, but occasionally the need may arise that they need to use a barge to unload equipment at this location for maintenance.

Ms. Debbie Crawford asked what the boat AEP currently has is used for. Mr. Neil Holthouser, AEP, advised that they receive debris reports from citizens, and they would be receiving the reports at this new office area. The scouting team would then leave from this location, and then tell the barge and the excavator where to meet them on the water. They currently have one scouting boat, but in the future, they may have more than one boat and one boat trailer. The boat trailers would be needed to transport the scouting boats to different areas of the lake. Mr. Holthouser also wanted to note they are planning for 8 employees to use the facility. This number will be driven by parking availability and cube space.

Ms. Cheryl Ege stated she would like to add the condition that the building is painted with a color scheme that matches the surrounding landscape.

Ms. Debbie Crawford motioned the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety and general welfare to the community. Ms. Crawford moved to recommend approval of the applicant's request for a special use permit to allow for the construction of a maintenance and office facility in accordance with Sec. 25-179 of the Zoning Ordinance, with the eight (8) conditions as recommended in the staff report, with the change to condition two (2) and addition of condition nine (9) regarding color. Mr. C.W. Doss seconded the motion.

Department of Planning & Community Development



The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT - Application of Appalachian Power Company (AEP), Applicant and Owner, requesting a special use permit, with possible conditions, on an approximate 21.37 acres of property zoned A-1, Agricultural. The property is located along Dodee Lane in the Union Hall district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0520003601. The purpose of this special use permit request is to allow for a boat storage area. This property has a future land use designation of Low Density Residential (Case # SPEC-04-22-17291).

Timothy Mack presented the staff report.

Appalachian Power Company, applicant, is requesting a special use permit to allow a boat storage area on a property that is approximately 21.37 acres above the 800-foot elevation contour and located along Dodee Lane in the Union Hall District. This property is known as Camp Kilowatt. The proposed area will be 11,250 square feet/75' x 150' and will be used to store company owned boats, boat trailers, and associated equipment for the debris management team. The area will be fenced and secured and will consist of a gravel surface. The boat storage area is intended to work in concert with the proposed maintenance building, where approved boats and associated equipment can be safely stored and cared for when not on the water or in maintenance.

In accordance with Section 25-179 of the County Ordinance, boat storage areas are allowed as a special use permit in A-1, Agricultural zoning districts. The proposed boat storage area will be owned, operated, and used by AEP, and will support the services of crew dedicated to removing debris and keeping the lake clear of

Department of Planning & Community Development



boating and swimming hazards.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its April 20th meeting. As of the date of this report, staff has received several public inquiries about the petition, primarily out of curiosity, with no express support or opposition. Additional comments and concerns may be raised as a result of the public hearings.

Ms. Sherrie Mitchell asked if there were any questions by the commission for staff. Mr. C.W. Doss confirmed that the screening talked about in the staff conditions will be vegetative screening. Ms. Debbie Crawford confirmed what would qualify as "opaque fencing."

Ms. Sherrie Mitchell advised they would now hear from the applicant.

Mr. Matthew Pritts, attorney, advised that they are planning to add trees and foliage on the southeast and southwest sides of the fenced storage area to screen visibility to the neighbors across the lake. Mr. Pritts also emphasized that the public would not be allowed to store their personal boats at this location. Mr. Pritts also advised the fence is going to be six to seven feet in height.

Ms. Cheryl Ege requested more detail on the height and type of foliage they are planning to use. Mr. Neil Holthouser, AEP, advised that they are looking to plant somewhere between eight to ten trees around the storage area with complimentary shrubs between the trees.

Ms. Sherrie Mitchell questioned where they plan on having the entrance to the boat storage area. Mr. Matthew Pritts advised they would enter via the existing road on mapping. They have not made any modifications to that plan yet. Mr. Pritts confirmed that there would be no entrance on the backside of the storage area.

Ms. Debbie Crawford questioned if the applicant would be ok with planting further vegetation on the lake side of the building. Mr. Matthew Pritts advised that they meet the need if set as a condition. Ms. Crawford also questioned if the opaque fencing is going to match the color of the building. The color of the fencing will be

Department of Planning & Community Development



black.

Mr. Rick Zagol commented that they were told the applicant would be storing one boat and one trailer. Mr. Zagol noted that the area is a quarter acre and questioned if that large of space is needed.

Ms. Linda Quinn and Mr. Dale Quinn showed pictures of their view of the lake. Ms. Linda Quinn advised one of the reasons they chose to purchase their home is the natural setting of the lake. Ms. Quinn advised that currently the area is very low traffic, showing photographs of their view from the lake. Ms. Quinn spoke positively about the conduct of the campers at Camp Kilowatt. Ms. Quinn stated that if the location of the facility was moved closer to the main road, there would be no need for the foliage buffer. Ms. Quinn stated the lighting as it currently is, makes their dock super bright, so she is thankful for the lighting to be modified. Ms. Quinn stated that during the wintertime, the greenery thins out and they have no visual or sound buffer between their property and Camp Kilowatt.

Mr. Barney Nester is concerned how the camp is going to affect the property values in the area. Mr. Nester suggested that in future meetings the Planning Commission require what the building would look like, rather than just maps.

Ms. Terri Gardner questioned how many lights are going to be surrounding the boat storage area. Ms. Gardner also seconded Mr. Zagol's concern about AEP currently having one boat, but the storage area being built for a larger capacity. Ms. Gardner wanted to know what type of boats will be stored. Mr. Pritts stated that the scout boat is 28 feet in length, when it's on it's trailer it's 41 feet, and when the trailer is attached to the truck the length is over 60 feet. Mr. David Age, AEP, commented a trailer for the larger equipment may be stored at this location. Mr. Age added that they are not proposing they move all their watercraft they own to this one location. Mr. Age noted they are currently planning to have two down-cased light to illuminate the area.

Ms. Debbie Crawford asked if the applicants could change their current lighting to a down cast light. Mr. David Age stated that this would be possible.

Ms. Sherrie Mitchell requested that staff go over what the actual building would look

Department of Planning & Community Development



like. Ms. Lisa Cooper went over what Planning and Development requires from applicants when submitting their application.

Ms. Cheryl Ege requested to define the condition regarding the vegetation screening. Ms. Debbie Crawford requested that the applicant use evergreen to keep the visual barrier year-round. The condition was determined to include the northwest side of the building, at its entire length. Ms. Sherrie Mitchell questioned if there was going to be a height requirement for the planting. Mr. Timothy Mack advised that Planning and Development has a list of recommended plants for the area. Ms. Lisa Cooper added the height requirement for evergreens is two feet at the time of planting.

Ms. Debbie Crawford motioned the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety, and general welfare to the community. Ms. Crawford moved to recommend approval of the applicant's request for a special use permit to allow for a boat storage area in accordance with Sec. 25-179 of the Zoning Ordinance, with the five (5) conditions as recommended in the staff report, and one (1) condition as recommended by AEP with the addition vegetative screening will include evergreen as listed in county ordinance. David Clements seconded the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

APPLICATION for REZONE - Application of Ron Willard II, Applicant, and Willard Investment Properties, LLC, Owner, requesting to rezone, with possible proffers, an approximate 30.324 acres of property, currently in five (5) parcels, from PCD,

Department of Planning & Community Development



Planned Commercial Development, to PCD, Planned Commercial Development, with amended proffers and concept plan. The properties are located along Bridgewater Grande Drive off of Booker T. Washington Highway (Route 122) in the Gills Creek district of Franklin County and further identified by real estate records as Tax Map/Parcel #s 0150005601, 0150005602, 0150005603, 0150005604, 0150005711. These properties are located in the Westlake-Hales Ford Area Plan (Village) with a future land use designation of Commercial Mixed-Use (Case # REZO-04-22-17284).

Timothy Mack presented the staff report.

In 2005 the Board of Supervisors approved a rezoning, and four (4) special use permits for the five (5) parcels at it was known as Bridgewater Grande Village and Resort. The property was rezoned to Planned Commercial Development for the purpose of retail, commercial, and professional offices and residential single and multi-family uses. The four (4) special use permits (which have expired) were for private roads, condominium units, townhouses, and single-family dwellings.

Willard Investment Properties is requesting to rezone to amend the previously approved proffers and concept plan in order to develop a subdivision comprising of 30 individual single-family residential lots and one commercial lot. These lots will range in size from 0.30 acres to 3.53 acres and will all have access to a public water and sewer system. Additionally, the applicant is proposing that five (5) of the residential lots will have ability for guest houses. There is a commercial component to the rezoning along the front of Route 122.

In conjunction with this rezone request, the applicant is applying for three (3) special use permits to allow for certain features that the applicant hopes will make the property more marketable. The three (3) special use permits are to allow 30 single-family dwellings and the ability for five (5) guest homes, a boat storage area for the residents of the subdivision, and private roads to be constructed to state standards with the ability to install gate at the entrance of the subdivision. A road maintenance agreement for the private roads. The subdivision will have a pavilion area for the residents of the community and all common area will be maintain by the Homeowners Association. Short term rentals will be prohibited in the proposed development.

Department of Planning & Community Development



The applicant has also requested, and was approved for, fast-tracking the four (4) total petitions, tentatively set to be heard by the Board of Supervisors on May 17th, 2022.

The application was advertised, site posted, and notifications sent to all adjacent property owners. As of the date of this report, staff has received no inquiries about the rezoning of this property. Additional comments and concerns may be raised as a result of the public hearings.

Ms. Sherrie Mitchell requested clarification of the classification of the rezone. Mr. Timothy Mack made the clarification.

Ms. Sherrie Mitchell advised that they would now hear from the applicant.

Mr. Ron Willard II spoke to the board on their reasons requesting for PCD classification and advised he would answer any questions from the Planning Commission.

Ms. Sherrie Mitchell asked if there were any questions from the commission. There were none.

Ms. Sherrie Mitchell opened the floor to citizen comments. There were none.

Ms. Cheryl Ege motioned the proposed rezone will not be of substantial detriment to adjacent property, that the character of the surrounding area will not be changed thereby, and that such rezoning will be in harmony with the purpose and intent of the County Code, the uses permitted by right in the zoning district, and with the public health, safety, and general welfare to the community. Ms. Crawford moved to recommend approval of the request to rezone the approximate 30.324-acre property from PCD, Planned Commercial Development, to PCD, Planned Commercial Development with an amendment to the existing proffers and existing concept plan. Ms. Angie McGhee seconded the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell

Department of Planning & Community Development



NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Ron Willard II, Applicant, and Willard Investment Properties, LLC, Owner, requesting a special use permit, with possible conditions, on an approximate 30.324 acres of property, currently in five (5) parcels and zoned PCD, Planned Commercial Development District. The properties are located along Bridgewater Grande Drive off of Booker T. Washington Highway (Route 122) in the Gills Creek district of Franklin County and further identified by real estate records as Tax Map/Parcel #s 0150005601, 0150005602, 0150005603, 0150005604, 0150005711. The purpose of this special use permit request is to allow for 30 single-family residential lots. These properties are located in the Westlake-Hales Ford Area Plan (Village) with a future land use designation of Commercial Mixed-Use (Case # SPEC-04-22-17287).

Timothy Mack presented the staff report.

In 2005 the Board of Supervisors approved a rezoning, and four (4) special use permits for the five (5) parcels at it was known as Bridgewater Grande Village and Resort. The property was rezoned to Planned Commercial Development for the purpose of retail, commercial, and professional offices and residential single and multi-family uses. The four (4) special use permits (which have expired) were for private roads, condominium units, townhouses, and single-family dwellings.

Willard Investment Properties, applicant, is requesting a special use permit to allow for the development of 30 single-family residential lots. Included within the 30 lots will be up to five (5) lots having a detached guest house. The proposed 30 single-family residential lots are the keystone feature of an amended concept plan submitted by the applicant. These lots will have access to public water and sewer, so the lot sizes will vary from 0.30 to 3.53 acres.

In conjunction with this special use permit request, the applicant is applying for a

Department of Planning & Community Development



rezone to amend existing proffers and existing concept plan and two (2) additional special use permits to allow for certain features that the applicant hopes will make the property more marketable. The other two (2) special use permits for private roads with a road maintenance agreement and a boat storage yard for residents of the development.

The applicant has also requested, and was approved for, fast-tracking the four (4) total petitions, tentatively set to be heard by the Board of Supervisors on May 17th, 2022.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its April 20th meeting. As of the date of this report, staff has received several public inquiries about the petition, primarily out of curiosity, with no express support or opposition. Additional comments and concerns may be raised as a result of the public hearings.

Ms. Sherrie Mitchell asked if there were any questions from the commission for staff. There were none.

Mr. Ron Willard II advised he would answer any question from the commission.

Ms. Cheryl Ege asked if the applicant would be willing to stipulate that the guest houses are not for short term rentals. Mr. Ron Willard II stated they would be willing to add that condition and they believe not listing them as short-term rentals would make them more exclusive.

Ms. Sherrie Mitchell asked if there were any other questions from the commission. There were none.

Ms. Sherrie Mitchell opened the floor to citizen comments. There were none.

Ms. Cheryl Ege motioned that the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety, and general welfare to the

Department of Planning & Community Development



community. Ms. Ege moved to recommend approval of the applicant's request for a Special Use Permit to allow for 30 single-family residential lots in accordance with Sec. 25-392 and Sec.25-402 of the Zoning Ordinance, with the four (4) conditions as recommended in the staff report, and the addition of condition five (5) stating short-term rentals shall be prohibited in the proposed development and guest houses. Ms. Angie McGhee second the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Ron Willard II, Applicant, and Willard Investment Properties, LLC, Owner, requesting a special use permit, with possible conditions, on an approximate 30.324 acres of property, currently in five (5) parcels and zoned PCD, Planned Commercial Development District. The properties are located along Bridgewater Grande Drive off of Booker T. Washington Highway (Route 122) in the Gills Creek district of Franklin County and further identified by real estate records as Tax Map/Parcel #s 0150005601, 0150005602, 0150005603, 0150005604, 0150005711. The purpose of this special use permit request is to allow for a storage yard area. These properties are located in the Westlake-Hales Ford Area Plan (Village) with a future land use designation of Commercial Mixed-Use (Case # SPEC-04-22-17285).

Timothy Mack presented the staff report

In 2005 the Board of Supervisors approved a rezoning, and four (4) special use permits for the five (5) parcels at it was known as Bridgewater Grande Village and Resort. The property was rezoned to Planned Commercial Development for the purpose of retail, commercial, and professional offices and residential single and multi-family uses. The four (4) special use permits (which have expired) were for

Department of Planning & Community Development



private roads, condominium units, townhouses, and single-family dwellings.

Willard Investment Properties, applicant, is requesting a special use permit to allow for a storage yard area on a property that is approximately 30.324 acres and located along Bridgewater Grande Drive in the Gills Creek district. The proposed storage area will not have any structures placed or built upon it and will be used for residents to store their boats, boat trailers, and other personal watercraft. The applicant is proposing to maintain a 20-foot vegetative buffer along the southside of the property to screen it from visibility from Booker T. Washington Highway (Route 122). The area will be fenced and secured and will consist of a gravel surface.

The proposed storage yard area is a feature of an amended to the concept plan submitted by the applicant and is intended only for residents of the proposed community. In accordance with Section 25-392 and Section-396 of the County Ordinance, storage yard areas are a permitted use in PCD districts, by way of uses allowed in B-2, General Business with a special use permit.

In conjunction with this special use permit request, the applicant is applying for a rezone to amend existing proffers and an existing concept plan, and two (2) additional special use permits to allow for certain features that the applicant hopes will make the property more marketable. The other two (2) special use permits are to allow 30 single-family dwellings with the ability for five (5) of the residential lots to have guest houses and to allow private roads built to state standards with a road maintenance agreement.

The applicant has also requested, and was approved for, fast-tracking the four (4) total petitions, tentatively set to be heard by the Board of Supervisors on May 17th, 2022.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its April 20th meeting. As of the date of this report, staff has received several public inquiries about the petition, primarily out of curiosity, with no express support or opposition. Additional comments and concerns may be raised as a result of the public hearings.

Department of Planning & Community Development



Ms. Sherrie Mitchell asked if there were any questions from the commission for staff. There were none.

Ms. Sherrie Mitchell advised they would now hear from the applicant.

Mr. Ronald Willard II questioned whether it was a condition to have the area fenced in. Ms. Lisa Cooper advised that it has not been made a condition, unless the commission adds it. Mr. Willard II advised that it's not a public storage facility, and since this location will be a private community, it already has some level of security. Ms. Cheryl Ege noted that vegetation would be more visually attractive than mandating fencing.

Ms. Sherrie Mitchell asked if there were any questions from the commission. There were none.

Ms. Sherrie Mitchell opened the floor to citizen comments. There were none.

Ms. Cheryl Ege motioned that the requested special use permit will not be of substantial detriment to adjacent properties, that the character of the surrounding area will not be changed thereby, and that such use will be in harmony with the purpose and intent of the County Code, the uses permitted by right in the zoning district, and with the public health, safety and general welfare to the community. Ms. Ege moved to recommend approval of the applicant's request for a special use permit to allow for a storage yard area with the five (5) conditions as recommended by the Planning Commission. Mr. David Clements seconded the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES:	McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell
NAYES:	None
ABSENT:	None
ABSTAIN:	None

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

Department of Planning & Community Development



APPLICATION for SPECIAL USE PERMIT – Application of Ron Willard II, Applicant, and Willard Investment Properties, LLC, Owner, requesting a special use permit, with possible conditions, on an approximate 30.324 acres of property, currently in five (5) parcels and zoned PCD, Planned Commercial Development District. The properties are located along Bridgewater Grande Drive off of Booker T. Washington Highway (Route 122) in the Gills Creek district of Franklin County and further identified by real estate records as Tax Map/Parcel #s 0150005601, 0150005602, 0150005603, 0150005604, 0150005711. The purpose of this special use permit request is to allow for the construction of private roads. These properties are located in the Westlake-Hales Ford Area Plan (Village) with a future land use designation of Commercial Mixed-Use (Case # SPEC-04-22-17286).

Timothy Mack presented the staff report.

In 2005 the Board of Supervisors approved a rezoning, and four (4) special use permits for the five (5) parcels at it was known as Bridgewater Grande Village and Resort. The property was rezoned to Planned Commercial Development for the purpose of retail, commercial, and professional offices and residential single and multi-family uses. The four (4) special use permits (which have expired) were for private roads, condominium units, townhouses, and single-family dwellings.

Willard Investment Properties, applicant, is requesting a special use permit to allow for the construction of private roads. The applicant is proposing that the roads are constructed to state (VDOT) standards, and will be intended for, and maintained by, the residents of the proposed community. The private roads will have a maintenance agreement.

The proposed private roads are a feature of an amended concept plan submitted by the applicant. In accordance with Section 25-392 of the County Ordinance, Private roads are a permitted use in PCD districts by issuance of a special use permit from the Board of Supervisors. The construction of the private roads shall be subject to Section 25-396. – Streets, which dictate the requirements for private roads in a PCD district.

In conjunction with this special use permit request, the applicant is applying for a

Department of Planning & Community Development



rezone to amend existing proffers and an existing concept plan, and two (2) additional special use permits to allow for certain features that the applicant hopes will make the property more marketable. The two (2) special use permits are to allow 30 single-family dwellings with the ability for five (5) of the residential lots to have guest houses and to allow a boat storage yard for residents.

The applicant has also requested, and was approved for, fast-tracking the four (4) total petitions, tentatively set to be heard by the Board of Supervisors on May 17th, 2022.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) has reviewed the application at its April 20th meeting. As of the date of this report, staff has received several public inquiries about the petition, primarily out of curiosity, with no express support or opposition. Additional comments and concerns may be raised as a result of the public hearings.

Ms. Sherrie Mitchell asked if there were any questions from the commission for staff. There were none.

Ms. Sherrie Mitchell advised they would now hear from the applicant.

Mr. Ronald Willard II stated that he didn't have anything further to add, and they agree with the current conditions set.

Ms. Sherrie Mitchell asked if there were any questions from the commission. There were none.

Ms. Sherrie Mitchell opened the floor to citizen comments. There were none.

Ms. Cheryl Ege motioned the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety, and general welfare to the community. Ms. Ege moved to recommend approval of the applicant's request for a special use permit to allow for the construction of private roads in accordance with Sec.

Department of Planning & Community Development



25-392 and Sec.25-396 of the Zoning Ordinance, with the seven (7) conditions as recommended in the staff report. Mr. David Pendleton seconded the motion.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

Union Hall Village Plan Update – Discussion

Ms. Lisa Cooper advised Planning and Development usually has a monthly meeting with their consultants, however they were unable to meet this month. The consultants are still working on the plans. Ms. Cooper reports the consultants will have the reports finished by the end of the month. Ms. Cooper has a meeting with the consultants next week.

Short-Term Rental Update - Discussion

Ms. Lisa Cooper stated nothing was included in the packets regarding short-term rentals for this meeting due to the month's workload. Staff was unable to get the information requested the Planning Commission had asked for.

Ms. Lisa Cooper stated they were able to meet with Jerry Goodman with Granicus. Mr. Goodman is very knowledgeable about short-term rentals and was able to provide staff with advice and input. Staff at this time will not be utilizing his service to write any documents.

Ms. Sherrie Mitchell opened the floor to any member of the audience that would like to speak to the commission on any topic.

Mr. Randy Hodges stated he wanted to speak about property rights. Mr. Hodges that he owns land in the Westlake area and was in attendance with several other farmer. Mr. Hodges stated they are looking at things that have been adjusted and

Department of Planning & Community Development



changed in the past. They would like to keep their A-1 zoning. Mr. Hodges advised that they would also be speaking with the Board of Supervisors regarding the issue.

Mr. Michael Mezaka spoke on the generational aspect of the A-1 zoning issue, and that it should be the choice of their children if they want to keep their agricultural heritage. Mr. Mezaka reported 175 acres an hour is lost in America. Mr. Michael suggested Franklin County should invest in keeping our farmland.

Ms. Lenore Overstreet states she has over 90 acres that is zoned A-1 and has been in their family for 100 years. Ms. Overstreet states it should be their right to come before the board and rezone their land. Ms. Overstreet stated they were not notified of previous meetings. Ms. Overstreet also spoke on the future of VDOT projects. Ms. Overstreet stated the proposed round-about is not needed in her area. Ms. Overstreet advised that making her turn around in the roadway is a traffic hazard. Ms. Overstreet would like for turning lanes and traffic lights to be brought into her area. Ms. Overstreet wanted VDOT to consider the thoughts of the property owners that are affected the most.

Ms. Sherrie Mitchell closed the period of citizen comment.

Ms. Lisa Cooper introduced new staff, Megan Fenner, who will be serving as the administrative assistant for Development Services as well as the clerk for Planning Commission.

Meeting adjourned at 9:14 pm