

# Department of Planning & Community Development



A meeting of the Franklin County Planning Commission was held on Tuesday, July 11, 2023, in the Board of Supervisors Conference 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

Cheryl Ege- Gills Creek District

Angie McGhee- Boone District

## **OTHERS PRESENT:**

Lisa Cooper- Director, Planning & Community Development

Stephanie Mathena- Principal Planner

Chris Dadak- County Attorney

Megan Fenner- Clerk, Planning Commission

Beth Simms- Director, Economic Development

Kevin Tosh- Director, Tourism & Marketing

## **THOSE ABSENT:**

David Pendleton- Blackwater District

C.W. Doss- Blue Ridge District

The meeting was called to order by Chairwoman Sherrie Mitchell at 6:00 p.m.

The first order of business was the approval of the minutes from the June 13, 2023, meeting.

Chairwoman Mitchell asked if there were any corrections or deletions. Hearing none and seeing none, the June 13, 2023 meeting minutes pass as written.

Chairwoman Sherrie Mitchell advised the next order of business would be the

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annual elections for Chair and Vice Chair as stated in the Planning Commission by-laws. Chairwoman Mitchell asked if there were any nominations for Chair.

Ms. Debbie Crawford nominated Ms. Sherrie Mitchell as Chair. Mr. David Clements seconded the motion.

Ms. Sherrie Mitchell accepted the nomination, and asked if there were any other nominations. Hearing none and seeing none, a roll call vote was conducted.

The nomination was approved, 5-0-2-0; voting on the motion was as follows:

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

Chairwoman Mitchell thanked the Commission for their confidence in her. They would now hold the election for Vice Chair. Chairwoman Mitchell asked if there were any nominations for Vice Chair.

Ms. Angie McGhee nominated Ms. Debbie Crawford for Vice Chair. Ms. Debbie Crawford advised she would accept the nomination. Mr. David Clements seconded the motion.

Chairwoman Sherrie Mitchell asked if there were any other nominations for vice-chair. Hearing none and seeing none, a roll call vote was conducted.

The nomination was approved, 5-0-2-0; voting on the motion was as follows:

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

Ms. Debbie Crawford thanked the Commission for their continued confidence in her.

Chairwoman Mitchell announced the next item on the agenda.

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**APPLICATION for REZONE**– Application of Drew Flora, Applicant, and Homestead Creamery Inc., Owner, requesting to rezone, with possible proffers, on an approximate 12.93 acres from A-1, Agricultural to B-2, General Business. The property is located at 145 Burnt Chimney Road in the Gills Creek election district of Franklin County and further identified by Franklin County Real Estate Records as the Tax Map/Parcel #0280013501. The purpose of this rezone request is to amend the zoning classification to B-2 to allow the parcel, including existing and proposed structures, to accommodate a “contractor’s office and facilities”. The property has a future land use designation of Village of Burnt Chimney (REZO-06-23-17698).

Ms. Stephanie Mathena presented the staff report.

Drew Flora, applicant, is requesting the rezone of the subject property to amend the zoning classification to B-2, General Business to allow the parcel, including existing and proposed structures, to accommodate a “contractor’s office and facilities”.

The parcel has an existing dwelling and 30x60 storage building. The Concept Plan for this application shows an additional, new 40x80 structure to be used as a “[work]shop.” Additionally, the applicant proposes four (4) parking areas to accommodate employees, work vehicles, and trailers. The property has an existing gravel driveway, which the applicant proposes to enlarge to encompass the parking areas, office, and buildings – as shown on the concept plan provided in the application.

The property is located at 145 Burnt Chimney Road. The property consists of approximately 12.93 acres, with the proposed contractor’s office and facilities accounting for ~2 acres of the site. The property is located in the Comprehensive Plan designated Village of Burnt Chimney.

Water is supplied by the Western Virginia Water Authority and the sewer supply is a septic system. The property is not currently connected to WVWA water supply, but service can be accommodated, if desired.

Staff received two (2) phone calls regarding the public hearing signs posted. Neither

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caller expressed support or opposition to the application.

Chairwoman Mitchell asked if the Commission had questions for staff.

Ms. Cheryl Ege asked for clarification as to whether the application was for a special use permit or a rezone, as the staff report stated special use permit on the cover page. Ms. Stephanie Mathena advised that this application is a rezone and apologized for the typo.

Chairwoman Mitchell advised they would now hear from the applicant.

Mr. Drew Flora, with Aspire, addressed the Planning Commission. Mr. Flora advised they are currently running their business in a residential area on Farmington Road. Homestead Creamery has given them the opportunity to use the property for their business. Mr. Flora said Director Cooper had been very helpful helping them work towards rezoning the property. Mr. Flora advised their plans are reflected in the site plan.

Chairwoman Mitchell asked if any members had questions for the applicant. There were none. Chairwoman Mitchell opened the floor for citizen comment and asked if anyone in the audience would like to speak regarding this application. Hearing none, and seeing none, the Planning Commission entered deliberation. No commissioners had any comments or expressed concerns.

Ms. Cheryl Ege motioned that such rezoning 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 and the Comprehensive Plan. Ms. Ege moved to recommend approval of the request to rezone the approximate 12.93 acres from A-1, Agricultural, to B-2, General Business, with no proffers.

Ms. Angie McGhee seconded the motion.

A rollcall vote was conducted. The motion to approve was approved, 5-0-2-0; voting on the motion was as follows:

AYES: McGhee, Ege, Clements, Crawford, Mitchell

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NAYES: None  
ABSENT: Pendleton, Doss  
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda.

**APPLICATION for SPECIAL USE PERMIT** – Application of Suburban Auto Sales LLC, Applicant and Owner, requesting a special use permit, with possible conditions, on an approximate 8.07 acres of property zoned B-2, General Business. The property is located at 10660 Old Franklin Turnpike (Route 40), in the Union Hall Election District of Franklin County and further identified by real estate records as Tax Map/Parcel Number 0660100100. The purpose of this special use permit request is to allow for outdoor display on a business property. This property has a future land use designation of Agriculture Forestry/Rural Residential. (SPEC-06-23-17702).

Ms. Stephanie Mathena presented the staff report.

The property is located at 10660 Old Franklin Turnpike and is zoned B-2, General Business. The property consists of approximately 8.07 acres.

The property was rezoned in 1995, from R-1 to B-2, to allow for “boat and accessory sales, engine and boat repair, personal watercraft sales and repair, ATV sales and repair, retail food sales, fresh produced, and boat storage.” The proffers to this 1995 rezone included compliance with VDH and VDOT, Site Plan submittal, and the installation/upkeep of a 20-foot landscape strip along the front (North) property line that fronts Route 40. The rezone and approved proffers did not include outdoor display on a business property, which requires a Special Use Permit in accordance with our current Zoning Ordinance regulations.

The property was rezoned to operate another boat sales operation, which operated for approximately ten years. Since that time, the property has continued to be used for marine sales and service. The property does have an existing commercial entrance. At the time of the staff report and public hearing, VDOT has not reviewed the plans and entrance for adequacy.

Suburban Auto Sales, LLC, applicant, is requesting a special use permit for outdoor

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display on business property to accommodate the proposed “auto, marine, and trailer sales, service, storage, and rental.” The site has an existing two-story structure that is 60x48 and approximately 2,800 square feet. The applicant proposes to use this structure for retail space and service area. The concept plan shows two parking areas – one for retail parking and one for service area parking.

There are two (2) areas intended for outdoor display. One is proposed as a 200'x100' area in an already cleared location of the parcel, and one is planned for the future and is proposed as a 100'x100' area; the second storage area is still a wooded portion of the lot and would require clearing prior to being used as storage.

The property is located in the Corridor Overlay District. Water is supplied by a well and the sewer supply is a septic system.

Staff did not receive any calls about the application.

Chairwoman Mitchell asked if any commissioners had questions for staff.

Ms. Debbie Crawford asked if there was a minimum requirement for the buffer on Route 40. Ms. Stephanie Mathena advised there was no minimum width requirement, but the Planning Commission can set a minimum if desired. Director Lisa Cooper added that there is only the requirement that trees must be planted along the front of the property. The reason width was not specified was to prevent motorists' line of sight from being obscured. Ms. Crawford asked if it would be dangerous to plant trees at all. Ms. Mathena stated she didn't want to speak for VDOT, but planting trees in targeted areas should not cause a problem. She was able to confirm that the applicants would only need to maintain the existing buffer to the right of the driveway. Director Cooper added that it would not be feasible on the property to require a fifty (50) foot buffer all the way around. Ms. Crawford also had questions about storage. Staff advised the applicant would be better suited to answer those questions.

Chairwoman Mitchell advised they would now hear from the applicant.

Mr. Jason Moore addressed the Planning Commission. In 1987 he and his father opened a large car dealership, which he had taken over twenty (20) years ago. He

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is looking to retire in Franklin County, as they have a house in Union Hall. He would like to move the car dealership to Franklin County to keep it active. He learned of the special use permit requirements after he purchased the land. The storage area will be a fenced in area with gravel. They do not want the area to be a junk yard. They are aiming to winterize boats and store them. Mr. Moore mentioned the existing buffer. The buffer is not fifty (50) feet, but there does exist thirty (30) feet of steep hillside. They have 680 feet of sight on one side, and 510 feet of sight on the other, and will work with VDOT to meet their requirements. Director Lisa Cooper advised staff will work with the applicant during the site plan review to make sure the buffer is not in the right of way.

Ms. Debbie Crawford asked how many trees they will be removing from the property. Mr. Jason Moore advised they would be clearing 8,000 square feet of the property.

Ms. Cheryl Ege stated the 200-foot by 100-foot gravel storage area is not a large area to store boats. She asked if the applicant had plans to create a larger storage area, or possibly add a lift. Mr. Jason Moore advised they would like to start small and keep things simple. Depending on the demand they see, they may increase storage in the future.

Ms. Debbie Crawford asked where the applicant planned to store vehicles. Mr. Jason Moore asked the Planning Commission to look at page two (2) of the handout they were given. He is going to line up the vehicles the same as the photo on the handout.

Ms. Cheryl Ege asked what the applicant's plans were for the storage barn. Mr. Jason Moore advised that is undecided, and he would like to keep the barn. However, his wife would like the building to be torn down.

Chairwoman Mitchell opened the floor for citizen comment and asked if anyone in the audience would like to speak regarding this application. Hearing none, and seeing none, the Planning Commission entered deliberation.

Ms. Debbie Crawford stated she believed this business would be an asset to the area. There used to be a boat storage facility in the area but has since closed. The

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applicant's plans for the property would fill a void left in the community.

Chairwoman Mitchell advised the proposed use will be a benefit to the area, as it does not have as many storage options as other parts of the lake. Chairwoman Mitchell asked if anyone was prepared to make a motion.

Ms. Angie McGhee 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. McGhee moved to recommend approval of the applicant's request for a special use permit to allow for outdoor display on business property in accordance with Section 25-336 of the Zoning Ordinance, with the six (6) conditions recommended by staff.

Ms. Debbie Crawford seconded the motion.

A rollcall vote was conducted. The motion to approve was approved, 5-0-2-0; voting on the motion was as follows:

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

Chairwoman Mitchell stated before they adjourned, there was a staff announcement.

Director Lisa Cooper announced Tina Franklin has been promoted to the Planner II position. Ms. Franklin will be taking over the staff reports and presentations.

Meeting adjourned at 6:40pm.