

PRESENT: G. Campbell, Chairman
L. Howdysshell, Vice Chairman
K. Shiflett
J. Wilkinson, Director of Community Development
L. Tate, Senior Planner

ABSENT: S. Bridge
K. Leonard
T. Jennings

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, February 11, 2020 at 4:30 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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Ms. Tate discussed the items on the agenda for the upcoming BZA meeting in February.

The Planning Commission reviewed the following rezoning request and traveled to the site, which will be considered at the Public Hearing.

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**Jason and Kimberly Almarode,
And Dylan Campbell
717 Mt Torrey Rd.**

Chairman

Secretary

PRESENT: G. Campbell, Chairman
L. Howdyshell, Vice Chairman
S. Bridge
K. Leonard
K. Shiflett
J. Wilkinson, Director of Community Development
L. Tate, Senior Planner

ABSENT: T. Jennings

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, February 11, 2020, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

Chairman

Secretary

DETERMINATION OF A QUORUM

Mr. Campbell stated as there were five (5) members present, there was a quorum.

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Minutes

Mr. Leonard made a motion to approve the minutes of the called and regular meeting held on January 14, 2020.

Mr. Howdyshell seconded the motion, which carried unanimously.

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Public Hearing

Mr. Campbell stated that there was one public hearing request on the agenda.

Mrs. Tate read the request to rezone from Single Family Residential 10 to General Agriculture approximately 10.5 acres (TMP 85-121) owned by Jason A. and Kimberly D. Almarode and Dylan R. Campbell, located on the west side of Mt. Torrey Road (Rt. 664), approximately 0.3 miles south of the intersection of Nursery Road (Rt. 664) and Mt. Torrey Road in Lyndhurst in the South River District. The proposed general use of the property is agriculture. The general use of the property stated in the Comprehensive Plan is Low Density Residential, which may include detached residential units at a density of between one-half and one dwelling unit per acre.

Mr. Campbell asked if the applicant was present and wished to speak.

Jason Almarode of 717 Mt Torrey Rd. Lyndhurst who owns the property stood to speak. Mr. Almarode stated that he wished to broaden his freedom for the use of the property in the future. Mr. Almarode said that he was not planning a great agricultural exploit at this point. He stated that he wants to rid himself of the restrictions of the Single Family 10 zoning. Mr. Almarode said that it was his understanding that with his property zoned in single family that he could only have one dwelling on the property. He mentioned that in General Agricultural zoned areas with over 5 acres there could be two dwellings on the property. Mr. Almarode said that he was not planning on going in and putting in turkey houses or having cattle. Mr. Almarode stated that he was looking to improve the property to fit his needs. Mr. Almarode said that his son would like to be able to build a garage with a studio apartment above but would not be able to as long as the property is zoned single family. Mr. Almarode stated that there are only two buildable sites on the property because of the topography, and for that reason, he felt the property could not be divided. He stated that the current entrance would not support two or 3 residences.

Mr. Leonard asked how long Mr. Almarode had owned the property.

Mr. Almarode said he has owned the property for a little over 2 years.

Mr. Leonard asked whether Mr. Almarode was aware of the limitations on the property when he purchased it.

Mr. Almarode said he was aware of the limitations and the reason for buying the property being zoned Single Family 10 was the fact that they liked that there could only be one home on the property. Mr. Almarode stated that after speaking with his son they determined that if the zoning could be changed it would make things a little easier on him.

Mr. Campbell opened the public hearing asking if anyone present wished to speak in favor of or against the request.

With no one to speak, Mr. Campbell closed the public hearing.

Mr. Leonard asked Mrs. Tate to explain the idea that if the property were to be zoned General Agriculture that there could be two dwellings. Mr. Leonard asked if that was part of the family exemption rule.

Mrs. Tate explained that in General Agriculture on lots over five acres you can have two separate dwellings on one lot.

Mr. Bridge asked if once the property is zoned General Agriculture would there be any limits on what could be done on the property.

Mrs. Tate said that once the zoning changed, this property owner or any future property owner would be able to do any type of agricultural use that is permitted by right.

Mr. Howdyshell asked if Mr. Almarode could build a house on the property now as it is or could he build a shop.

Mrs. Tate stated that you could have an accessory building or garage and build the garage first, but you would have to pull building permits for the house and the garage at the same time.

Mr. Bridge asked if the garage with studio apartment would qualify as a residential structure.

Mr. Wilkinson stated that you could have a 1,000 square foot house with an attached garage in single-family zoned areas.

Mrs. Tate stated that even if zoned General Agriculture the accessory building would have to be used for agriculture purposes.

Mr. Leonard said that he had mixed feelings on this request. He stated that there were restrictions on the property when it was purchased and those restrictions were placed many years ago when it was zoned Single Family.

Mr. Bridge stated that he had no problem with agriculture land, but that the neighbors to the front need to be taken into consideration as well. Mr. Bridge said the rezoning did not fit into the Comprehensive Plan.

Mr. Howdyshell wondered if one person originally owned this property and the surrounding properties. He stated that back when the front lots were sold that it was probably determined that this lot was not suitable for residential development and was the reason it was sold off in a block.

Mrs. Shiflett stated that she was concerned that zoning is forever. She stated that once it is rezoned to agriculture it would be open to anything permitted in agriculture zoning.

Mr. Bridge made a motion to recommend denial of the request on the basis that the property has been zoned Single Family since 1962 that it would not be in compliance with the Comprehensive Plan, and there is no guarantee of what would happen in the future if it were zoned agriculture.

Mrs. Shiflett seconded the motion, which carried with a 4 to 1 vote.

New Business

Mr. Campbell stated that a resolution had been made for James Curd to recognize his service to the county.

Mrs. Shiflett read the resolution to the Planning Commission members.

RESOLUTION

WHEREAS, the County of Augusta in consideration of the dedicated service of James W. Curd; and

WHEREAS, Mr. Curd diligently served the citizens of Augusta County for sixteen years in the capacity of a public servant; and

WHEREAS, Mr. Curd served on the Augusta County Planning Commission from January 2004 to January 2020; and

WHEREAS, Mr. Curd served in the office of Vice-Chairman to that same body in 2006, 2011, and 2017; and

WHEREAS, Mr. Curd served in the office of Chairman to that same body in 2007, 2012 and 2018; and

WHEREAS, the Augusta County Planning Commission is desirous of expressing their appreciation and thanks to Mr. Curd for his dedicated service on this commission.

NOW, THEREFORE BE IT RESOLVED that the Augusta County Planning Commission does hereby publicly thank Mr. Curd for his service, which he has so aptly fulfilled with diligence and concern for the citizens of Augusta County.

BE IT FURTHER RESOLVED, that this resolution be adopted by the Commission, recorded in its minutes, and a copy forwarded to Mr. Curd.

Mrs. Shiflett made a motion to approve the resolution.

Mr. Bridge seconded the motion, which carried unanimously.

Matters To Be Presented By The Commission

Mr. Bridge stated that he had been asked about primitive camping on business property.

Mr. Wilkinson stated that there is no current category in the ordinance that would cover this. He suggested that maybe a Board of Supervisors member could recommend a draft for the ordinance.

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Staff Reports

Mrs. Tate reviewed the 2019 Planning Commission Annual Report. Mrs. Tate noted that on page 3 of the report the total number is incorrect and will be fixed.

Mr. Bridge made a motion to approve the Annual Report with the above-mentioned change made.

Mrs. Shiflett seconded the motion, which carried unanimously.

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Tate reviewed with the commission members the items on the agenda for the March 5th Board of Zoning Appeals meeting. Victory Worship Center at 200 Hammond Ln., would like to have a fitness center/gymnasium with office space to lease for physical therapy. Lewie and Ida Blessing of 510 Chinquapin Dr. would like to place a pre-fab accessory building in their front yard. Jerry and Sheila Davis of 3219 Little Calf Pasture Hwy. would like to have a kennel for personal use. David and Ann Gardner at 3494 Lee Highway want to construct an addition to the existing farmers' market for storage. Joseph and Susan Koo of 33 York Court want to lease an existing studio apartment for short-term rental. William Hausrath of 369 Walnut Ave. would like a variance from the floodplain ordinance to construct a new dwelling on Lofton Lake Ln.

The Planning Commission made no recommendations on the request.

With no other business to discuss Mr. Bridge made a motion to adjourn with a second by Mrs. Shiflett, which carries unanimously.