

PRESENT: T. Byerly, Chairman
K. Shiflett, Vice Chairman
S. Bridge
J. Curd
W.F. Hite
K. Leonard
D. Cobb, Director of Community Development
R. L. Earhart, Senior Planner and Secretary

ABSENT: T. Cole

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, March 10, 2009, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Mr. Byerly stated as there were six (6) members present, there was a quorum.

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MINUTES

Mr. Curd moved to approve the minutes of the regular meeting held on February 10, 2009.

Mr. Bridge seconded the motion, which carried unanimously.

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White Hill Church of the Brethren, Trustees – Rezoning

A request to rezone from Rural Residential to General Agriculture approximately 0.08 acres owned by White Hill Church of the Brethren, Trustees located on the west side of Old White Hill Road (Rt. 831) approximately 0.5 of a mile north of the intersection with Stuarts Draft Highway (Rt. 340) in the Riverheads District.

Mrs. Earhart explained the church would like to expand their building but a portion of the proposed addition is on the adjacent Rural Residential property. Several years ago,

the church purchased the adjacent residential subdivision which has been zoned Rural Residential but never developed. If approved, the church will do a boundary line adjustment so that the building is all on the General Agriculturally zoned property.

Mr. Bill Moore stated he is with Balzer and Associates and representing the church. He stated this request is to add a fellowship hall which will seat about 300 and be connected to the existing church. He stated that they will run a new waterline and a meter. He stated that there will be new bathrooms, a few offices, and a kitchen. He stated that the septic will be served on a drainfield that will be done as an easement. He stated that they will submit a boundary line adjustment plat after the rezoning.

Mr. Byerly asked if they would use public water.

Mr. Moore stated yes.

There being no one desiring to speak, Mr. Byerly declared the public hearing closed.

Mr. Bridge stated that this request seems more like a housekeeping issue. He stated that they are trying to get the lot squared up so that they can build. He supports this request.

Mrs. Shiflett moved to recommend approval on this request.

Mr. Bridge seconded the motion, which carried unanimously.

Gladys B. or Peggy L. Wonderley- Addition to the Middle River Agricultural and Forestal District

Mr. Cobb explained the property owners want to add their 259.3 acres to the Middle River Agricultural and Forestal District. He stated that the property owners did not get their request in on time to be considered as part of the district renewal. He stated that the property owners were in the district in the past. He stated that their property is in the far northern end of the district.

Mrs. Shiflett moved to recommend approval of this request.

Mr. Hite seconded the motion, which carried unanimously.

Ernst C. or Kelli S. Von Arnswaldt- Withdrawal to the Middlebrook Agricultural and Forestal District

Mr. Cobb explained the Von Arnswaldts want to remove their 99.8 acres from the Middlebrook Agricultural and Forestal District in order to be able to apply for a Special Use Permit for a dog kennel. He stated that part of the core area will not be within a mile if this property gets removed from the district. He stated that the property to the south is not within a mile of the core area. He stated that the County Attorney's opinion

is that when the district was approved the parcels to the south were in a qualifying district and if the VonArnswaldt properties are removed, the rest would still be able to remain in the district. He stated that would not impact the other parcels now. He stated that it will impact them when the district comes up for renewal.

Mrs. Shiflett asked which parcel the dog kennel will be on.

Mr. Cobb stated that he is not sure which parcel they would like to have the dog kennel on. He assumed that it would be the parcel where the house is.

Mrs. Shiflett stated that if the property owner left parcel 66A in the district that would keep the core connected.

Mr. Leonard stated all of their property is included in a conservation easement. He stated that he received a call from the property owners and they did not want to take their land out of this program, but they are limiting themselves because they cannot have a kennel on the property.

Mr. Bridge asked who makes the restrictions on agricultural and forestal districts.

Mr. Cobb stated the property owners who file for the district do.

Mr. Byerly stated that they could have self-imposed regulations that would have allowed them to apply for a permit to have a kennel.

Mr. Cobb stated yes, the property owners came up with the regulations when they created the district. He stated that they had a meeting in Middlebrook at the time that it was up for renewal and about 15% of the property owners responded. He stated that the property owners can wait until the district is up for renewal in 2014 or they may be able to withdraw their land from the district now.

Mrs. Shiflett stated that it looks like there is not going to be any difference if it is removed now or in 2014. She stated that the County does not gain anything by denying the request. She stated that if the property owners want out of the district they want out.

Mr. Leonard moved to recommend approval on the request.

Mr. Bridge seconded the motion, which carried unanimously. He asked if the neighbors will be notified about the withdrawal from the district.

Mr. Cobb stated that the adjacent property owners will be notified of this request.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mr. Byerly asked if there were any comments regarding the upcoming item on the BZA agenda. The Commission took no formal action on the BZA items.

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There being no further business to come before the Commission, the meeting was adjourned.

Chairman

Secretary