

PRESENT: K. Leonard, Chairman  
T. Cole, Vice Chairman  
J. Curd  
W. Hite  
K. Shiflett  
E. Shipplett  
R. L. Earhart, Senior Planner and Secretary

ABSENT: W. Garvey  
T. Fitzgerald, Director of Community Development

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, March 12, 2013, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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**DETERMINATION OF A QUORUM**

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

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**MINUTES**

Mr. Hite moved to approve the minutes of the worksession and regular meetings held on February 12, 2013.

Mr. Shipplett seconded the motion, which carried unanimously.

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**Kim H. and Judy C. Stone, Wallace or Lori Back, and Walter Hale or Linda Hallett Wade**

A request to rezone from General Business to Single Family Residential with proffers approximately 1.9 acres owned by Kim H. and Judy C. Stone; Wallace or Lori Back; and Walter Hale or Linda Hallatt Wade and located on the south side of Fishersville Road (Rt. 641), just east of the Fishersville United Methodist Church in the Wayne District.

Mrs. Earhart explained the request as presented on PowerPoint. She stated the applicant has submitted the following proffer:

1. There shall be no ingress or egress from Jefferson Highway (Rt. 250).

Mr. Stone of 82 Fishersville Rd., stated that he is requesting his property be rezoned from General Business to Single Family Residential. He is planning on building a house on the lot and would like to be able to build it in the area that is zoned General Business. He explained that the lot could not be used for business purposes because VDOT will not grant an entrance permit from Rt. 250. He also stated that Old Fishersville Road (Rt. 641) is not adequate for business use.

Mr. Curd asked if Fishersville United Methodist Church was ever approached about purchasing the property.

Mr. Stone said that the church made an offer to his father many years ago to purchase the property, but his father was not interested in selling it.

Mr. Curd asked why Mr. Stone would not consider building the house on the area that is zoned residential.

Mr. Stone explained that particular area has a tendency to collect water from the houses above him along the road.

Mr. Curd asked if the adjacent property owners have entrance permits onto Rt. 250.

Mr. Stone said that he does not think they have entrance permits.

Mr. Leonard asked why the other property owners wanted the rezoning.

Mr. Stone explained that he had talked with his neighbors and they expressed interest in the rezoning.

There being no further questions from the Commissioners, Mr. Leonard opened the Public Hearing.

Walter Wade of 141 Fishersville Road and adjacent property owner to Mr. Stone stated that he is in favor of the rezoning request. He does not have an entrance permit onto Rt. 250 and there is not sufficient visibility onto Rt. 250 because of a hill. He stated there is a 12" water main that runs through his property and before a business could be developed on that property, the water main would need to be removed.

Mr. Curd asked if Mr. Wade had any intentions in the future to sell his property for business use.

Mr. Wade stated that he would not be interested in selling his property. His home is where he had grown up and he has no intentions of ever selling the property.

With there being no one further to speak in favor of or against the request, Mr. Curd closed the public hearing.

Mrs. Shiflett stated that the Commission usually will not recommend approval to rezone property that is zoned General Business to Single Family Residential. This request is a special circumstance and she can support the rezoning with the proffer.

Mr. Curd stated that this is a unique situation. With the expansion of Rt. 250 the idea of a business at this location is not possible and VDOT approval for an entrance would be unlikely. He made the motion to recommend approval of the request, with proffer, to the Board of Supervisors.

Mr. Hite seconded the motion, which carried unanimously.

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**STAFF REPORTS**

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Earhart reviewed with the Commissioners the requests coming before the BZA.

Mr. Leonard asked if there were any comments regarding the upcoming items on the BZA agenda.

The Planning Commission took no action on the BZA items.

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

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Chairman

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Secretary