

**AMHERST COUNTY  
PLANNING COMMISSION MEETING  
THURSDAY, NOVEMBER 21, 2013  
MINUTES**

**VIRGINIA**

A public meeting for the Amherst County Planning Commission was held on Thursday, November 21, 2013, in the Board of Supervisors Room located in the Administration Building at 153 Washington Street, Amherst, VA.

**MEMBERS PRESENT:** Leslie Irvin, Chairman  
Derin Foor, Vice Chairman  
Michael Martineau  
Beverly Jones  
George Brine  
Lillian Floyd

**MEMBERS ABSENT:** Donald Kidd, Board of Supervisors Liaison

**STAFF PRESENT:** Jeremy Bryant, Director of Planning/Zoning  
Austin Mitchell, Assistant Zoning Administrator/Planner  
Stacey Stinnett, Administrative Assistant

1. Call to Order
2. Approval of Agenda
3. Citizens Comments
4. Public Hearings
  - A. 2013-17 Royal Chevrolet Cadillac Inc.
  - B. 2013-18 Nelson County Roses Mill Trailhead Sign
  - C. Ordinance No. 2013-0016 Dam Inundation Zones – (Planning & Zoning Assigned # 2013-17)
5. Draft Text of Proposed Zoning Amendments
  - A. Delinquent Tax Provisions
  - B. Cideries and Breweries'
6. Old/New Business
7. Adjournment

**1. CALL TO ORDER**

The meeting was called to order at 7:00 PM.

## **2. APPROVAL OF AGENDA**

The agenda was approved as submitted.

### **Planning Commission Action:**

**Motion:** Jones            Motion to approve the agenda.

**Second:** Foor

**The motion carried by a 6-0 vote**

## **3. CITIZENS COMMENTS**

There were none.

## **4. PUBLIC HEARINGS**

A. 2013-17 Royal Chevrolet Cadillac Inc.

Request by Royal Chevrolet Cadillac Inc., for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow an automobile used car sales lot and an automobile repair garage. The property is located at 4454 South Amherst Highway and is further identified as tax map number 155-A-107.

Mr. Bryant presented the Staff report and concluded his comments by stating that Staff recommends the following condition:

1. Trash Disposal: If an outdoor trash facility is used, the trash disposal facility shall be placed in an area that is not visible from the public right-of-way and in an area that is not objectable to neighboring properties. If it is visible from a public right-of-way (as determined by the Zoning Administrator) or objectable to a neighboring property owner a wooden privacy fence shall be erected around the trash facility. The fence shall be a wooden slat fence that is a minimum of six (6) feet in total height.
2. Lighting: Lighting facilities shall be arranged that light is reflected away from adjacent properties and streets.
3. Sight Distance: The placement of all automobiles for sale shall be located in an area that does not affect any vehicular sight distance.
4. Outdoor storage: No miscellaneous items shall be stored outside the building other than vehicles that are for sale and or waiting repair.
5. Hours of Operation:

- I. Monday – Saturday 7 AM – 9 PM
- II. Closed on Sunday

Mr. Irvin opened the public hearing.

No one spoke in favor or opposition of the request; therefore, Mr. Irvin closed the public hearing.

**Planning Commission Action:**

**Motion:** Foor                      Make a motion that special exception request  
# 2013-17 for Royal Chevrolet Cadillac Inc. is  
approved with the staff recommendations.

**Second:** Martineau

**The motion carried by a 6-0 vote**

**B. 2013-18 Roses Mill Rd. Trailhead Sign**

Request by Nelson County for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow a sign that will serve the Virginia Blue Ridge Railway Trail. The property is located near the intersection of Roses Mill Road (SR 611) and the Virginia Blue Ridge Railway Trailhead is further identified as tax map number 42-A-1.

Mr. Bryant briefly stated that he had sent the County Attorney a memorandum requesting clarification on the correct zoning of this property. The current zoning maps reflect that the property is zoned A-1 Agricultural; however, the property was rezoned in 2006 to P-1 Public Lands.

It was a consensus that the special exception case would continue to be heard.

Mr. Bryant presented the Staff report and concluded his comments by stating that Staff recommends the following condition:

1. Sign: The proposed sign shall not block sight distance and shall be in conformance with all local, state and federal laws.

Mr. Irvin opened the public hearing.

No one spoke in favor or opposition of the request; therefore, Mr. Irvin closed the public hearing.

Staff stated that an individual did come into the office and state that they were in opposition of the request.

Mr. Foor also stated that he had been approached by a citizen that was opposed to the request.

**Planning Commission Action:**

**Motion: Brine**                      Make a motion that special exception request  
# 2013-18 for Roses Mill Trailhead Sign is approved  
with the one (1) staff recommendation.

**Second: Jones**  
**The motion carried by a 5-0 vote (Foor abstained)**

C. 2013-0016 Dam Inundation Zone

Amending Section 302, and Sections 408, 1104 and 1203, specifically subsections 408.04, 1104.02 and 1203.02, of Appendix A to the Code of the County of Amherst. The amendments regulate dam break inundation zones, which is the area downstream of a dam that would be inundated or would sustain other damages as a result of the dam's failure.

Mr. Irvin opened the public hearing.

No one spoke in favor or opposition of the request; therefore, Mr. Irvin closed the public hearing.

**Planning Commission Action:**

**Motion: Martineau**                      Make a motion that special exception request  
# 2013-16 for Dam Inundation Zones be approved  
as presented.

**Second: Foor**  
**The motion carried by a 6-0 vote**

**5. DRAFT TEXT OF PROPOSED ZONING**

A. Delinquent Tax Provisions

Mr. Mitchell read the draft text for section 1002.05. Delinquent Taxes. Which states:

*Applications that require the approval of the zoning administrator shall be considered incomplete if one or more of the following is unpaid:*

1. *Real estate taxes.*
2. *Personal property taxes.*
3. *Business taxes.*

Mr. Mitchell stated that Gary Friend, Treasurer, recommended adding item number three (3) "business taxes."

**Planning Commission Action:**

**Motion: Jones**

Make a motion to approve Zoning Amendments for Delinquent Taxes with the addition of item number three (3) business taxes to go to the County Attorney for review.

**Second: Brine**

**The motion carried by a 6-0 vote**

**B. Breweries**

Mr. Mitchell gave a brief presentation on local breweries in Bedford and Cideries in Albermarle County.

The Planning Commission had many questions and showed interest in allowing breweries and cideries in most zoning districts.

Staff stated that more research would be done and this information would be brought to the next meeting.

**6. OLD/NEW BUSINESS**

Mr. Bryant updated the Planning Commission on the following:

- At the Board of Supervisors meeting on November 19, 2013 the motion for the Hunt Club Ordinance was denied 3-2.
- At the November 14, 2013 Board of Zoning Appeals Meeting the Carwile and Toliver cases were both approved.
- The contractors for the Train Depot will be Coleman Adams.

## **7. ADJOURNMENT**

There being no more business to discuss the meeting was adjourned at 7:55 p.m.


### **Planning Commission Recommendation:**

**Motion:** Foor                      Motion to adjourn.

**Second:** Brine

**The motion carried by a 6-0 vote.**

/ss/1.10.14

  
Chairman