**AMHERST COUNTY**

**PLANNING COMMISSION MEETING**

**THURSDAY, JUNE 18, 2015**

**MINUTES**

**VIRGINIA**

A public meeting for the Amherst County Planning Commission was held on Thursday, June 18, 2015, in the Board of Supervisors Room located in the Administration Building at 153 Washington Street, Amherst, VA.

**MEMBERS PRESENT:** Derin Foor, Chairman

Beverly Jones, Vice Chairman

Michael Martineau

Lillian Floyd

George Brine

Les Irvin

David Pugh, Board of Supervisors Liaison

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Austin Mitchell, Assistant Zoning Administrator/Planner

Stacey Stinnett, Administrative Assistant

**STAFF ABSENT:** Jeremy Bryant, Director of Planning/Zoning

Agenda

1. Call to Order

1. Approval of Agenda
2. Citizens Comments

4. Public Hearing – Special Exception

A. # 2015-03 Living Water Baptist Church

(Tax Map # 149-A-1C)

5. Board of Zoning Appeals Review

A. # 2015A-03 Joseph A. Covington

(Tax Map # 65-A-10)

6. Site Plan Review

A. First Baptist Church of Monroe

(Tax Map # 134C2-1-H-1-8)

7. Old/New Business

8. Approval of Minutes for May 21, 2015

9. 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:** IrvinMotion to approve the agenda.

**Second:** Floyd

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

**3. CITIZENS COMMENTS**

There were none.

**4. PUBLIC HEARING – SPECIAL EXCEPTION**

A. 2015-03 Living Water Baptist Church

Request by Living Water Baptist Church for a special exception request in the R-2 General Residential District. The purpose of the special exception is to allow an expansion of church facilities. The facilities will include a proposed basketball court, baseball and softball field, intramural field, outdoor amphitheater, Prayer garden, gymnasium, pavilion, storage building, youth center, and church building. The proposed uses are referenced on a site plan dated May 13, 2015. The proposed uses are located at and around 496 Dogwood Drive and further identified as tax map number 149-A-1C and 149-A-1.

Mr. Mitchall presented the Staff report and concluded his comments by stating that Staff recommends the following conditions (the conditions recommended below were required at the 2008 public hearing for Living Water Baptist Church Case # 2008-26):

1. All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.

2. Hours of operation: Events shall not commence before 6 AM or past 10 PM.

Mr. Tommy Brooks, Jr., surveyor and engineer with Acres of Virginia, briefly gave a presentation of a proposed site plan and answered the Planning Commission’s questions. Mr. Brooks stated that the project would be completed in phases and the first stage would be space for storage.

Mr. Martineau asked if the applicant was satisfied with the same staff recommendations as were made in 2008. Mr. Brooks responded that due to some youth activities the church requested to extend the time from 10:00 pm to 11:00 pm.

Mr. Foor opened the public hearing.

Mr. Darrell Donald, pastor of Living Water Baptist Church, residing at 1982 Izaak Walton Rd., spoke in favor of the request.

No one spoke in opposition to the request, therefore, Mr. Foor closed the public hearing.

Mr. Brine asked if the drive isles and parking areas would be surface treated. Mr. Brooks replied that the parking lot would be surface treated.

**Planning Commission Recommendation:**

**Motion:** Jones Motion to approve special exception request #2015-03 Living Water Baptist Church with staff recommendations and change hours from 10 pm to 11 pm.

**Second:** Brine

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

**5. BOARD OF ZONING REVIEW**

A. 2015-A-03 Joseph A. Covington (Tax Map # 65-A-10)

Request by Joseph to reduce the front yard setback from the centerline of Muddy Branch Road from seventy-five (75) feet to approximately thirty-five (35) feet, to reduce the rear yard setback from fifty (50) feet to approximately twenty-three (23) feet, and to expand the existing nonconforming structure by greater than fifty (50) percent of the original nonconforming structure, to allow for an addition to an existing single-family dwelling.

Mr. Mithell presented the Staff report and concluded his comments by stating that should the Board of Zoning Appeals approve this request; Staff recommends the following conditions:

1. The variance is granted for Tax Map Parcel No. 65-A-10 to reduce the front yard setback from the centerline of Muddy Branch Road from seventy-five (75) feet to approximately thirty-five (35) feet, to reduce the rear yard setback from fifty (50) feet to approximately twenty-three (23) feet, and to expand the existing nonconforming structure by greater than fifty (50) percent of the original nonconforming structure, to allow for an addition to an existing single-family dwelling.
2. The granting of this variance shall not be construed to vest in the applicant a right to the variance until all necessary local, State and Federal plan application, review and approval processes have been completed.
3. This approval may be revoked by the County of Amherst or its designated agent for failure by the applicant or its assigns to comply with any of the listed conditions or any provision of Federal, State or local regulations.

Mr. Joseph Covington, applicant, stated that he needed the additional space due to a growing family.

**Planning Commission Recommendation:**

**Motion:** Irvin Motion to make a favorable recommendation for request # 2015A-03 Joseph A. Covington (tax map # 65-A-10) to the Board of Zoning Appeals with staff recommendations.

**Second:** Martineau

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

**6. SITE PLAN REVIEW**

A. First Baptist Church of Monroe (Tax Map # 137C2-1-H-1-8)

In accordance with Section 1103 of the Code of Amherst County, a minor site plan has been submitted by First Baptist Church of Monroe for the construction of a 3,120 square foot assembly hall addition to the existing church, on property located at 139 Francis Avenue. The proposed addition will not result in the addition of any seats to the sanctuary and, in accordance with Section 602.03.2.a, will not require any additional parking spaces. Copies of the plans were reviewed by the Development Review Committee on May 27, 2015. The following sections summarize staff and agency comments with respect to the major elements of the plan.

Mr. Mitchell presented the Staff report and concluded his comments by stating that Staff recommends approval of the site plan with the following conditions:

1. Property lines being clearly labeled on the site plan and the distance from property line(s) to the proposed addition clearly noted.
2. Vacation of interior lot lines prior to the issuance of a Zoning Permit.
3. Landscaping in accordance with the requirements of Article XVI shown on the site plan.
4. Landscape bond (if applicable) must be established with Amherst County in the total amount of the cost of implementing the proposed landscaping per Section 1602.
5. A Safe, Adequate and Proper Review of the drainfields and private onsite sewage systems shall be completed and approved by the Virginia Department of Health prior to the issuance of a Zoning Permit.
6. VDOT approval of the site plan.
7. Amherst County Service Authority approval of the site plan.

Mr. David Wall, contractor, answered the Planning Commission’s questions.

**Planning Commission Recommendation:**

**Motion:** Irvin Motion to approve Site Plan for First Baptist Church of Monroe (Tax Map # # 137C2-1-H-1-8) with staff recommendations.

**Second:** Jones

**The motion carried by a 5-0 vote (Floyd abstained)**

**7. OLD/NEW BUSINESS**

Staff reminded the Planning Commission about the county staff appreciation picnic on Saturday, June 27, 2015.

Mr. Pugh asked the Planning Commission to reconsider reviewing the wireless cellular tower ordinance due to the current controversy regarding the wireless tower request at the Elon Elementary School. Mr. Pugh stated his concern for awareness of possible future risks with wireless cellular towers on and near school property.

The Planning Commission came to a consensus that no changes needed to be made to the wireless ordinance at this time.

**8.** **APPROVAL OF MINUTES FOR MAY 21, 2015**

The minutes for May 21, 2015 were approved with one correction.

**Planning Commission Recommendation:**

**Motion:** Jones Motion to approve the minutes for May 21, 2015 with one correction.

**Second:** Floyd

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

**9. ADJOURNMENT**

There being no more business to discuss, the meeting was adjourned at 7:39 p.m.

**Planning Commission Recommendation:**

**Motion:** Brine Motion to adjourn.

**Second:** Irvin

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

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/ss/6.25.15 Chairman