

PLANNING COMMISSION MINUTES
March 10, 2014

MEMBERS PRESENT

Mr. Searce
Mr. Laramore
Mr. Griffith
Mr. Jones
Mr. Wilson
Mr. Bolton
Mrs. Evans

MEMBERS ABSENT

STAFF

Christy Taylor
Ken Gillie
Renee Burton
Scott Holtry
Alan Spencer

The meeting was called to order by Chairman Searce at 3:00 p.m.

I. ITEMS FOR PUBLIC HEARING

1. *Rezoning Application PLRZ2014000036, filed by William A. Emerson requesting to amend the 2020 Land Use Plan from MR, Multifamily Family Residential to SSR, Suburban Single Family Residential and to rezone from M-R, Multifamily Residential to S-R, Suburban Residential, a portion of 197 Beech Avenue, otherwise known as Grid 9707, Block 001, Parcel 000013.001 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to rezone ~0.101 acres of 197 Beech Avenue for consolidation with adjoining 187 Beech Avenue.*

2. *Rezoning Application PLRZ2014000037, filed by William A. Emerson requesting to amend the 2020 Land Use Plan from MR, Multifamily Family Residential to SSR, Suburban Single Family Residential and to rezone from M-R, Multifamily Residential to S-R, Suburban Residential, a portion of 198 Beech Avenue, otherwise known as Grid 9707, Block 001, Parcel 000013.000 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to rezone ~0.201 acres of 198 Beech Avenue for consolidation with adjoining 192 Beech Avenue.*

Mrs. Burton read the staff report. Eleven notices were sent to surrounding property owners within 300 feet of the subject property. Three responses were not opposed.

Open the Public Hearing.

Present was to speak was Mr. Glen Shumate, Jr. The piece of land in question at the 192 address has a driveway that goes down to the shop that I operate. We have had the shop since the early 70's. It is a business that my father started and I am running it. We have used that since the 70's. As a matter of fact, my grandfather had given it to my family and things were not done properly, so it never did really get to where it needed to be as far as our ownership. I would ask that everybody take into consideration that I still use that driveway as my means to get in and out of my business.

Mr. Griffith asked is this going to impact you so that you are unable and deny you access to getting in?

Mr. Shumate responded it will make it very difficult for me to access the building. I would have to go down through the back yard of my parent's property. I would probably have to do some changes to the side of the building where I have a loading dock. The driveway goes down to the loading dock. I use that frequently to load and unload heating and cooling equipment.

Present to speak was Ms. Anita Emerson. When we purchased the property, it is two pieces of property on separate sides of the road, the Shumates owned all of it. Mrs. Shumate asked if she could have the driveway. We didn't realize that it would be that big of a problem to move the line so she could have complete access to the driveway. On the other side of the road the line went directly through a garage, so we are trying to move it over to include the house that was sold with that property.

Mr. Scarce asked do you know what your plans are for that lot?

Ms. Emerson responded we are probably going to tear down the house and build back a new more energy efficient house because that house has been sitting vacant for quite some time.

Mr. Scarce asked how does his garage impact you?

Ms. Emerson responded his garage is on the opposite side of the road. His mother lives on the left side. The line originally went through the driveway. It was never separated. The driveway sits on the property that we purchased and part of the agreement was that we would move the line over and give her full right-of-way to her driveway. We moved it 50 feet I think so she could have full access to her driveway which also accesses his garage.

Mr. Scarce asked so his garage is on whose property?

Ms. Emerson responded it is on their property. His mother's house sits in the front and his garage sits behind the house.

Mr. Wilson asked Ms. Emerson to point out exactly where the property is located on the map provided by staff.

Mr. Wilson stated so this would actually make it better for him.

Ms. Emerson stated it would make it better for him.

Close the Public Hearing.

Mr. Bolton made a motion to recommend approval of PLSUP2014000036 as submitted. Mr. Griffith seconded the motion. The motion was approved by a 7-0 vote.

Mr. Bolton made a motion to recommend approval of PLSUP2014000037 as submitted. Mr. Griffith seconded the motion. The motion was approved by a 7-0 vote.

- 3. Special Use Permit Application PLSUP2014000038, filed by TWD Investments, LLC requesting a Special Use Permit to waive yard requirements in accordance with*

Article 3.J; Section C, Item 16 of the Code of the City of Danville, Virginia, 1986, as amended, at 734 Main Street, otherwise known as Grid 1716, Block 006, Parcel 0000034 of the City of Danville, Virginia, Zoning District Map. The applicant is requesting a waiver to allow for 11'6" and 1.1' side yard setbacks where 20' is required and allow for 74.81' of lot width where 90' is required to allow for the lots to be subdivided.

4. *Special Use Permit Application PLSUP2014000039, filed by TWD Investments, LLC requesting a Special Use Permit to waive yard requirements in accordance with Article 3.J; Section C, Item 16 of the Code of the City of Danville, Virginia, 1986, as amended, at 742 Main Street, otherwise known as Grid 1716, Block 006, Parcel 0000034 of the City of Danville, Virginia, Zoning District Map. The applicant is requesting a waiver to allow for 11'6" and 4.8" side yard setbacks where 20' is required and allow for 46.57' of lot width where 90' is required to allow for the lots to be subdivided.*

Mr. Gillie read the staff report. Twenty-six notices were sent to surrounding property owners within 300 feet of the subject property. Three responses were not opposed. One response was opposed.

Mr. Scarce read a conflict of interest statement and transferred Chairmanship of the meeting to Vice Chairman Laramore.

Mr. Laramore now presided over the meeting.

Open the public hearing.

Present to speak was Mr. Thomas Daniels. The reason for wanting to divide the property is because there are two separate buildings and we are listing to facilitate the sale. Two separate properties will be easier to sell.

Close the public hearing.

Mr. Griffith made a motion to recommend approval of PLSUP2014000038 as submitted. Mr. Jones seconded the motion. The motion was approved by a 6-0-1 vote (Mr. Scarce abstained).

Mr. Griffith made a motion to recommend approval of PLSUP2014000039 as submitted. Mr. Jones seconded the motion. The motion was approved by a 6-0-1 vote (Mr. Scarce abstained).

Mr. Scarce now presided over the meeting.

II. MINUTES

Mr. Wilson made a motion to approve the February 10, 2014 minutes. Mr. Bolton seconded the motion. The motion was approved by a 7-0 vote.

III. OTHER BUSINESS

Mr. Gillie stated all the items at the January meeting were approved by City Council. I will not have anything next month to report. Are there any bad dates the end of March or the first of April? If so, let Christy know. We have the Comp Plan done and corrected and I just need to schedule a public meeting. That is all I have.

Mr. Jones asked you want us to check the last week of March and the first week of April?

Mr. Gillie responded last week of March and the first two weeks of April.

Mr. Searce asked will it be just one meeting?

Mr. Gillie responded yes. If there is a lot of attendance we may schedule another. At the kickoff meeting we only had two people attend.

With no further business, the meeting adjourned at 3:25 p.m.

APPROVED