

***Campbell County Planning Commission
Minutes
August 28, 2023***

The regular meeting of the Campbell County Planning Commission was held on Monday, August 28, 2023, in the Board of Supervisors Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The following members were present:

Michael S. Condrey
K. William Kirk
Tom Lawton
Dean Monroe
Megan Witt
Steve Shockley, Board of Supervisors Representative

Members Absent:

Trish R. Hedges
John Thilking

Staff Members present:

Paul E. Harvey, Community Development Director/Assistant County Administrator
Austin R. Mitchell, Zoning and Subdivision Administrator II/Deputy Director
Theresa P. Phillips, Staff Secretary

// Chairman Kirk called the meeting to order with the invocation followed by the Pledge of Allegiance at 7:00 p.m.

// Chairman Kirk asked for corrections or comments on the minutes from the July 24, 2023 meetings. With none, Chairman Kirk made the motion to approve the minutes from the July 24, 2023 meeting.

// **PUBLIC HEARINGS FOR CONSIDERATION**

// Chairman Kirk opened the public hearing at 7:05 p.m., stating these public hearings would go before the Board of Supervisors at the October 3 meeting.

// **PL-23-101 (Rezone – 138 Beechwood Drive)**

// Chairman Kirk made the motion to recommend approval of PL-23-101 to rezone 12J-13-5 and 12J-13-6, 0.684 +/- acres to Residential – Multi Family in order to construct duplexes. One of the parcels is vacant and the other has an existing single-family dwelling. The concept plan shows one (1) proposed duplex on the vacant parcel, stating good zoning. Commissioner Monroe seconded the motion.

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated this request is to rezone the parcels to Residential – Multi Family in order to construct duplexes. One of the parcels is vacant and the other has an existing single-family dwelling. The concept plan shows one (1) proposed duplex on the vacant parcel. The developer is planning to keep the single-family dwelling currently but is seeking the opportunity to convert the house into a duplex or build a new duplex in the future.

// Mr. Norm Walton, Perkins and Orison, agent for Goodview Property LLC, would like to have this property rezoned in order to build a duplex on the vacant lot and in the future replace the existing dwelling on the other parcel into a duplex or build a new duplex in the future.

// Commissioner Lawton inquired to the number of duplexes planned.

// Mr. Walton responded one building on the vacant lot and the current dwelling may be converted into a duplex for a potential of four units.

// Commissioner Condrey inquired to the number of bedrooms for each unit.

// Mr. Walton stated two bedrooms.

// With no one present to speak in favor or opposition, Chairman Kirk closed the public hearing at 7:07 p.m.

The vote was: Aye: Condrey, Kirk, Lawton, Monroe, and Witt
Nay: None
Absent: Hedges, Thilking

// **PL-23-140 (Rezone 26-4-A)**

// Chairman Kirk opened the public hearing at 7:10 p.m.

// Chairman Kirk made the motion to recommend approval of PL-23-140 to rezone the parcel to Residential – Multi Family in order to construct a duplex, stating good zoning Commissioner Witt seconded the motion.

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated this request is from Jeremy Marquis to rezone the parcel to Residential – Multi Family in order to construct a duplex. The concept plan shows a 1,836 sf duplex building. The two units would each have 918 square feet and have two (2) bedrooms and two and a half (2 ½) baths. There would be at least two parking spaces per unit. The duplex would be served by public water and a private septic system.

// Mr. Jeremy Marquis, 632 Kingswood Lane, Lynchburg, stated he has owned this property and the adjoining property since 2017, and the adjoining property is currently a rental. Mr. Marquis stated he would like to build a duplex with each unit having two bedrooms and two and a half bathrooms.

// Commissioner Monroe inquired if he has had any problems with the renters on the adjoining property.

// Mr. Marquis indicated he had not and completes a background check on the applicants prior to renting.

// With no one speak in favor, Chairman Kirk asked for those in opposition to come forward.

// Mr. Barry Smith, 7971 Village Highway, Lynchburg, stated there have been problems with dirt bikes, four-wheelers being ridden on Village Highway and felt this parcel would be more suitable with a single family dwelling.

// Commissioner Lawton inquired if Mr. Smith has had any problems with the renters on the property Mr. Marquis is currently renting.

// Mr. Smith responded he had not.

// Mr. James Taylor, 7927 Village Highway, Lynchburg, stated he too would like to see a single-family dwelling instead of a duplex.

// Ms. Eva McDaniel, 7971 Village Highway, Lynchburg, felt this would create more traffic, loud trucks and would create an unsafe environment.

// Chairman Kirk closed the public hearing at 7:16 p.m.

// Commissioner Condrey stated he would have a hard time denying the request given the fact that Mr. Marquis has had rental property adjacent for the past eight years with no complaints.

// Commissioner Monroe stated he too agreed with Commissioner Condrey.

The vote was: Aye: Condrey, Kirk, Lawton, Monroe, and Witt

Nay: None

Absent: Hedges, Thilking

// **PL-23-143 – (Rezoning – 23A-1-2)**

// Chairman Kirk opened the public hearing at 7:21 p.m.

// Chairman Kirk made the motion to recommend approval of PL-23-143 to rezone the parcel to Residential – Multi Family in order to construct a quadplex. The concept plan shows

one (1) proposed quadplex building and 10 parking spaces, good zoning. Commissioner Witt seconded the motion.

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated the applicant is seeking to rezone the parcel to Residential – Multi Family in order to construct a quadplex. The concept plan shows one (1) proposed quadplex building and 10 parking spaces. The units would be served by a private well and septic system. The parcel is bordered on the south and west by parcels zoned Residential – Multi Family, Conditional.

// Mr. Jamie White, White Engineering & Design, 21 Timberoak Court, Lynchburg, agent for Mr. Kevin Shotwell stated the adjoining parcel currently has an existing quadplex. The well has been drilled and the soil has been tested for the drainfields. The property will have its own entrance off Camp Hydaway Road.

// With no one speak in favor, Chairman Kirk asked for those in opposition to come forward.

// Ms. Sandra Carwile, 339 Camp Hydaway Road, Rustburg, stated with the growth of Liberty University and the shooting range, Camp Hydaway Road is too dangerous for additional traffic.

// Mr. Ted Carwile, 339 Camp Hydaway Road, Rustburg, also stated this project would create too much traffic.

// Mr. Ronald Wright, 365 Camp Hydaway Road, Rustburg, stated he too was concerned about the increase in traffic.

// Mr. James Cerillo, 138 Cerillo Lane, Rustburg, stated he is the owner of the adjoining parcel with the quadplex and some additional apartments in the area. Mr. Cerillo also stated the traffic is a problem and this would only create more traffic.

// Chairman Kirk closed the public hearing at 7:32 p.m.

// Commissioner Lawton stated this proposal was in line with the surrounding properties.

The vote was: Aye: Condrey, Kirk, Lawton, Monroe, and Witt
Nay: None
Absent: Hedges, Thilking

// **PL-23-149 – (Rezoning – 123 Village Highway)**

// Chairman Kirk opened the public hearing at 7:35 p.m.

// Chairman Kirk made the motion to recommend approval of PL-23-149 to rezone 1.414 +/- acres from Agricultural to Business – General Commercial in order to operate a retail sales establishment, good zoning. Commissioner Lawton seconded the motion.

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated the owner is seeking to rezone the parcel to Business – General Commercial in order to operate a retail sales establishment. There is an existing single-family dwelling on the property that would be converted for commercial use. The owner has an existing retail location on Wards Road that would move to this property. A parking lot is shown to be added to the property on the sketch plan.

// Ms. Laura Ashley, 249 Village Highway, Rustburg, representing the Crow’s Haven, which has been in business since October 2014. Ms. Ashley stated she would like to relocate the business to Rustburg.

// Commissioner Lawton inquired to the nature of the business.

// Ms. Ashley responded it is a gift shop type business.

// Commissioner Condrey commented on the improvements made to the dwelling. He also suggested the parking area be as far away from the entrance to Rustburg Elementary School as possible.

// With no one present to speak in favor or opposition, Chairman Kirk closed the public hearing at 7:38 p.m.

The vote was: Aye: Condrey, Kirk, Lawton, Monroe, and Witt
Nay: None
Absent: Hedges, Thilking

// **SUBDIVISION MATTERS FOR CONSIDERATION**

Proposed is a 36-lot subdivision off Greendale Drive, to be known as Lynbrook Subdivision, in the Spring Hill Elections District. The parcel is zoned Residential-Single Family and is owned by TPB Enterprises LLC.

// Chairman Kirk made the motion to approve Lynbrook Subdivision.

The vote was: Aye: Condrey, Kirk, Lawton, Monroe, and Witt
Nay: None
Absent: Hedges, Thilking

// **MATTERS FROM THE COMMUNITY DEVELOPMENT DIRECTOR/
ASSISTANT COUNTY ADMINISTRATOR**

// Mr. Paul Harvey, Community Development Director/Assistant County Administrator, stated the Virginia Department of Transportation (VDOT) is funding a corridor study on English Tavern Road. The study is scheduled to be completed by May of 2024.

// Mr. Harvey also reminded the Commissioners to return the forms sent to them either to payroll or to return them to him and he will forward them to payroll.

// **MATTERS FROM THE ZONING AND SUBDIVISION ADMINSTRATOR**

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated the County had been in a contract with a Telecommunications Tower consulting firm and at this time the contract has expired and staff feels there is no longer a need for the consulting firm.

// **MATTERS FROM THE PLANNING COMMISSION**

// Next scheduled meeting is September 25, 2023.

// Chairman Kirk adjourned the meeting at 7:49 p.m.

K. William Kirk, Chairman