

***Campbell County Planning Commission  
Minutes  
July 24, 2023***

The regular meeting of the Campbell County Planning Commission was held on Monday, July 24, 2023, in the Board of Supervisors Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The following members were present:

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

Members Absent:

None

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 June 26, 2023 meetings. With none, Chairman Kirk made the motion to approve the minutes from the June 26, 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 September 5 meeting.

// **PL-23-128 (Rezone – 189, 197, & 205 Greystone Drive)**

// Chairman Kirk made the motion to recommend approval of PL-23-128, to rezone 4.887 +/- acres from Business – General Commercial to Industrial – Heavy, with a concurrent special use permit to allow for construction of a transfer facility, stating good zoning. Commissioner Condrey seconded the motion.

- // Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated this request is to rezone 4.887 +/- acres from Business – General Commercial to Industrial – Heavy, with a concurrent special use permit to allow for construction of a transfer facility. There is an existing garage and two existing dwellings on the property. The applicant is proposing to construct a new 11,000 square foot building behind the existing garage. The new building will be used as a transfer site for paper, plastics, and cardboard.
- // Mr. Dean Monroe, 14286 Brookneal Highway, Gladys, representative for Elite of Virginia LLC, parent company of Essential Recycling, stated he would like to demolish the existing buildings, and build an approximately 11,000 square foot metal building with bay doors to allow single axle trucks delivering cardboard, paper, and plastics that would be compacted and picked up for recycling. Mr. Monroe stated he had met with the neighbors to hear feedback. He also stated this would not be a recycling center opened to the public and there would be no containers outside. Mr. Monroe stated there would be no noise with motion-detected lights.
- // Chairman Kirk verified this would be recyclables picked up at businesses such as Kroger located on Timberlake Road that has recycle bins.
- // Mr. Monroe stated that is one of the businesses the recyclables would be coming from.
- // Commissioner Condrey inquired if this is a manned facility.
- // Mr. Monroe stated the only person on the premises would be the truck driver and he should not be at the facility any length of time other than to back in the building, dump his recyclables and exit the premises, also stating the driver would have the ability to open and close the door upon entrance and exiting.
- // Commissioner Thilking inquired as to the type of buffering that would be used.
- // Mr. Monroe stated Leland Cypress was preferred over a wooden fence.
- // Commissioner Hedges asked Mr. Monroe what were the reservations the neighbors had when meeting with them.
- // Mr. Monroe stated he spent time explaining how the business would operate.
- // Commissioner Lawton inquired if there would be smell from the building.
- // Mr. Monroe stated with the paper, plastics, and cardboard only at this facility and there would be no odor. Mr. Monroe also explained this was not a trash site.
- // Commissioner Hedges inquired if trash or food was placed in the bins by accident, how would that be handled.

- // Mr. Monroe stated it is such a small amount; it would be compacted with the recyclables.
- // Commissioner Witt inquired if they would be the only company using the facility. Mr. Monroe stated that currently they are the only company doing this type of work.
- // Mr. Michael Monroe, 4803 Three Creeks Road, Gladys, managing member of Elite of Virginia LLC, stated this facility is for recyclables only, stating approximately 15,000 pounds are sorted by hand daily and approximately 1% of that is non-recyclable. He indicated there would someone there occasionally to cut grass.
- // Commissioner Hedges inquired to the loudness of the compactor.
- // Mr. Michael Monroe stated it is comparable to the sound of the compactors at the County transfer sites with the difference being this compactor is inside.
- // With no one speak in favor, Chairman Kirk asked those in opposition to come forward.
- // Mr. Henry Johnson, 212 Greystone Drive, Lynchburg, presented the Planning Commissioners with a petition of 18 signatures opposing the project. Mr. Johnson stated the major concerns were the trucks traveling on the narrow road along with the sharp curve near Leesville Road, the noise, the unwanted trash blowing on the property, and the loss of property value. Mr. Johnson also shared pictures from the Brookneal recycling plant with plastics not contained.
- // Commissioner Hedges inquired on the date of the picture.
- // Mr. Johnson indicated he did not date the photo but it could have been any day from the prior week.
- // Ms. Betty Ashwell, 228 Greystone Drive, stated this area is a small neighborhood with the residents living there for years with most of them being retired. Ms. Ashwell also felt this project would lower their property values.
- // Commissioner Hedges asked Mr. Monroe why was this location chosen.
- // Mr. Dean Monroe responded the location is centrally located.
- // Chairman Kirk closed the public hearing at 7:37 p.m.
- // Commissioner Hedges commented this proposal is in line with the comprehensive plan and is currently zoned Business – General Commercial.
- // Chairman Kirk stated with the cleaning up of the property, along with a single metal building with doors that open and close with approximately 20 trips a day, it would only improve the appearance of the location.

// Commissioner Lawton inquired with the current zoning, what could be built by right.

// Mr. Austin Mitchell responded a hotel, gas station, small shopping center, mini – storage, restaurant, or convenience store, any type of business defined as Business - General Commercial use.

// Commissioner Thilking shared his concerns regarding the photo Mr. Johnson shared.

// Mr. Dean Monroe responded the photos were taken at the Elite Recycling location in Brookneal in the scrap yard which is a different type of business.

// Chairman Kirk amended the motion to include the condition where someone will inspect the property once a week to insure cleanliness of the property.

The vote was: Aye: Condrey, Hedges, Kirk, Thilking, and Witt

Nay: Lawton

Absent: None

Abstain: Monroe

// **PL-23-129 (Special Use Permit – 957 Red House Road)**

// Chairman Kirk made the motion to recommend approval of PL-23-129 for a special use permit to operate an automobile sales business on property zoned Agricultural, stating good zoning Commissioner Condrey seconded the motion.

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated this request is from Scott Gunn for a special use permit to operate an automobile sales business on property zoned Agricultural. The owner repairs or restores mostly antique cars and trucks. He would like to operate a small automobile dealership on the property. The intent is to have five (5) or six (6) vehicles displayed for sale on the property that the owner has repaired or restored himself. There would be an office space in an existing personal garage on the property.

// Chairman Kirk opened the public hearing at 7:51 p.m.

// Mr. Scott Gunn, 957 Red House Road, Rustburg, stated he would like to be in compliance with the Department of Motor Vehicles (DMV) allowing him to sell more than five vehicles. Mr. Gunn stated he currently has approximately 14 vehicles in his garage with approximately 10 outside.

// Chairman Kirk amended the motion by adding no more than 10 cars complete and on display for sale in Mr. Gunn's yard.

// With no one speak in favor or opposition, Chairman Kirk closed the public hearing at 7:57p.m.

// Commissioner Condrey disclosed he has a working relationship with Mr. Gunn but felt it would have no bearing on his vote.

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

// **PL-23-000 – Semi-Annual Code update to Chapter 21 (Subdivisions) and Chapter 22 (Zoning)**

// Chairman Kirk opened the public hearing at 7:59 p.m.

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated the discretionary changes stemmed from the joint Board of Supervisors and Planning Commissioners meeting in May. The changes in the code update were included in the June and July packets.

// Chairman Kirk recommended approval of the mandatory changes in Chapter 21 (Subdivision) and Chapter 22 (Zoning).

// **CHAPTER 21 – Subdivision of Land**

§21-8.1:2 [Definitions] Conforms the language of the County code to the current extension language used in State code; **mandatory; pursuant to change in statute by General Assembly.**

// **CHAPTER 22 – Zoning**

§22-4.1 Conforms the language of the County code the current language for advertising plans and ordinance changes; **mandatory; pursuant to change in statute by General Assembly.**

§22-37 Conforms the language of the County code to the current language for advertising plans and ordinance changes; **mandatory; pursuant to change in statute by General Assembly.**

// With no one present to speak in favor or opposition, Chairman Kirk asked for a vote.

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

// Chairman Kirk recommended approval of the following discretionary changes in changes in Chapter 22 (Zoning).

// §22-2(B)(2) [Definitions] Defines Accessory Dwelling Unit; **discretionary; pursuant to discussion from Board work session on zoning and joint session between Board of Supervisors and Planning Commission.**

§22-2(B)(123) [Definitions] Revises definition of Rooming House to include detached dwelling units located on the same parcel of the primary structure; **discretionary; pursuant to discussion from Board work session on zoning and joint session between Board of Supervisors and Planning Commission.**

§22-9 Allows one Accessory Dwelling Unit by right, allows a Rooming House by right, reduces setbacks; **discretionary; pursuant to discussion from Board work session on zoning and joint session between Board of Supervisors and Planning Commission.**

§22-10 Allows one Accessory Dwelling Unit by right, allows a Rooming House by right, reduces setbacks; **discretionary; pursuant to discussion from Board work session on zoning and joint session between Board of Supervisors and Planning Commission.**

§22-11 Allows one Accessory Dwelling Unit by right, allows a Rooming House by right, reduces setbacks; **discretionary; pursuant to discussion from Board work session on zoning and joint session between Board of Supervisors and Planning Commission.**

§22-16 Allows one Accessory Dwelling Unit by right, allows a Rooming House by right, allows Tourist House by right for parcels of twenty-five acres, fifty feet from the roadway, and two hundred fifty feet from property line, reduces setbacks; **discretionary; pursuant to discussion from Board work session on zoning and joint session between Board of Supervisors and Planning Commission.**

// Commissioner Lawton voiced his concern on §22-16 which allows one accessory dwelling unit by right, allows a Rooming House by right, allows Tourist House by right for parcels of twenty-five acres, fifty feet from the roadway, and two hundred fifty feet from property line, reduces setbacks.

// With no one present to speak in favor or opposition, Chairman Kirk closed the public hearing at 8:10 p.m.

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

// **SUBDIVISION MATTERS FOR CONSIDERATION**

None

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

None

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

None

// **MATTERS FROM THE PLANNING COMMISSION**

// Next scheduled meeting is August 28, 2023.

// Commissioner Hedges and Commissioner Thilking stated they would be absent for the August meeting,

// Chairman Kirk adjourned the meeting at 8:12 p.m.

---

K. William Kirk, Chairman