

***Campbell County Planning Commission  
Minutes  
May 28, 2019***

The regular meeting of the Campbell County Planning Commission was held on Tuesday, May 28, 2019 in the Board of Supervisors Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The following members were present:

Dean P. Cumbo, Chairman  
Michael S. Condrey  
K. William Kirk  
O. Richard Metz  
Dean B. Monroe  
Thomas H. Vaughan  
James A. Borland, Board of Supervisors Representative

Members Absent:

Patrick Tweedy

Staff Members present:

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

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

// Chairman Cumbo asked for corrections or comments on the minutes from the April 22, 2019 meetings. With none, Commissioner Metz made the motion to approve the minutes from the April 22, 2019 meeting. Commissioner Kirk seconded the motion.

The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe, and Vaughan  
Nay: None  
Absent: Tweedy

// **PUBLIC HEARINGS FOR CONSIDERATION**

// **PL-19-58 (Special Use Permit – 229 Riviera Drive, Apt 3, Concord, VA)**

// Mr. Austin Mitchell, Zoning and Subdivision Administrator, stated this request is for a special use permit to use an existing townhouse to rent on a short-term basis as a tourist house on property zoned Residential – Single Family located at 229 Riviera Drive Apt. 3,

Concord, VA 24538. The applicant would like to rent out the existing townhouse on a short-term basis through services such as Airbnb. The applicant has made significant improvements to the townhouse and maintains it inside and out. Parking was also improved in the front and rear of the townhouse. There are house rules to be followed by the guests including instructions for parking at the townhouse, no pets, no smoking, no parties, and noise consideration. The applicant lives close to the property and is readily available to address any problems in a timely manner. The applicant manually approves any guests requesting to visit and checks credentials to ensure the property and neighborhood is a good fit.

// Mr. Mitchell Shorter, 938 Country Road, stated he purchased the townhome in December of 2018. Since the time of the purchase, Mr. Shorter stated he had made numerous upgrades to the interior of the townhome and would like to use this property as a short term rental. Mr. Shorter indicated he had long term rental properties but with the improvements made to this property with short term renters he would have to opportunity to visit the property more often. Mr. Shorter stated he felt this property would be utilized by visitors from Liberty University, contractors working at BWXT or visitors visiting Appomattox County.

// Commissioner Kirk inquired as to the maximum number of guests that would be allowed.

// Mr. Shorter stated there were sleeping arrangements for up to 9 people. The townhome has 3 bedrooms and the living room has a pull out sofa.

// Commissioner Vaughan questioned if there were more than 2 vehicles, where would they park.

// Mr. Shorter stated with the townhome having no mailbox, the front of the property could be used for additional parking.

// Commissioner Metz stated these units were small and he did not feel this was a good fit for that area with the units being intended for single family use.

// Commissioner Vaughan questioned the number of square feet per unit.

// Mr. Shorter indicated each floor was approximately 900 square feet.

// With no one present to speak in favor, Chairman Cumbo asked for those speaking against to please come forward.

// Chairman Cumbo opened the public hearing at 7:15.

// Mrs. Geraldine Staples, 229 Riviera Drive, Unit 1, Concord, stated after Mr. Shorter applied for his special use permit he continued to have renters in the townhome for approximately one week after the application. Mrs. Staples indicated from April 22 thru April 27, renters had problems locating the unit, had multiple vehicles towing boats, leaving her gate open and knocking on adjacent owner's doors late in the night. Mrs. Staples stated with short term renters the neighbors would not know who they were or where they were from. Mrs. Staples also stated Mr. Shorter had not maintained the grass at his unit since the last renters left and the grass was now approximately two-feet tall.

// Mr. Brian Staples, 147 Greendale Drive, Rustburg, stated Mrs. Staples was his stepmother and he also noticed after the last renter left, Mr. Shorter had not mowed the grass.

// Chairman Cumbo closed the public hearing at 7:21.

// Commissioner Metz stated with the exception of this one 4 unit townhouse complex the neighborhood consisted of all single family dwellings and felt a single family dwelling was more suitable for short term rentals than a townhouse with adjoining walls.

// Commissioner Monroe questioned if the other 3 units were privately owned.

// Mrs. Staples indicated she and her husband owned their unit, unit 2 was privately owned and the owners' granddaughter and husband lived there and the 3<sup>rd</sup> unit was also privately owned.

// Chairman Cumbo made the motion to recommend approving PL-19-58 for a special use permit to use an existing townhouse to rent on a short-term basis as a tourist house on property zoned Residential – Single Family located at 229 Riviera Drive Apt. 3, Concord, VA 24538, stating good zoning practice.

// The vote was: Aye: None  
Nay: Cumbo, Condrey, Kirk, Metz, Monroe, and Vaughan  
Absent: Tweedy

// **PL-19-62 (Special Use Permit Airpark Drive & Airport Road)**

// Mr. Austin Mitchell, Zoning and Subdivision Administrator, stated this request is from Russ Orrison, agent for Liberty University Inc., for a special use permit to construct an off-premises parking lot incidental to a school on property zoned Business – Heavy Commercial. The client is seeking to construct an off-premises parking lot of approximately 118 spaces. The parking lot would serve the existing School of Aviation facility that is being repurposed as the Student Financial Services facility. This parcel is considered to be off-premises due to its location greater than 200 feet from other parcels owned by Liberty University Inc. which the parking lot will serve. The client is proposing to construct sidewalks along Airpark Drive and Airport Road to connect the parking lot with the buildings and parcels it will serve.

// Ms. Stacy Dawson, 1361 Homeplace Road, Rustburg, stated Liberty University Incorporated would like to construct an off-premises parking lot to serve the existing School of Aviation.

// With no one present to speak in favor or against, Chairman Cumbo made the motion to recommend approving PL-19-62, for a special use permit to construct an off-premise parking lot stating good zoning. Commissioner Kirk seconded the motion.

// The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe, and Vaughan  
Nay: None  
Absent: Tweedy

// **SUBDIVISION MATTERS FOR CONSIDERATION**

None

// **MATTERS FROM THE COMMUNITY DEVELOPMENT DIRECTOR**

// Mr. Paul Harvey, Director of Community Development, had included in the packet for the April 22 Planning Commission meeting a summary of changes to the Zoning and Subdivision ordinances being requested by Supervisor Charlie Watts. At that meeting, the Commissioners requested information from surrounding localities on their ordinances concerning Zoning and Subdivisions along with additional time to review the changes. Mr. Harvey included in this month's packet a summary of the surrounding localities ordinances and the potential impact of each recommendation.

// Commissioner Kirk indicated he spent quite a bit of time reviewing the recommended changes and did not feel the changes would be beneficial to the County. Commissioner Kirk also commended staff on the additional information that was requested and the unbiased explanation of the impacts of each recommended change.

// Chairman Cumbo also stated he was against the proposed changes.

// Commissioner Metz stated the ordinance changes made in 1997 were done for specific reasons and indicated he felt these proposed changes would reverse the previous changes.

// Dr. Borland stated there has been no discussion as to why these changes were being recommended; such as why the changes are important or why not, would these changes bring unintended consequences, would they bring in more development into the County, and bring more people. Dr. Borland also stated possibly the Planning Commission should have a public hearing on the matter.

// Commissioner Metz stated he felt this would bring in developers with biased opinions and not citizens.

// Commissioner Condrey stated he too had read the proposed changes and was hoping Supervisor Watts would be in attendance to address questions.

// Commissioner Monroe stated he felt the proposed changes lacked background information to make any type of recommendation.

// Following the comments from the Commissioners, it was the recommendation to make a motion to invite Supervisor Watts to the June Planning Commission meeting.

// Chairman Cumbo made the motion to request Supervisor Watts to attend the June 24 meeting of the Planning Commission. Commissioner Kirk seconded the motion.

// The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe, and Vaughan  
Nay: None  
Absent: Tweedy

// **MATTERS FROM THE ZONING AND SUBDIVISION ADMINSTRATOR**  
None

// **MATTERS FROM THE PLANNING COMMISSION**

Next scheduled meeting is June 24, 2019

// Commissioner Kirk made the motion to adjourn the meeting at 7:43.

---

Dean P. Cumbo, Chairman

---

K. William Kirk, Secretary