

BLAND COUNTY PLANNING COMMISSION
Meeting Minutes for July 5, 2016

Members Present:

Jim Baker, Guy Boone, Meagan Bradshaw, Elmer Chewning, John Dodson, Randy Johnson

Members Absent:

Wade Hall, Jerry Mercer, Steve Hermenson

Others Present:

Joel Cagle, Secretary
Eric Workman, County Administrator
Paul Cassell, County Attorney

CALL TO ORDER

At 6:00 PM, Planning Commission Chairman Bradshaw called the meeting of the Bland County Planning Commission to order at the Bland County School Board Office; Bastian, Virginia.

ROLL CALL

Planning Commission Secretary Cagle took the roll call and announced that a quorum was present.

APPROVAL OF MINUTES

Chairman Bradshaw invited a motion to approve the minutes of the June 6, 2016 meeting. Commissioner Dodson made the motion to approve the minutes of the June 6, 2016 meeting. Commissioner Chewning provided the second, and the motion passed unanimously.

ITEMS TABLED FROM PREVIOUS MEETING

None

PUBLIC HEARING

-CUP Application; Tax map 77A3-10-66, Mark Readnour

Mr. Readnour presented to the Commission the plan that he and his wife are working on to develop a veterinary office in Bland. Hours of operation were discussed as well as services to be offered. Mr. Readnour stated that the Kennel/Boarding Plans were to keep the animals inside of the structure.

A public hearing was opened and Michael Shrader, speaking on behalf of his grandmother, Louise Aliff, stated his concern over the lack of a site plan not provided for review. The Chair addressed this, stating that the Readnour's required zoning approval prior to moving forward with the project. Mr. Shrader also voiced his concern over the layout of the entrance and building as it rests on to the .96 acres.

Louise Aliff spoke about her concerns of lighting, noise, and waste. Susan Shrader, echoed Mrs. Aliff's concerns. Margie Cox and Robert Baxley spoke in favor of the Vet Clinic and the present need of it in Bland County.

With no more registered speakers, the public hearing was closed and the Commission started their discussion. Commissioner Chewning asked if the parking lot lights were to be dusk to dawn type, Mr. Readnour stated they were.

After the discussion of the application, Commissioner Dodson made a motion to recommend the CUP for approval to the BOS with the following conditions: 1) No obtrusive lighting, 2) No overnight, outside Kenneling/Boarding, 3) Install privacy fence on the property line side of Mrs Aliff, to run the entire length of the shared property line. The motion was seconded by Commissioner Baker. A unanimous vote was tendered.

-Zoning Change/CUP Application; Tax Map 77-A-24, Larry Daniels

Counsel for Mr. Daniels provided information about the application, he stated that the intent of the business is to sell automobiles on the internet while storing the cars on site. Counsel advised the Commission that the sales were by appointment. Mr. Daniels wished to Re-Zone 1 Acre of his land from Ag to Com with a CUP to operate an Auto Sales. Counsel stated that he reviewed the site earlier in the day and noted that you could not see the business from the road and that the zoning change was in line with the Comprehensive Plan in so much that it would generate revenue.

Commissioner Dodson asked for clarification of how it went from an Approved Home Occupation into the need for Re-Zoning. Secretary Cagle explained how the operation did not comply with the Home Occupation rules and therefore needed to re-zoned to come into compliance.

Commissioner Chewning asked why the gate was locked and whom owned the private road. Dr. Workman answered, stating that it was the County's understanding that the road remained the property of Mr. John Muncy and that the lots were sold with the understanding that this was a gated private community.

Commissioner Boone asked if all the cars are operable and if they would be parted out. Mr. Daniels stated that the cars were all operable.

Commissioner Baker asked about the confusion of the home occupation. Mrs. Patterson stated that she did not understand the rules at the time the home occupation letter was written.

A public hearing was opened. L.S. Thompson spoke that Mr. Daniels was a good guy and is for the car lot. Danny Brackens spoke in support of Mr. Daniels, Tyeryar(s) stated no questions, just there for support, Seldon Stowers, Jr. spoke against zoning in general, stating "why pay taxes if you cannot do what you want.", Colon Tyeryar spoke in support of the application.

Ken Volkar spoke against the application, stating the DMV will not issue a license on a locked gate and private road. A private, gated community is the reason the people bought the land up there. He spoke on the generation of traffic and hours of operation; stating that nobody that lives within that community wants this.

Ron Umberger spoke on the trash build up and traffic that has been happening since the operation of this car lot. He stated that from his camera he counted four months ago, there was 5 cars past his place, since the gate has be locked open he has counted 37 vehicles within the past 2 months. Mr. Umberger stated that Mr. Daniels has thumbed his nose twice at this Commission.

Harold Cordel stated that he has owned his land at this location for 23 years, the only reason he purchased it was that it was a private gated community. He stated, "they have taken our peace from Brushy Mountain.

Steve Volkar spoke on the road not being able to handle the additional traffic. He asked the commission if Mr. Daniels would really limit his sales to two or so a month. He felt that there were numerous places within the County that would be better suited to support a car lot.

Counsel for Mr. Daniels again approached the commission clarifying about the hours that the gate needed to be open only during business hours. He also stated that if the residents were concerned with the condition of the road supporting the car lot, why did they have no concerns with the firing range and meat packing operations that were currently being operated within that community.

There being no further registered speakers the public hearing was closed. The Commission then discussed the application. Mr. Daniels made the comment that he had built some buildings to accommodate this business, the Commission asked him three separate times if permits were obtained for the construction of the buildings and all three times the response was that he had. Chairman Bradshaw then asked Mr. Cagle, who serves as the Building Official, if permits were obtained for the construction of the structures, he stated that no permits had been issued. He further clarified that the building permit issue would be handled after the zoning process was complete.

The Commission stated that the current site did not fit the need for re-zoning, also stating that Mr. Daniels should have ensured that proper zoning ordinances were followed from the start of the business. Mr. Daniels was informed that had the proper building permits been applied for, this situation could have been avoided.

A motion to forward the application to the BOS with the recommendation to not approve the Re-Zone and CUP was made by Commissioner Dodson, a second was provided by Commissioner Boone. A unanimous ballot was tendered.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

Commissioner Baker made a motion to adjourn the meeting; Commissioner Johnson provided the second, Chairman Bradshaw obliged and the meeting was adjourned.

Joel K. Cagle, Secretary
Bland County Planning Commission