

Bland County Planning Commission Meeting Minutes for January 9th, 2006.

Members Present:

Henry Blessing, John Dodson, Jim Baker, Jerry Mercer, Allen Newberry, Stephen Kelley, Guy Boone, Deborah Looney, R.B. Anderson and Robert Trobaugh

Members Absent:

Elmer Chewning

Others Present:

Jonathan D. Sweet, Planning Commission Secretary, Mr. and Mrs. Kenneth W. Prosch, Applicant, Eli Kinsinger, Applicant

CALL TO ORDER

At 6:30 PM, Planning Commission Chairman Jerry Mercer 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 Jonathan Sweet took the roll call and announced that there was indeed a quorum present.

APPROVAL OF MINUTES

Chairman Mercer requested a motion to approve the minutes of the December 5th, 2005 meeting. Commission Member Newberry made the motion to approve the minutes of the December 5th, 2005 meeting as presented; Commission Member Kelley provided a second and the motion passed unanimously.

ITEMS TABLED FROM PREVIOUS MEETING

Comprehensive Plan Discussion

Secretary Sweet provided an addendum to the Comprehensive Plan Draft that was intended to address the impact the Bland Correctional Center has on the demographics of Bland County. Secretary Sweet requested that the Commission Members review the information and be prepared to make comments, ask questions or acknowledge their satisfaction of the information at the subsequent meeting of the Commission or at a later time when the Comprehensive Plan shall be discussed. Secretary Sweet further requested the Commission continue to think about the goals of the Comp. Plan that will be used as a roadmap to move the County in the direction recommended by the Commission and concurred by the Board of Supervisors.

PUBLIC HEARING ON REZONE AND/OR CUP

CUP Application for a Bed & Breakfast – Kenneth Prosch

Chairman Mercer officially opened the public hearing to receive public comment on Kenneth Prosch's application requesting a Conditional Use Permit to conduct a Bed & Breakfast operation within his home, 350 Valley View Ln.; Bland, Virginia.

Chairman Mercer presented the floor to Mr. Kenneth Prosch to discuss and explain his application and his proposed operation.

Mr. Prosch addressed the Commission and explained that he wished to operate a Bed & Breakfast (B&B) out of his new 5 bedroom home he purchased from Elmo Sadler which he considers a perfect location for such an endeavor. He noted that he is no longer able to participate in the construction trade due to a heredity degenerative bone disease, and his wife was disabled in a car accident many years ago. He explained that a B&B would provide needed supplemental income and allow them to stay busy as well as give back to the community. Mr. Prosch further explained that it is their dream to work out of their home and attempt to make a living. He feels that such an operation would be a mutually beneficial endeavor for both his family as well as the County. He mentioned again that there is not a lot of boarding opportunities in the area and this would provide positive exposure to Bland County.

Chairman Mercer presented the floor to Tonya Edwards to provide her position on the Prosch's B&B application. Tonya Edwards made the statement that she had no problem with the application but had some worries about a guest venturing over on her property. She explained that she was worried about increased liability. She also made mention that although they are not living on the property nor have they begun to build their home, she is expecting a child and her husband works second shift and does not want strangers venturing on her property. She mentioned that a fence may need to be built.

The Commission acknowledged Mrs. Edwards' concern and requested Mr. Prosch to address this concern. Mr. Prosch stated that he has over 4-acres and if visitors wanted to take a stroll he possessed plenty of room for them to do so. Additionally, he stated that the property line is clearly represented with a row of trees. He does not wish to build a fence because he does not see the need, and also, because it would seriously impede his view, detract from the ambiance, and deprecate the scenic beauty and character of his property.

The Commission heard both sides of the matter and felt that there were ways to provide a mutually acceptable resolve. The Commission then made a recommendation to consider the imposition of the following conditions:

1. To abide by all local, state and federal laws applicable to a Bed & Breakfast operation.
2. To establish and clearly display a set of House Rules that would include and effectively notify guests not to encroach upon the property owned by the Edwards.
3. To install "No Trespassing Beyond This Point" signage along the Edwards' property boundary to further prevent guests from encroaching upon the property owned by the

Edwards.

4. That the Bed & Breakfast operation would not exceed guest occupancy above the two (2) bedrooms, as identified by the Prosch's during the presentation of this application, at any one time.

The Commission requested that Mr. Prosch complete the due diligence necessary to answer liability questions regarding any possible encroachment upon the Edwards' property by their guests. This information will be presented during the next public hearing to provide the Board of Supervisors with a level of comfort to further compel the Board to concur with the Commission's recommendation.

Commission Member Looney made a motion to hold a public hearing at the next meeting of the Bland County Planning Commission to receive public comment on Mr. Kenneth Prosch's application requesting a Conditional Use Permit to conduct a bed & breakfast operation within his home, 350 Valley View Ln.; Bland, Virginia. Commission Member Looney provided the second and the motion passed unanimously.

Commission Member Looney made a motion for the approval of Mr. Kenneth Prosch's application for a Conditional Use Permit to conduct a Bed & Breakfast operation within his home, 350 Valley View Ln.; Bland, Virginia with the four (4) above enumerated conditions and provide this recommendation to the Bland County Board of Supervisors. Commission Member Kelley provided the second and the motion passed unanimously.

OLD BUSINESS

None

NEW BUSINESS

CUP Application for a Cottage Industry – Eli Kinsinger

Prior to officially reviewing the application, Chairman Mercer requested Secretary Sweet to provide his determination as the County's Zoning Administrator on accepting and presenting this application for consideration before the Commission. Secretary Sweet explained that as Zoning Administrator he accepted the application due to four distinct reasons. Firstly, the property has been subdivided and sold to a new owner. Secondly, new legislation has been enacted by the Bland County Board of Supervisors since any germane applications have been denied. Thirdly, the application that was submitted is from Eli Kinsinger (this is Mr. Kinsinger's first application to the Commission). Lastly, the application is for a Conditional Use Permit to conduct a Cottage Industry not for the rezoning from an agriculture designation to an industrial designation. Secretary Sweet stated that these four distinct reasons have clearly delineated this application from any application that has been brought before the Commission in the past. Secretary Sweet informed the Commission that to accept this application and move it onto a public hearing would be a demonstration of concurrence.

Chairman Mercer presented the floor to Mr. Eli Kinsinger to brief the Commission on his

requesting a Conditional Use Permit for a cottage industry to conduct a custom, hand-crafted cabinet door operation upon his property, located on Rt. 670 (Mt. Zion Rd.), 2.5 miles from Rt. 42 in Mechanicsburg, Virginia; Tax Parcel No. 71-A-16D.

Eli explained that his ultimate intention is to be able to work on his own land with his children. He does not intend to hire more than one or two individuals in the future outside his family. He stated that he is willing to comply with many of the conditions that have been mentioned from a similar application except for those that would prevent him from conducting his trade or are considered of little value to mitigate concerns.

The Commission directed staff to arrange a site visit for the Planning Commission Members, prior to the public hearing scheduled for February 6th, 2006, to evaluate the issues first hand. Staff acknowledged the request and assured the Commission that this action would be arranged and the Commission would be notified of two potential dates in which a trip would be made to the site. The Commission Members will have the option of choosing the date and time that best fits their individual schedules.

Commission Member Looney made a motion to accept this application and to schedule a public hearing to be held on Monday, February 6th, 2006 at 6:30 PM to consider Mr. Kinsinger's application for a Conditional Use Permit under a Cottage Industry to conduct a custom, hand-crafted cabinet door operation upon his property, located on Rt. 670 (Mt. Zion Rd.), 2.5 miles from Rt. 42 in Mechanicsburg, Virginia; Tax Parcel No. 71-A-16D. Commission Member Baker provided the second and the motion passed unanimously.

ADJOURNMENT

Commission Member Trobaugh made a motion to adjourn the meeting; Commission Member Dodson provided the second.

Chairman Mercer obliged and the meeting was adjourned.