

*Note from the Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.*

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, March 28, 2024**

The Smyth County Planning Commission met in their regular meeting on Thursday, March 28, 2024, at 6:30 P.M. in the Smyth County Office Building.

**Commissioners Present:** Hazel Wagoner, Chairperson, Atkins District; Graham Davidson, Jr., Vice-Chairman, Chilhowie District; Tony Dean, Secretary, Royal Oak District; Lea Meadows, Park District; David Spence, Saltville District; Paul Shepherd, Rye Valley District; and Robert Campbell, North Fork District.

**Staff Present:** Becca Creasy, Kelsey Marchant, and Clegg Williams

At approximately 6:31 p.m., Chairperson Hazel Wagoner called the meeting to order.

**Adoption of Agenda:** Mrs. Wagoner opened the floor for motions to adopt the agenda as presented. Graham Davidson made a motion which was seconded by David Spence, with the following vote recorded.

Vote: 7 yeas                      Campbell, Davidson, Dean, Meadows, Shepherd, Spence, and Wagoner

**Minutes:** Mr. Davidson made the motion to approve the minutes of the Thursday, February 22, 2024, meeting. Mr. Spence seconded the motion, and the following vote was recorded.

Vote: 7 yeas                      Campbell, Davidson, Dean, Meadows, Shepherd, Spence, and Wagoner

**Zoning Administrator Update:** Becca Creasy informed the Commission of the upcoming joint public hearing to rezone James Craig Harper's property from Agriculture/Rural to Commercial. She also indicated that they were planning on making an update to the Zoning Ordinance by changing lot size requirements.

**Citizens Time:** No citizens were present.

**Old Business – Comprehensive Plan:** Mrs. Wagoner opened the floor for discussion about their decision to table the comprehensive plan at their last meeting. The Commissioners read through the plan and noted a few minor edits. Mrs. Wagoner then opened the floor for a motion to adopt the Comprehensive Plan. Mr. Spence made a motion to adopt the Comprehensive Plan with the suggested edits which was seconded by Mr. Shepherd. The following vote was recorded.

Vote: 7 yeas                      Campbell, Davidson, Dean, Meadows, Shepherd, Spence, and Wagoner

**BZA Recommendation:** Becca Creasy reminded the PC members of the right to forward a recommendation to the BZA; however, they are not required to. She explained the County is under contract to purchase a tract of land the current Camp Convenience Station is located upon. Considering the seller is not willing to sell the additional land needed to meet the minimum lot size requirements for lots without public water and sewer, the County is applying for a variance to be exempt. Mrs. Wagoner opened the floor for a recommendation. Mr. Spence made a motion to

recommend the Board of Zoning Appeals approve the variance request as presented. Mr. Shepherd seconded the motion, and the following vote was recorded.

Vote: 7 yeas                      Campbell, Davidson, Dean, Meadows, Shepherd, Spence, and Wagoner

**Questions/Comments from Commissioners:** None.

**Recess:** At approximately 7:00 p.m., Mrs. Wagoner recessed the Planning Commission's meeting for their joint public hearing with the Board of Supervisors.

### **JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS**

**Board Members Present:** Charles Atkins, Chairman, Atkins District; Mike Sturgill, Vice-Chairman, Chilhowie District; Roscoe Call, Saltville District; Rick Billings, North Fork District and Jason Parris, Rye Valley District

**Board Members Absent:** Kris Ratliff, Park District and Courtney Widener, Royal Oak District

**Commissioners Present:** Hazel Wagoner, Chairperson, Atkins District; Graham Davidson Jr., Vice-Chairman, Chilhowie District; Robert Campbell, North Fork District, Lea Meadows, Park District; Tony Dean, Royal Oak District; Paul Shepherd, Rye Valley District; and David Spence, Saltville District

**Staff Present:** Shawn Utt, County Administrator; Clegg Williams, Assistant County Administrator - Development; Becca Creasy, Kelsey Marchant, and Auna Louthian, Administrative Assistants

**Others:** Smyth County Sheriff's Office representative and approximately ten citizens were present

**3/28/2024 7:02 PM** Charles Atkins, Chairman of the Board of Supervisors, and Hazel Wagoner, Chairperson of the Planning Commission, called the joint public hearing to order.

**3/28/2024 7:04 PM** Clegg Williams read the legal ad.

### **BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, March 28, 2024, at 7:00 P.M. or as soon after 7:00 P.M. as the application described below may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, for the Planning Commission to consider whether to recommend the approval, and the Board of Supervisors to consider whether to accept the Planning Commission's recommendation on the following application to the Zoning Ordinance of Smyth County, Virginia:

*Pursuant to Section 9-2.1, the Board of Supervisors of Smyth County, Virginia, proposes to amend the official Zoning Map of Smyth County, Virginia, by rezoning parcels identified as Tax Map Nos. 41A-4-1 and 41A-4-2 being at the intersection of Valley Road, Hwy 107 and South Wood Lane in Saltville from Agricultural/Rural to Commercial.*

At these public hearings, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia, any person may appear and state his/her views thereon.

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County and may be seen upon request. Copies are also maintained by the County Zoning Administrator at the address given above and may be viewed upon request during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend, and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315 at least 48 hours prior to the hearing.

Smyth County fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Discrimination Complaint Form, contact (276) 783-3298 or at <https://www.smythcounty.org>.

Done by order of the Board of Supervisors and the Planning Commission.

Shawn Utt, County Administrator  
Hazel Wagoner, Chairperson of the Planning Commission

**3/28/2024 7:04 PM** Mr. Atkins opened the floor for a motion to waive reading the rules for public hearings. Rick Billings made a motion to waive reading the rules; it was seconded by Jason Parris and unanimously carried.

**3/28/2024 7:06 PM** Mr. Williams provided a synopsis of the events leading to tonight's meeting. He indicated that, at the January 25, 2024, meeting, the Planning Commission recommended the Board deny James Craig Harper's Special Use Permit request for a Service Business on his property located at the intersection of Hwy 107, Valley Road and South Wood Lane and consider rezoning the property to commercial. The Board directed staff to schedule a public hearing to take public comments on rezoning the Harper properties to Commercial.

**3/28/2024 7:07 PM** Mr. Williams opened the floor for Mr. Harper to speak. Mr. Harper declined, stating he would like to hold his time for rebuttal.

**3/28/2024 7:07 PM** Jim Carter, 130 Valley Road, Saltville, spoke in support of rezoning Mr. Harper's property, if stipulations are placed – fencing, limitation on number of vehicles, what will be removed after rezoning, and forbid farming on the property. Mr. Williams explained that farming is not allowed in the Commercial District.

**3/28/2024 7:08 PM** Nannie Woodward, 174 Southwood Lane, Saltville asked about the ownership of the property, as she knew Mr. Harper did not own the property. Mr. Williams clarified that Mr. Harper maintains a life estate on the property. She echoed Mr. Carter's concerns. Mr. Williams stated that only the special use permit would allow for stipulations; rezoning does not, and further explained a few uses allowed by right in the Commercial District, and the definition of a junkyard - up to three unlicensed and inoperable vehicles.

**3/28/2024 7:11 PM** Mike Morgan, 175 Southwood Lane, Saltville stated his biggest concern was that of a private driveway being used commercially. Mr. Williams indicated that Mr. Harper will be required to have an entrance approved by VDOT.

**3/28/2024 7:12 PM** With no other citizens signed up or requesting to speak, Mike Sturgill asked Mr. Harper if he would have an entrance off Valley Road to which Mr. Harper indicated that he would ask VDOT.

**3/28/2024 7:13 PM** Roscoe Call asked Mr. Williams to further explain how automobile graveyard is defined to which Mr. Williams replied accordingly.

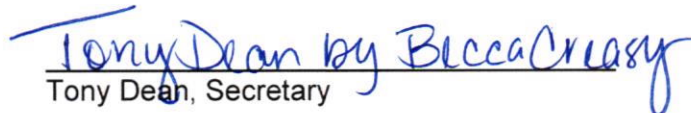
**3/28/2024 7:15 PM** With no further discussion or comments, Mr. Atkins and Mrs. Wagoner closed the joint public hearing.

**3/28/2024 7:15 PM** Mrs. Wagoner reconvened the Planning Commission meeting to deliberate the map amendment.

**3/28/2024 7:16 PM** With no further comments, Graham Davidson, Jr. made a motion to recommend the Board approve rezoning the properties at the intersection of Hwy 107, Valley Road and South Wood Lane (Tax Map Nos. 41A-4-1 and 41A-4-2) from Agricultural/Rural to Commercial. The motion was seconded by David Spence and the following vote was recorded.

Vote:	6 yeas	Campbell, Davidson, Meadows, Shepherd, Spence, and Wagoner
	0 nays	
	1 abstain	Dean

**3/28/2024 7:17 PM** Mr. Spence made a motion to adjourn the Planning Commission meeting. The motion was seconded by Mr. Davidson Jr and the vote was unanimously approved.

  
Tony Dean, Secretary