

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, January 28, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, January 28, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Dennis Blevins, Norman Sparks, Graham Davidson, Amy Tuell, Karl Kalber and Wayne Venable **Absent:** Don Medley

**Staff Present:** Clegg Williams, Becca Kirk and Sally Morgan

Chairman Blevins called the meeting to order and opened the floor for motions to approve the agenda as adopted. Mr. Sparks made a motion which was seconded by Mr. Davidson and unanimously approved.

**Election of Officers:** Mr. Blevins first took nominations for temporary Chairman. Mr. Kalber nominated Mr. Williams, seconded by Mr. Davidson, and with no other nominations it was unanimously carried that Mr. Williams act as temporary Chairman.

Chairman: Mr. Williams then opened the floor for nominations of Chairman for calendar year 2010. Mr. Blevins nominated Mr. Kalber for Chairman; it was seconded by Mr. Davidson. With no other nominations it was unanimously carried that Mr. Kalber act as Chairman for 2010. Mr. Williams then turned the meeting over to Mr. Kalber.

Vote: 5 yeas	(Davidson, Blevins, Sparks, Venable, and Tuell)
1 abstain	(Kalber)
1 absent	(Medley)

Vice Chairman: Mr. Kalber opened the floor for nominations of Vice-Chairman for calendar year 2010. Mr. Davidson nominated Mr. Blevins for Vice Chairman; it was seconded by Mr. Kalber. With no other nominations it was unanimously carried that Mr. Blevins act as Vice-Chairman for 2010.

Vote: 5 yeas	(Davidson, Kalber, Sparks, Venable and Tuell)
1 abstain	(Blevins)
1 absent	(Medley)

Secretary: Mr. Kalber opened the floor for nominations of Secretary for calendar year 2010. Ms. Tuell nominated Mr. Venable; it was seconded by Mr. Davidson. With no other nominations it was unanimously carried that Mr. Venable act as Secretary for 2010.

Vote: 5 yeas	(Davidson, Kalber, Blevins, Sparks, and Tuell)
1 abstain	(Venable)
1 absent	(Medley)

**Appointment of Clerk:** Mr. Kalber opened the floor for nomination of Clerk for calendar year 2010. Mr. Blevins nominated Mrs. Kirk; it was seconded by Mr. Davidson. With no other nominations it was unanimously carried that Mrs. Kirk act as Clerk for 2010.

Vote: 5 yeas	(Davidson, Kalber, Blevins, Sparks, Venable and Tuell)
1 absent	(Medley)

**Set Calendar year 2010:** It was decided to continue the practice of meeting on the fourth Thursday of each month at 6:00 p.m. with the exception of November and December due to holidays. Those meetings were scheduled for Thursday, November 18 and Thursday, December 16 both at 6:00 p.m.

**Minutes:** Mr. Sparks made a motion to approve the minutes of the Thursday, December 17, 2009, meeting. Mr. Venable seconded the motion and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time

**Committee Appointments:** Sign Ordinance: It was the opinion of the Commission that the members from last year's sign ordinance committee continue for 2010, or until finalized. Those members are Mr. Kalber, Ms. Tuell and Mr. Sparks.

Comprehensive Plan Committee: Mr. Kalber opened the floor for volunteers. After discussion the committee will consist of Mr. Blevins, Mr. Kalber and Mr. Sparks.

**2009 Annual Report:** The Commission briefly discussed the 2009 annual report which was distributed to the Commission members. Mr. Blevins made a motion to approve the report with one grammatical change. The motion was seconded by Mr. Sparks and unanimously carried.

**Budget for 2010-2011 fiscal years:** Mr. Williams presented the 2010-2011 Planning Commission budget. Mr. Williams informed the Commission that he had not received instructions to make any budget cuts and if that matter arose, he would bring the budget back to the Commission for review and approval. Upon motion of Mr. Davidson, seconded by Mr. Blevins, and unanimously carried, the budget report will be forwarded to the Budget Committee as presented.

**Training:** Mr. Williams reviewed the CPEAV 2010 Training Calendar and asked that any Commissioner wishing to attend any of the programs presented please contact him to make arrangements.

**Adjournment:** Upon motion of Mr. Blevins, seconded by Mr. Sparks and unanimously carried the meeting was adjourned at approximately 6:35 p.m.

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Wayne Venable, Secretary

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, February 25, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, February 25, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Dennis Blevins, Norman Sparks, Graham Davidson, Amy Tuell, Karl Kalber and Wayne Venable **Absent:** Don Medley

**Staff Present:** Clegg Williams and Becca Kirk

Chairman Kalber called the meeting to order and opened the floor for motions to approve the agenda as adopted. Mr. Sparks made a motion which was seconded by Mr. Venable and unanimously approved.

**Minutes:** Mr. Venable made a motion to approve the minutes of the Thursday, January 28, 2010, meeting. Ms. Tuell seconded the motion and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time

**Adoption of Operating Procedures:** Mr. Blevins made a motion to delete the second sentence of number 1 under Organizational Actions by Planning Commission at January meeting. Mr. Venable seconded the motion and it passed unanimously. Mr. Venable made a motion to add another item to be numbered as 27 under the General section stating the use of tobacco products shall be prohibited by Planning Commissioners during a public meeting. Mr. Sparks seconded the motion, which carried. The vote was as follows:

5 yeas:	Tuell, Venable, Sparks, Kalber, and Davidson
1 abstain:	Blevins
1 absent:	Medley

After discussion of these items, Mr. Sparks made a motion to adopt the Operating Procedures with the two additions discussed above; it was seconded by Mr. Venable and the motion passed unanimously.

**Other Business:** Mr. Williams informed the Commission that a Comprehensive Plan Committee meeting was held today and felt the proposed revision would be completed in a timely manner. He further informed them that their Ordinance Committee also met today and finalized the proposed Sign Ordinance and their final draft will be presented to the full Commission at next month's meeting.

**Adjournment:** Upon motion of Mr. Sparks, seconded by Mr. Blevins and unanimously carried the meeting was adjourned at approximately 6:20 p.m.

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Wayne Venable, Secretary

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, March 25, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, March 25, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Dennis Blevins, Norman Sparks, Graham Davidson, Amy Tuell, Karl Kalber, Wayne Venable, and Don Medley

**Staff Present:** Clegg Williams and Becca Kirk

Chairman Kalber called the meeting to order and opened the floor for motions to approve the agenda as adopted. Mr. Sparks made a motion which was seconded by Mr. Venable and unanimously approved.

**Minutes:** Mr. Venable made a motion to approve the minutes of the Thursday, February 25, 2010, meeting. Ms. Tuell seconded the motion and it passed unanimously.

**Citizens' Time:** Mr. Kalber took the opportunity to review a discussion held during the Comprehensive Plan Committee meeting held earlier in the day about the County's school system. No other citizens were present.

**Subdivision Ordinance:** Mr. Williams explained the County's request to create a right of way to a proposed site for a well supplementing the current Hutton Branch Water Line. The property is currently owned by Robert Dix and is located at the end of Countryside Drive in Marion. Mr. Williams reminded the Commission that the proposed changes to the Subdivision Ordinance would except "utilities" from the Ordinance. However, the proposed changes are still before the Board's Ordinance Committee for recommendation to the full Board. Mr. Blevins made a motion to approve the right of way request, which was seconded by Ms. Tuell, and unanimously passed.

**Proposed Sign Regulations:** Mr. Williams presented the proposed sign regulations which were completed by the Commission's Ordinance Committee last month. With minor grammatical changes, Mr. Blevins made a motion to present the proposed regulations to John Tate, County Attorney, for review and comments. He requested that Mr. Tate provide his comments by their next meeting scheduled for April 22, 2010. Mr. Venable seconded the motion and it passed unanimously.

**Adjournment:** Upon motion of Mr. Sparks, seconded by Mr. Medley and unanimously carried the meeting was adjourned at approximately 6:30 p.m.

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Wayne Venable, Secretary

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

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, April 22, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, April 22, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Amy Tuell, Dennis Blevins, and Graham Davidson

**Commissioners Absent:** Wayne Venable and Don Medley

**Staff Present:** Clegg Williams and Becca Kirk

At approximately 6:00 p.m. Chairman Kalber called the meeting to order.

**Adoption of Agenda:** Mr. Sparks made a motion to adopt the agenda as presented which was seconded by Mr. Blevins and unanimously passed.

**Approval of Minutes:** Ms. Tuell made a motion to approve the minutes of the Thursday, March 25, 2010, meeting. Mr. Davidson seconded the motion and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time. Mr. Kalber took the opportunity to thank the members and staff for the condolences sent during his family's time of loss.

**Subdivision Ordinance: *Robert and Emily Taylor:*** Mr. Williams explained that Mr. and Mrs. Taylor purchased lots from the Doug and Tamara Witt lands which had been divided under exception 2 of the Subdivision Ordinance. They now propose to redivide lot 9 into two separate lots. One of those lots will be sold to an adjoining property owner. Mr. Taylor was there to answer questions from the Commission. He explained that the adjoining property owners, Ms. Dillard and Mr. Salks' well is high in sulphur and they desire to purchase the property for access to the County water line being installed along Fox Valley Road. Each lot will have 25' road frontage. Ms. Dillard and Mr. Salks do not intend to use this 25' as an entrance; it will be mainly for a water line. Mr. Blevins made a motion to approve Mr. Taylor's request which was seconded by Mr. Davidson, and unanimously passed.

***Mike and Vickie Taylor:*** Mr. Williams explained that Mr. and Mrs. Taylor also purchased land that was subdivided under exception 2 of the Subdivision Ordinance. They now wish to divide their property into four more lots. Bill Rush, Custom Solutions Realty, was present to represent Mr. and Mrs. Taylor and address any questions from the Commission. He explained the Mr. and Mrs. Taylor enlisted his company to sale their home. An interested purchaser has stated their desire to retain the existing driveway and the land located behind the house. Another interested party desires to purchase two lots along Whitetop Road. Mr. Rush stated that VDOT has approved entrances to the four separate lots but feels that the entire property will be sold to two parties. Ms. Tuell made a motion to approve Mr. and Mrs. Taylor's request for the four lot division which was seconded by Mr. Davidson and unanimously passed.

**Other Business:** Mr. Williams explained that the Comprehensive Plan Committee scheduled for today was cancelled due to the lack of information obtained. Mr. Kalber reiterated a portion of the last committee meeting for the Commission members, mainly regarding concerns with the school system. After discussion, it was decided the May Comprehensive Plan Committee meeting would be dedicated to the education sections of the plan. Mr. Kalber is to extend an invitation to those that have expressed interest and Mr. Williams is to request the School Board have a representative in attendance.

**Recess:** Chairman Kalber recessed the Commission meeting at approximately 6:30 p.m. for a joint public hearing with the Board of Supervisors to be held at 7:00 p.m.

**Public Hearing:** At 7:00 p.m. the Chairman of the Board of Supervisors and Chairman of the Planning Commission called the joint public hearing to order. Mr. Michael Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**Board Members Present:** Chairman Charlie Clark, Regina Davidson, Wade Blevins, Darlene Neitch, Brenda Waddell, Todd Dishner and Roscoe Call. **Absent:** None

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Amy Tuell, Dennis Blevins and Graham Davidson. **Absent:** Wayne Venable and Don Medley

**Staff Present:** Clegg Williams, Becca Kirk, Michael Carter, Pam Testerman, Sally Morgan, John H. Tate Jr.

**Others Present:** Smyth County News and Messenger and approximately 50 citizens were present.

Seth Heath - Special Use Permit: Mr. Williams summarized an application submitted by Seth Heath to operate a commercial rodeo ring/arena. He explained that Mr. Heath purchased approximately 24.5 acres which included the structures addressed as 1209 and 1217 Fox Valley Road and the existing riding ring. Mr. Williams stated he advertised tonight's joint public hearing in the Smyth County News on April 10 and 17 and mailed notice to each applicant's adjoining property owners. He stated he had not received any comments to be relayed at the hearing. He referenced the proper sections of the Ordinance pertaining to Special Use Permits, rodeo ring, and arena.

Mr. Heath was present to address questions and concerns including the following: he would use the existing entrance and it will be the only entrance, restroom facilities will be portable, there will be no concessions, operating hours will be on Saturdays starting at 5 or 6 p.m. until midnight, he estimated operating four to five times per year (usually one big event per month), there will not be on premise security or first aid personnel, and there will be a no alcohol/drug policy. He stated he has been involved with rodeos for the past 15 years in the Virginia and Tennessee areas. He estimates that each event will have approximately 30 participants. Insurance coverage is currently in the process. He feels he has adequate parking and access to the premises.

Kathleen Nicholson was the only citizen present who voiced concerns with the traffic and noise. She lives directly across the street and is concerned the commotion of the rodeos will have a negative effect on local residents.

Mr. Heath addressed Ms. Nicholson's concerns by stating they have tested the sound system and could not hear it at his house located on the same property. He stated that they will direct the sound system away from Ms. Nicholson's residence. Ms. Nicholson stated that Mr. Heath has not tried out the system with animals and public and is concerned that once the Special Use Permit is issued, it won't matter to Mr. Heath.

No one else spoke on this application.

Rich Valley Agricultural Fair Association – Special Use Permit: Mr. Williams summarized an application submitted by the Rich Valley Agricultural Fair Association (hereinafter referred to as "Fair") for a Special Use Permit to expand a non-conforming use. He explained that for decades the Fair has conducted an annual weeklong fair consisting of a variety of events with occasional horse shows held outside of fair week. Recently, there has been a desire to expand the number of events held on the property as well as introduce new events. Some of their most recent events include ATV races, high school rodeo, and a team pinning event conducted by a third party. Mr. Williams explained that while working with the Fair on the application process he learned of plans to conduct bingo, professional wrestling, and auctions. He stated that while some of the proposed uses could be considered allowed "by right," he felt others were regulated by the Ordinance and require a Special Use Permit. He stated he had not received any comments on the application. He again referenced the Special Use Permit section of the Ordinance as well as the section for expansion of non-conforming uses.

Randi Davis was present representing the Fair. She stated the Rich Valley Agricultural Fair Association is celebrating its 75<sup>th</sup> year. She stated the Fair is a non-profit organization and wishes to conduct other various activities outside the regular fair week. She stated that the Fair would like to be permitted to be open to the community throughout the year to utilize the property to practice for ATV races, ride horses, picnics, etc. She further stated liability insurance does cover citizens outside fair week activities.

No one else spoke on this application.

Francis & Patricia Taylor – Special Use Permit: Mr. Williams summarized the application from Mr. and Mrs. Taylor (owners and operators of Promise Land Animal Rescue, hereinafter referred to as "Rescue") by stating since their beginning, Rescue has operated out of a horse barn located on the Taylor's property in Groseclose. They now propose to construct a new facility to house the rescued small animals. He again referenced the Special Use Permit section as well as the section for expansion of non-conforming uses in the Ordinance.

Francis Taylor was present and summarized his history of caring for animals on a smaller scale many years ago. His farm houses approximately 15-20 personal horses in a 15 stall barn with a riding ring and storage for approximately 5,000 bales of hay. As word got out, people started dropping off stray animals at the farm which he and his family would take in and care for. Eventually, volunteers started helping care for the strays and each animal is spayed/neutered,

given up to date shots, and visited by, Christy Boyd, local veterinarian almost weekly. Mr. Taylor states that the Rescue operates a "no kill" facility.

Susan Graf, daughter of Mr. and Mrs. Taylor and program manager of the Rescue also spoke. She stated that they often go to local shelters and rescue animals before they are euthanized. They provide humane education to locals, including boy and girl scouts and churches. The rescued animals are also utilized for rehabilitation purposes for physically or mentally limited individuals. She stated that the proposed new structure will remove the small animals from the barn with the larger animals. It will have approximately 20 kennels, office, lobby, classroom, grooming, two large rooms for cats, and an apartment for a caretaker. The construction costs will be provided through fundraisers. She feels the proposed new structure will improve the living arrangements for the animals as well as improving the facilities overall. She stated the Rescue does file annual reports with Department of Agriculture and they have relocated approximately 500 to 600 animals within the last four years.

Danielle Graf, granddaughter of Mr. and Mrs. Taylor, was present and expressed her role with the Rescue. She estimates the building will be less than 4,000 square feet and will have a special drainage and septic system installed for the animal waste. She feels the project will take from six months to one year to complete. She presented a petition with 300 signatures supporting the Rescue's request.

Several citizens were present voicing their support of this request including Carolann Johnson, Darrin Handy, Susie Ellis, and Beverly Haddock. They feel the expansion will improve the facility as well as the care of the animals.

Two citizens were present voicing opposition of this request based on concerns for noise, surface runoff, runoff of horse waste contaminating creek, horses overcrowding the farm, and current land management (Shannon Williams and Nada Pickle).

The officers of the Rescue responded to the comments in opposition stating the waste from the small animals would be contained in a septic system and waste from the large animals (horses) would be stockpiled on a flat surface for disposal to local farmers for fertilization. Mr. Taylor stated that the horses were now being fed hay instead of grazing to allow the fields to establish vegetation on the balding spots. The Rescue feels all other complaints will be resolved once the construction is finalized and animals can be appropriately relocated on the farm. They feel the recent drought and unusual winter hampered the conditions of the farm.

Chairman Clark and Chairman Kalber closed the joint public hearing at 8:05 p.m.

Chairman Kalber recessed the Planning Commission.

Chairman Kalber reconvened the Commission at approximately 8:10 p.m.

**Recommendation on Seth Heath's application for special use permit:** After brief discussion, Ms. Tuell made a motion to recommend the Board of Supervisors approve Mr. Heath's application for a Special Use Permit to operate a *Rodeo/Riding Arena*. The motion was seconded by Mr. Davidson, and unanimously carried.



**Recommendation on Rich Valley Agricultural Fair Association's application for special use permit:** Mr. Sparks made a motion to recommend the Board of Supervisors approve Rich Valley Agricultural Fair Association's application for a Special Use Permit to expand a non-conforming use. The motion was seconded by Ms. Tuell, and unanimously carried.

**Recommendation on Francis and Patricia Taylor (Promise Land Animal Rescue) application for special use permit:** After brief discussion, Mr. Davidson made a motion to recommend the Board of Supervisors approve Mr. and Mrs. Taylor's application for a Special Use Permit to expand a non-conforming use. The motion was seconded by Mr. Sparks, and unanimously carried

**Adjournment:** Upon motion of Ms. Tuell, seconded by Mr. Sparks and unanimously carried the meeting was adjourned at approximately 8:35 p.m.

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Wayne Venable, Secretary

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, May 27, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, May 27, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Dennis Blevins, Amy Tuell, Karl Kalber, and Wayne Venable

**Commissioners Absent:** Graham Davidson and Norman Sparks (Rye Valley District position vacant)

**Staff Present:** Clegg Williams and Becca Kirk

Chairman Kalber called the meeting to order and opened the floor for a motion to approve the agenda as presented. Mr. Blevins made a motion which was seconded by Mr. Venable and unanimously approved.

**Minutes:** Mr. Blevins made a motion to approve the minutes of the Thursday, April 22, 2010, meeting. Mr. Venable seconded the motion and it passed unanimously.

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

**Subdivision Ordinance:** (Richard Hamm) Mr. Williams presented a request from Mr. Hamm to place three manufactured homes on his approximate 21 acres of vacant land located on St. Clairs Creek Road in Chilhowie. Rosa Blevins was present and represented Mr. Hamm as his property manager. She stated Mr. Hamm intends to fence out approximately one acre for placement of the three manufactured homes. A driveway is planned for access to all three home sites as well as the remaining twenty acre tract. She stated that each home will have separate septic systems and access to public water. Ms. Tuell stated her concerns regarding Mr. Hamm not involving and speaking with his neighbors about his proposal. Ms. Blevins confirmed that Mr. Hamm has not spoken to his neighbors. Upon motion by Mr. Blevins, seconded by Mr. Venable, Mr. Hamm's site development plan to place three manufactured homes on a single tract of land was approved and unanimously passed.

**Zoning Ordinance:** Mr. Williams informed the Commission the Board unanimously approved all three zoning applications presented at last month's public hearing: Seth Heath, Special Use Permit for a rodeo ring/arena; Francis and Patricia Taylor, Special Use Permit to expand a non-conforming use (kennel); and Rich Valley Agricultural Fair Association, Special Use Permit to expand a non-conforming use (fairground activities, etc.)

**Proposed Sign Regulations:** Mr. Williams updated the Commission on the sign regulations present before Mr. Tate for his review. Mr. Tate has stated he will review the proposal and provide his opinion by the June meeting. Mr. Williams relayed information regarding CPEAV training available and asked anyone interested to please let him know as soon as possible.

**Adjournment:** Upon motion of Ms. Tuell, seconded by Mr. Venable and unanimously carried the meeting was adjourned at approximately 6:30 p.m.

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Wayne Venable, Secretary

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

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, June 24, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, June 24, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Amy Tuell, Dennis Blevins, Graham Davidson and Wayne Venable (Rye Valley District vacant)

**Staff Present:** Clegg Williams and Becca Kirk

At approximately 6:00 p.m. Chairman Kalber called the meeting to order.

**Adoption of Agenda:** Mr. Venable made a motion to adopt the agenda as presented which was seconded by Mr. Sparks and unanimously passed.

**Approval of Minutes:** Mr. Venable made a motion to approve the minutes of the Thursday, May 27, 2010, meeting. Mr. Blevins seconded the motion and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time.

**Other Business:** Mr. Blevins asked the status of the proposed sign regulations. Mr. Williams explained Mr. Tate had sent some revisions and further discussion was needed between them on a few items.

**Recess:** Chairman Kalber recessed the Commission meeting at approximately 6:04 p.m. for a joint public hearing with the Board of Supervisors to be held at 7:00 p.m.

**Public Hearing:** At 7:00 p.m. the Chairman of the Board of Supervisors and Chairman of the Planning Commission called the joint public hearing to order. Mr. Michael Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**Board Members Present:** Chairman Charlie Clark, Regina Davidson, Wade Blevins, Darlene Neitch, Brenda Waddell, Todd Dishner and Roscoe Call. **Absent:** None

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Amy Tuell, Dennis Blevins, Graham Davidson and Wayne Venable (Rye Valley District vacant)

**Staff Present:** Clegg Williams, Becca Kirk, Michael Carter, Pam Testerman, Sally Morgan, John H. Tate Jr., Charlie Atkins, and Scott Simpson

**Others Present:** Smyth County News and Messenger and approximately 35 citizens were present.

*Lakeside Ready Mix, Inc. — Application to Amend the Zoning Map:* At approximately 7:05 p.m. Mr. Williams explained an application from Lakeside Ready Mix, Inc. (Lakeside) to amend the zoning map. He stated that when he first met the VanDyke family who own and operate

Lakeside, they did not have a specific site chosen but desired to expand their concrete business to Smyth County. Mr. Williams explained the property needed to be zoned Industrial and then an approved application for a Special Use Permit would be required. With that knowledge, Lakeside began searching for a suitable tract. Ultimately they decided on a 5 acre tract of land currently owned by Rusty Cassell on the corner of Lee Hwy and Bear Creek Roads. The property is currently zone Agricultural/Rural and is identified by Tax Map No. 48-A-12. Mr. Williams pointed out the 2003 Comprehensive Plan identifying this property as Commercial/Industrial for future land use. Additionally, it is also located in the Atkins Enterprise Zone.

For both of tonight's hearings, Mr. Williams said Lakeside and the Smyth-Wythe Joint Airport Commission filed their application with the required fee and first class mailing was sent to all adjoining property owners. The required legal notice of hearing ran on June 12 and 19 of the Smyth County News, for both applications.

Mr. Williams then read into the records a letter of support from Jared Fravel, Merillat and a letter from Becky Bane, VDOT Permit Specialist summarizing the VDOT entrance requirements.

Rusty VanDyke was present representing Lakeside. He stated the business is family owned and has been in operation for 11 years. Lakeside intends to expand their operation to Smyth County. He stated the operation would start out with a few employees and run approximately 3 trucks. He presented a site plan to the room.

One citizen spoke in opposition to the application, Dan Rapoza. Mr. Rapoza lives across Lee Hwy from the site and is extremely concerned about the pollution a concrete operation can create. Mr. VanDyke assured Mr. Rapoza their operation was clean and was required to obtain various permits pertaining to the environment from several agencies. Mr. VanDyke described the dust collection process used by Lakeside to collect any dust for reuse. Mr. Rapoza felt Lakeside was being untruthful and only telling the information they wanted people to hear.

Graham Davidson and Norman Sparks both spoke favorably of the operations by Lakeside in Washington County. Each of them visited the Washington County site unannounced the day before and was impressed by the operations.

No one else spoke on the application.

Smyth-Wythe Joint Airport Commission – Special Use Permit. Mr. Williams summarized an application submitted by the Smyth-Wythe Joint Airport Commission (Airport) for a Special Use Permit to expand a non-conforming use. Mr. Williams explained when zoning was adopted in 2002, airports were not contemplated and as a result are not considered a "by right" use nor a use permitted by "special use". As a result, the airport is considered a non-conforming use. The property is zoned Agricultural/Rural and is identified as Tax Map No. 38-A-102 and is identified in the 2003 Comprehensive Plan as Commercial/Industrial for future land use. The Airport plans to add a new terminal to their facilities. Mr. Williams received general comments but was not asked to forward them at tonight's hearing. He referenced the Special Use Permit section of the Ordinance as well as the section for expansion of non-conforming uses.

Bob Dix was present representing the Airport. He stated his opinion that the Airport should have been considered during the zoning process in 2002. He stated the airport has not constructed a building in many years and now wishes to construct a new terminal.

J. W. Cumbow spoke on the application. He stated he feels the airport has ruined the development potential for his property and feels the addition of a terminal may lead to more expansions resulting in more restrictions to his property.

No one else spoke on this application.

Chairman Clark and Chairman Kalber closed the joint public hearing at 7:41 p.m.

Chairman Kalber recessed the Planning Commission.

Chairman Kalber reconvened the Commission at approximately 7:51 p.m. in the Fourth Floor Board room.

**Recommendation on the request of Lakeside Ready Mix, Inc. for a Map Amendment:**

After discussion, Mr. Blevins made a motion, which was seconded by Mr. Davidson and unanimously carried, to recommend the Board of Supervisors approve the application for a Map Amendment. The property is currently zoned A/R and is recommended to be rezoned I. The property is identified as being located at the intersection of Lee Hwy and Bear Creek Road, consisting of five acres, and further identified as being a portion of Tax Map No. 48-A-126.

**Recommendation on Smyth-Wythe Joint Airport Commission application for special use permit:**

Ms. Tuell made a motion to recommend the Board of Supervisors approve Smyth-Wythe Joint Airport Commission's application for a Special Use Permit to expand a non-conforming use by constructing a terminal. The motion was seconded by Mr. Venable, and unanimously carried.

**Adjournment:** Upon motion of Mr. Davidson, seconded by Ms. Tuell and unanimously carried the meeting was adjourned at approximately 8:20 p.m.

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Wayne Venable, Secretary

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

## **SMYTH COUNTY PLANNING COMMISSION** **Thursday, July 22, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, July 22, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Dennis Blevins, Graham Davidson and Wayne Venable; **Absent:** Amy Tuell (Rye Valley District vacant)

**Staff Present:** Clegg Williams and Becca Kirk

At approximately 6:00 p.m. Chairman Kalber called the meeting to order.

**Adoption of Agenda:** Mr. Venable made a motion to adopt the agenda as presented which was seconded by Mr. Davidson and unanimously passed.

**Approval of Minutes:** Mr. Venable made a motion to approve the minutes of the Thursday, June 24, 2010, meeting with the correction of a typographical error. Mr. Sparks seconded the motion and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time.

**Subdivision Ordinance:** Mr. Williams explained a request for a subdivision variance from William Sheets. Mr. Sheets is replacing his existing septic system and is negotiating to purchase a portion of his neighbor's land (Richard and Ann Saufley). The lot is not a self-sufficient lot and will only be approximately 20' in width. Mr. Sheets was present and stated a survey had been performed and a plat was being prepared. In addition to the septic issues, Mr. Sheets indicated the additional land would bring his total lot size in line with his adjoining lot owners. Mr. Sparks made a motion to approve Mr. Sheets' request which was seconded by Mr. Venable and passed unanimously.

**Other Business:** Mr. Williams relayed the Board's decision to approve Smyth-Wythe Joint Airport Commission's application for a Special Use Permit and Lakeside Ready Mix's map amendment.

**Recess:** Chairman Kalber recessed the Commission meeting at approximately 6:11 p.m. for a joint public hearing with the Board of Supervisors to be held at 7:00 p.m.

**Public Hearing:** At 7:00 p.m. the Chairman of the Board of Supervisors and Chairman of the Planning Commission called the joint public hearing to order. Mr. Michael Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**Board Members Present:** Chairman Charlie Clark, Regina Davidson, Wade Blevins, Darlene Neitch, Brenda Waddell, Todd Dishner and Roscoe Call; **Absent:** None

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Dennis Blevins, Graham Davidson, and Wayne Venable; **Absent:** Amy Tuell, (Rye Valley District vacant)

**Staff Present:** Clegg Williams, Becca Kirk, Michael Carter, Pam Testerman, Sally Morgan, John H. Tate Jr., and Scott Simpson

**Others Present:** Smyth County News and Messenger and approximately 3 citizens were present.

Lakeside Ready Mix, Inc. — Application for a Special Use Permit. At approximately 7:03 p.m. Mr. Williams stated with the recent approval of Lakeside Ready Mix's (Lakeside) request for a map amendment, they now request a Special Use Permit to operate a concrete manufacturing/processing facility. Mr. Williams stated the property is located at the intersection of Lee Hwy and Bear Creek Road in Marion and is identified as being a portion of Tax Map No. 48-A-126. Mr. Williams said Lakeside filed their application with the required fee and first class mailing was sent to all adjoining property owners. He also pointed out the pertinent sections of the Zoning Ordinance for Special Use Permits. The required legal notice of hearing ran on July 10 and 17 of the Smyth County News, for both applications.

Rusty VanDyke was present representing Lakeside. However, due to the details presented during the map amendment application, no other explanations were requested from either the Planning Commission or Board of Supervisors. No one spoke on the application.

Chairman Clark and Chairman Kalber closed the joint public hearing at 7:05 p.m.

Chairman Kalber recessed the Planning Commission.

Chairman Kalber reconvened the Commission at approximately 7:06 p.m.

**Recommendation on the request of Lakeside Ready Mix, Inc. for a Special Use Permit:** Without discussion, Mr. Blevins made a motion, which was seconded by Mr. Davidson and unanimously carried, to recommend the Board of Supervisors approve the application for a Special Use Permit to operate a concrete manufacturing/processing facility on property located at the intersection of Lee Hwy and Bear Creek Road and as being a portion of Tax Map No. 48-A-126.

**Adjournment:** Upon motion of Mr. Sparks, seconded by Mr. Blevins and unanimously carried the meeting was adjourned at approximately 7:07 p.m.

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Wayne Venable, Secretary

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

## **SMYTH COUNTY PLANNING COMMISSION** **Thursday, August 26, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, August 26, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Graham Davidson, Wayne Venable, Amy Tuell, and Dennis Blevins (arrived 6:22); **Absent:** Pokey Harris

**Staff Present:** Clegg Williams and Becca Kirk

At approximately 6:00 p.m. Chairman Kalber called the meeting to order.

**Adoption of Amended Agenda:** Ms. Tuell made a motion to adopt the amended agenda as presented which was seconded by Mr. Sparks and unanimously passed.

**Approval of Minutes:** Mr. Venable made a motion to approve the minutes of the Thursday, July 22, 2010, meeting. Mr. Sparks seconded the motion and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time.

**Subdivision Ordinance:** Luther Williams - Mr. Williams explained a request for a re-division from Luther Williams. Luther Williams proposes to reduce his property from three lots to two lots. He has a potential buyer for the 20 ± acres and only intends to sell it to one buyer as one tract. Considering this re-division does not create any new rights of way, Mr. Davidson made a motion to approve the request with the staff recommendation to require a new plat showing the two "new" lots and a condition that neither lot can be re-divided in the future without Planning Commission approval or the upgrade of Endless View Drive to state standards which was seconded by Mr. Sparks and passed unanimously.

David G. Ashlin Division Approval: Mr. Williams explained the proposal of dividing Mr. Ashlin's land into three tracts which is planned for public auction over the weekend. Considering the land was previously divided as a subdivision, they are requesting approval to re-divide the lots in accordance with the use on each of the lots. The house lot will contain 0.316 acres, the car wash lot will contain 0.396 acres, and the store lot will contain 0.496 acres. Mr. Davidson made a motion to approve the re-division which was seconded by Mr. Blevins, and unanimously passed.

**Board of Zoning Appeals Recommendation:** Mr. Williams presented an application filed with the Board of Zoning Appeals by Lakeside Ready Mix requesting a variance to the front-yard setback allowing them to be 10' from the VDOT right of way instead of the required 35'. He explained that VDOT's right of way is approximately 120' which goes approximately 83' from the center line of Lee Hwy into their property. Based on the excessive width of VDOT's right of way, Ms. Tuell made a motion to recommend the Board of Zoning Appeals approve Lakeside's request which was seconded by Mr. Sparks and unanimously passed.



**Other Business:** The Planning Commission acknowledged Ms. Pokey Harris has been appointed to the Planning Commission to fulfill the unexpired term of Don Medley for the Rye Valley District.

Mr. Blevins inquired as to the status of the Subdivision Ordinance. Mr. Williams explained that it was still before the Board's Ordinance Committee. Mr. Blevins requested a resolution be sent to the Board to finalize the proposed changes to the Subdivision Ordinance requesting they either adopt or reject the changes in an appropriate period.

**Adjournment:** Upon motion of Mr. Sparks, seconded by Ms. Tuell and unanimously carried the meeting was adjourned at approximately 6:45 p.m.

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Wayne Venable, Secretary

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

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, September 23, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, September 23, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Graham Davidson, Wayne Venable, and Dennis Blevins; **Absent:** Pokey Harris and Amy Tuell

**Staff Present:** Clegg Williams, Becca Kirk, and Sally Morgan

At approximately 6:00 p.m. Chairman Kalber called the meeting to order.

**Adoption of Amended Agenda:** Mr. Venable made a motion to adopt the agenda as presented which was seconded by Mr. Sparks and unanimously passed.

**Approval of Minutes:** Mr. Venable made a motion to approve the minutes of the Thursday, August 26, 2010, meeting. Mr. Sparks seconded the motion and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time.

**Other Business:** Mr. Williams updated the Commission on the Board of Zoning Appeals decision to accept the Planning Commission's recommendation and approved Lakeside Ready Mix's variance request. He also informed the Commission of the division of Harlan and Clara Pafford lands as an exception to the Subdivision Ordinance consisting of 14 lots.

**Recess:** Mr. Venable made a motion to recess the Commission meeting at approximately 6:15 p.m. for a joint public hearing with the Board of Supervisors to be held at 7:00 p.m. which was seconded by Mr. Sparks and unanimously carried.

**Public Hearing:** At 7:00 p.m. the Chairman of the Board of Supervisors and Chairman of the Planning Commission called the joint public hearing to order. Mr. Michael Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**Board Members Present:** Chairman Charlie Clark, Regina Davidson, Wade Blevins, Darlene Neitch, Brenda Waddell, and Todd Dishner; **Absent:** Roscoe Call

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Dennis Blevins, Graham Davidson, and Wayne Venable; **Absent:** Pokey Harris and Amy Tuell

**Staff Present:** Clegg Williams, Becca Kirk, Michael Carter, Pam Testerman, Sally Morgan, John H. Tate Jr., and Scott Simpson

**Others Present:** Approximately 10 citizens were present.

*Beasley Lane, LLC — Application to Amend the Zoning Map:* At approximately 7:03 p.m. Mr. Williams explained an application from Beasley Lane, LLC to amend the zoning map. Bill Rush

and David Richards were present on behalf of Beasley Lane, LLC requesting approximately 9.5 acres of a tract of land recently purchased on Beasley Lane in Marion be rezoned from A/R to R. The property is identified as a portion of 66-A-98E. Mr. Williams pointed out the pertinent sections of the ordinance for the application. He stated that each of the applicants paid the required fee and he advertised notice of this public hearing in the Smyth County News on September 11 and 18. Additionally, he sent letters to all of the adjoining property owners for each application for which an affidavit is on file.

Mr. Rush explained his corporation purchased the land on Beasley Lane to develop affordable building lots. Mr. Rush explained that once the property is rezoned, he will proceed with the requirements of the Subdivision Ordinance.

Mr. Richards, a partner in Beasley Lane, LLC, addressed the Board and Commission explaining his dedication to build in Smyth County by developing and creating affordable lots and housing.

Mr. Williams then read into record an email from Becky Bane of VDOT. In it, she described her meeting with Mr. Rush on the site to work out any concerns for highway entrances. He also read into record a letter in opposition from Robert and Barbara Pruitt, a telephone message from Raleigh Wyatt also opposed, and a telephone conversation from Amy Tuell voicing her concerns about additional drainage.

Melinda Tolbert, Norman Parks, Charles Barker, Linda Barker, Allen Tolbert, James Tolbert, and Mary Gilley spoke in opposition with concerns of additional drainage. Their lands already flood and they are concerned what the impact of new development will have on their properties. Earl McClure spoke in opposition of the process of rezoning.

Regina Davidson questioned Mr. Williams as to what uses were permitted on the property as it is currently zoned. Mr. Williams explained the land could be divided into four tracts with two dwellings on each and he read the extensive list of uses allowed by right in the A/R District.

Mr. Rush stated he knew the exceptions to the subdivision ordinance and did not intend to develop this land in that manner. He wants to develop the land as a subdivision and comply with the ordinance. Mr. Williams explained that Mr. Rush will have to comply with the Erosion and Sediment Control Ordinance once ground disturbing begins.

Mr. Dishner reiterated Mr. Williams' description of how the property could be developed without getting the property rezoned. Rezoning, he continued, might bring a few more homes but it would mean the entire development would have to comply with the Subdivision Ordinance and the much more stringent Residential District regulations.

No one else spoke on the application.

Wendy Raynor – Special Use Permit: Mr. Williams explained an application from Wendy Raynor who owns and operates WXYM radio in Saltville. Mr. Williams explained when zoning was adopted, "radio stations" were not contemplated as a use allowed by right or by special use permit in any district. Consequently, WXYM is considered a non-conforming use. Ms. Raynor's application is to expand her non-conforming use by replacing an 8' x 8' building, which houses transmitters, with a 25' x 25' building,

Ms. Raynor was present and confirmed that she rented the land but owns the building in which WXYM operates. No one else spoke on this application.

Chairman Clark and Chairman Kalber closed the joint public hearing at 7:58 p.m.

Chairman Kalber recessed the Planning Commission.

Chairman Kalber reconvened the Commission at approximately 8:11 p.m.

**Recommendation on the request of Beasley Lane, LLC for a Map Amendment:** With continued discussion, Mr. Blevins made a motion to recommend the Board approve Beasley Lane, LLC's application to rezone approximately 9.5 acres from A/R to R, with a condition that emphasis be made on drainage and flood control, which was seconded by Mr. Davidson and unanimously carried. The property is identified as a portion of Tax Map No. 66-A-98E.

**Recommendation on the request of Wendy Raynor for a Special Use Permit:** Mr. Venable made a motion to recommend the Board approve Ms. Raynor's request for a special use permit to expand her non-conforming use (radio station), which was seconded by Mr. Davidson, and unanimously carried. The property is identified as a portion of Tax Map No. 41-A-78D, and is zoned A/R.

**Adjournment:** Upon motion of Mr. Blevins, seconded by Mr. Davidson and unanimously carried the meeting was adjourned at approximately 8:45 p.m.

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Wayne Venable, Secretary

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

## **SMYTH COUNTY PLANNING COMMISSION** **Thursday, October 28, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, October 28, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Graham Davidson, L.V. 'Pokey' Harris, Amy Tuell, Wayne Venable, and Dennis Blevins

**Staff Present:** Clegg Williams and Becca Kirk

At approximately 6:00 p.m. Chairman Kalber called the meeting to order.

**Adoption of Agenda:** Mr. Venable made a motion to adopt the agenda as presented which was seconded by Mr. Sparks and unanimously passed.

**Approval of Minutes:** Ms. Tuell made a motion to approve the minutes of the Thursday, September 23, 2010, meeting. Mr. Sparks seconded the motion with one typographical error correction and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time.

**Subdivision Ordinance:** Charles Grantham: Mr. Williams explained the re-division request from Mr. Grantham who had purchased Lots 3 and 4 at a recent auction. The property is located on Cedar Springs Road and had been divided for auction under exception 4.3.23 (2) of the Subdivision Ordinance. Mr. Grantham wishes to divide Lot 3 into three lots and Lot 4 into two lots, for a total of five lots. Each lot will have road frontage and the minimum lot size requirements will be met. Ms. Tuell made a motion to approve Mr. Grantham request with conditions that a new plat be prepared and a statement be placed on it indicating future divisions of these lots will require Planning Commission approval. Mr. Blevins seconded the motion and it passed unanimously.

Phillip Cullop Sr.: *(Note: As a relative to the Cullop family, Mr. Sparks recused himself from this application and left the room).* Mr. Williams explained a site development plan proposed by Mr. Cullop to place a third dwelling on a single lot. Mr. Cullop and his brother, who signed an owner's consent form, own approximately 100 acres on Cullop Lane off of Lick Creek Road in Ceres. Mr. Cullop was present and stated the third dwelling is for his son and family to reside. Mr. Blevins made a motion to approve Mr. Cullop site development plan to place a third dwelling on a single lot, which was seconded by Mr. Venable and unanimously passed.

**Other Business:** Mr. Williams introduced Mrs. L.V. 'Pokey' Harris as the recently appointed Commissioner representing the Rye Valley District. He updated the Commission on the Board's recent decision to accept the Planning Commission's recommendation to approve the map amendment request from Beasley Lane, LLC and the Special Use Permit application from Wendy Raynor. Mr. Williams also updated the Commission on the Comprehensive Plan Committee finalizing their suggestions for the 2010 Plan and intentions to distribute those recommendations to the full Commission in the near future. There was general discussion about recent applications approved for the Rich Valley Fair Association and Seth Heath.

**Recess:** Mr. Kalber recessed the Commission meeting at approximately 6:25 p.m. for a joint public hearing with the Board of Supervisors to be held at 7:00 p.m.

**Public Hearing:** At 7:00 p.m. the Chairman of the Board of Supervisors and Chairman of the Planning Commission called the joint public hearing to order. Mr. Michael Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**Board Members Present:** Chairman Charlie Clark, Regina Davidson, Wade Blevins, Darlene Neitch, Todd Dishner, and Roscoe Call; **Absent:** Brenda Waddell

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Dennis Blevins, Graham Davidson, Pokey Harris, Amy Tuell, and Wayne Venable

**Staff Present:** Clegg Williams, Becca Kirk, Michael Carter, Pam Testerman, Sally Morgan, John H. Tate Jr., and Scott Simpson

**Others Present:** Approximately 10 citizens were present.

Ralph and Sharon Butler — Application for Special Use Permit: At approximately 7:04 p.m. Mr. Williams explained the Special Use Permit application for a Campground received from Ralph and Sharon Butler. The Butlers are negotiating to purchase 3002 Pleasant Valley Road and the surrounding 14.3 acres. On this property they propose approximately 22 primitive campsites, a bunkhouse, bathhouse, convenience store, pavilion, horse stable and a parking area. The property is identified as a 68A-1-5 and is zoned Agricultural/Rural. Mr. Williams pointed out the pertinent sections of the ordinance for the application. He stated the applicants paid the required fee and he advertised notice of this public hearing in the Smyth County News on October 16 and 23. Additionally, he sent notice of the hearing by first class mail to each of the adjoining property owners and an affidavit to that effect is on file.

Mr. and Mrs. Butler were present and explained their intentions were to purchase the property as their primary residence and develop a *Campground* over the next several years. They explained that they had no plans to clear cut the property for the campground. Instead, they stated their goal was to incorporate the campground into the existing landscape. With the campground, they indicated an access point to National Forest would be developed and opened to the public. They recognized the property was accessed by a private right-of-way and vowed they were willing to participate in a road maintenance program. Mr. Butler addressed a few questions by the panel including handicap accessibility, campground rules, and a no alcohol policy.

At approximately 7:19 p.m. several neighbors, including Gary Parks, Cecil Thomas, Allen Trivett, Doug Crigger, Lisa Richardson, Joseph Butler and Freda Butler spoke in opposition of the *Campground* with the primary concerns of the current road maintenance issues, loss of privacy, noise, smoke from campsites, the potential of wild animals being attracted, and unruly horses/campers. It was determined the right-of-way through the development is forty (40') feet of which approximately one-third is improved surface. Beth Merz, Mt. Rogers Area Ranger, was present and posed a number of questions. The number of horses being contemplated, the

seasons of use, presence of onsite management, the proposed utilities, and the type of camping facilities were all areas of interest.

No one else spoke on the application.

Chairman Clark and Chairman Kalber closed the joint public hearing at 7:44 p.m.

Chairman Kalber recessed the Planning Commission.

Chairman Kalber reconvened the Commission at approximately 7:53 p.m.

**Recommendation on the request of Ralph and Sharon Butler for a Special Use Permit for a Campground:** After extensive discussion regarding the road maintenance concerns of all parties involved, Mr. Sparks made a motion to table the Planning Commission's recommendation to allow Mr. and Mrs. Butler to meet with the neighborhood and work on an agreement. Mr. Williams explained the Ordinance only allows the Commission to recommend approval or denial of an application but they have the opportunity to recommend conditions on an approval. With that, Mr. Sparks withdrew his motion. Mr. Blevins made a motion to recommend the Board approve Mr. and Mrs. Butler's request for a special use permit to operate a *Campground* with the following stipulations: a road maintenance agreement be drafted and recorded; water runoff is controlled; 10:00 p.m. be designated as "quiet time"; and the Butler's receive health department approval. The motion was seconded by Ms. Tuell. Mr. Kalber requested a vote and the Commission voted as follows:

3 yeas (Blevins, Tuell and Harris)  
4 nays (Davidson, Kalber, Sparks and Venable)

A counter motion was offered by Mr. Sparks to recommend the Board deny Mr. and Mrs. Butler's request for a special use permit to operate a *Campground*. Mr. Davidson seconded the motion and the following vote was recorded:

4 yeas (Sparks, Davidson, Kalber and Venable)  
3 nays (Blevins, Tuell and Harris)

**Adjournment:** Upon motion of Mr. Sparks, seconded by Ms. Harris and unanimously carried the meeting was adjourned at approximately 8:48 p.m.

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Wayne Venable, Secretary

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

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, November 18, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, November 18, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Graham Davidson, Amy Tuell, Wayne Venable, and Dennis Blevins

**Commissioners Absent:** L. V. 'Pokey' Harris

**Staff Present:** Becca Kirk

At approximately 6:00 p.m. Chairman Kalber called the meeting to order.

**Adoption of Agenda:** Mr. Sparks made a motion to adopt the agenda as presented which was seconded by Mr. Venable and unanimously passed.

**Approval of Minutes:** Mr. Venable made a motion to approve the minutes of the Thursday, October 28, 2010, meeting, which was seconded by Ms. Tuell and passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time.

**Zoning Ordinance:** Mrs. Kirk updated the Commission on the Board's decision to continue their vote on the Campground Special Use Permit requested by Ralph and Sharon Butler at the October 28, 2010, joint public meeting.

**Other Business:** There was general discussion about activity on Robert Austin's land in Seven Mile Ford and Loraine Price's land on Saltville Highway.

**Adjournment:** Upon motion of Mr. Venable, seconded by Mr. Blevins and unanimously carried the meeting was adjourned at approximately 6:10 p.m.

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Wayne Venable, Secretary



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

**SMYTH COUNTY PLANNING COMMISSION**  
**Thursday, December 16, 2010**

The Smyth County Planning Commission met in their regular meeting on Thursday, December 16, 2010, at 6:00 P.M. in the Smyth County Office Building.

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Wayne Venable, and Dennis Blevins

**Commissioners Absent:** L. V. "Pokey" Harris, Graham Davidson, and Amy Tuell

**Staff Present:** Clegg Williams and Becca Kirk

At approximately 6:00 p.m. Chairman Kalber called the meeting to order.

**Adoption of Agenda:** Mr. Venable made a motion to adopt the agenda as presented which was seconded by Mr. Sparks and unanimously passed.

**Approval of Minutes:** Mr. Venable made a motion to approve the minutes of the Thursday, November 18, 2010, meeting. Mr. Sparks seconded the motion and it passed unanimously.

**Citizens' Time:** No one was present to speak during citizen's time.

**Other Business:**

- The Commission adopted a Resolution for the eight year term of Amy Tuell as a commissioner whose term expires December 31, 2010.
- Mr. Williams presented the Commissioners a draft of the 2010 Comprehensive Plan to review before scheduling a public hearing.
- Mr. Williams informed the Commission the Ralph and Sharon Butler Special Use Permit request for a campground was approved by the Board of Supervisors with the condition only 10 primitive sites be developed.

**Recess:** Mr. Kalber recessed the Commission meeting at approximately 6:10 p.m. for a joint public hearing with the Board of Supervisors to be held at 7:00 p.m.

**Public Hearing:** At 7:00 p.m. the Chairman of the Board of Supervisors and Chairman of the Planning Commission called the joint public hearing to order. Mr. Michael Carter read the advertisement as placed in the Smyth County News and Messenger. The rules for public hearings were forgone due to the lack of citizens present.

**Board Members Present:** Chairman Charlie Clark, Regina Davidson, Brenda Waddell, Todd Dishner, and Roscoe Call; **Absent:** Darlene Neitch and Wade Blevins

**Commissioners Present:** Chairman Karl Kalber, Norman Sparks, Dennis Blevins, and Wayne Venable; **Absent:** Graham Davidson, L. V. "Pokey" Harris, and Amy Tuell

**Staff Present:** Clegg Williams, Becca Kirk, Michael Carter, Shannon Williams, Charlie Atkins, John H. Tate Jr., and Scott Simpson

**Others Present:** Dan Kegley with the Smyth County News and Messenger.

Mark and Sue Hess — Application for Special Use Permit: At approximately 7:01 p.m. Mr. Williams explained the Special Use Permit application for *Mini-Warehouse* units received from Mark and Sue Hess. They propose to place approximately 17 shipping containers converted to mini-storage units on their property located on Hwy 107. The property is identified as 41-1-11 and is zoned Agricultural/Rural. Mr. Williams pointed out the pertinent sections of the ordinance for the application. He stated the applicants paid the required fee and he advertised notice of this public hearing in the Smyth County News on December 4 and 11. Additionally, he sent notice of the hearing by first class mail to each of the adjoining property owners and an affidavit to that affect is on file. He did not receive any public comments in opposition to the application.

Mrs. Hess was present to address questions from the Board and Commission. Mr. Williams explained that the units were exempt from the building code and would not have electricity and would not be allowed as living space. Mrs. Hess stated they understood the setback requirements. With no other comments on the application, Chairman Clark and Chairman Kalber closed the joint public hearing at 7:06 p.m.

Chairman Kalber recessed the Planning Commission.

Chairman Kalber reconvened the Commission at approximately 7:08 p.m.

**Recommendation on the request of Mark and Sue Hess for a Special Use Permit for Mini-Warehouse:** Mr. Blevins made a motion to recommend the Board approve Mr. and Mrs. Hess's request for a special use permit to place *Mini-Warehouse* units on Hwy 107 as presented. The motion was seconded by Mr. Venable, and it passed unanimously.

**Adjournment:** Upon motion of Mr. Blevins, seconded by Mr. Venable and unanimously carried the meeting was adjourned at approximately 7:11 p.m.

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Wayne Venable, Secretary