

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

SMYTH COUNTY PLANNING COMMISSION

Thursday, January 26, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, January 26, 2012, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, L. V. "Pokey" Harris, Wayne Venable, Charles Wassum and G. Blake Frazier

Commissioner(s) Absent: Park District Vacant

Staff Present: County Attorney Heather Pritts, Clegg Williams, Becca Kirk and Sally Morgan

Others Present: Newly appointed Board of Supervisors members Rick Blevins and J. Howard Burton were present along with one citizen.

Mr. Sparks called the meeting to order and opened the floor for nominations of temporary Chairman. Mr. Venable nominated Mr. Williams, seconded by Mr. Frazier, and with no other nominations it was unanimously carried that Mr. Williams act as temporary Chairman.

Election of Officers:

Chairman: Mr. Williams then opened the floor for nominations of Chairman for calendar year 2012. Mr. Venable nominated Mr. Sparks for Chairman; it was seconded by Mr. Frazier. With no other nominations Mr. Sparks will act as Chairman for 2012. Mr. Williams then turned the meeting over to Mr. Sparks and the following vote was recored.

Vote:	5 yays	(Davidson, Wassum, Venable, Harris, and Frazier)
	1 abstain	(Sparks)
	1 absent	(Park District)

Vice Chairman: Mr. Sparks opened the floor for nominations of Vice-Chairman for calendar year 2012. Mr. Davidson nominated Mrs. Harris for Vice Chairperson. Mr. Wassum nominated Mr. Frazier for Vice Chairman. With no other nominations Mrs. Harris seconded Mr. Wassum's nomination for Mr. Frazier to serve as Vice-Chairman for 2012, with the following vote recorded.

Vote:	5 yays	(Davidson, Wassum, Venable, Harris, and Sparks)
	1 abstain	(Frazier)
	1 absent	(Park District)

Secretary: Mr. Sparks opened the floor for nominations of Secretary for calendar year 2012. Mr. Davidson nominated Mr. Venable; it was seconded by Mr. Frazier. With no other nominations Mr. Venable will act as Secretary for 2012, with the following vote recorded.

Vote:	5 yays	(Davidson, Wassum, Frazier, Harris, and Sparks)
	1 abstain	(Venable)
	1 absent	(Park District)

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Clerk: Mr. Sparks opened the floor for nomination of Clerk for calendar year 2012. Mr. Davidson nominated Becca Kirk; it was seconded by Mrs. Harris. With no other nominations Mrs. Kirk will act as Clerk for 2012. The following vote was recorded.

Vote: 6 yays	(Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent	(Park District)

Adoption of Agenda: Chairman Sparks opened the floor for motions to approve the agenda as presented. Mr. Venable made a motion which was seconded by Mrs. Harris and voted on as follows.

Vote: 6 yays	(Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent	(Park District)

Mr. Sparks welcomed new Planning Commissioner, Charles Wassum to the Commission for a term of four years representing the Atkins District.

Set Calendar year 2012: Upon the advice of County Attorney, Heather Pritts, Mr. Williams reminded the Planning Commission that Virginia State Code §15.2-2214 requires the Planning Commission to meet at least every other month. The Commission decided to continue their meetings on the fourth Thursday at 6:00 p.m. with the exception of November due to Thanksgiving holiday. November's meeting is scheduled for Thursday, November 15 at 6:00 p.m. The following vote was recorded.

Vote: 6 yays	(Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent	(Park District)

Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, December 16, 2011, meeting. Mr. Sparks seconded the motion and the following vote was recorded.

Vote: 5 yays	(Venable, Davidson, Frazier, Harris, and Sparks)
1 abstain	(Wassum)
1 absent	(Park District)

Citizens' Time: No citizens spoke.

Committee Appointments: Mr. Sparks opened the floor for volunteers to serve on the Ordinance Committee. Mr. Wassum, Mrs. Harris and Mr. Frazier all volunteered to serve and they were so appointed by Chairman Sparks.

Adoption of Resolution for Dennis Blevins: Upon a motion made by Mrs. Harris, seconded by Mr. Frazier, the resolution for former Commissioner Dennis Blevins was adopted and the following vote was recorded.

Vote: 6 yays	(Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent	(Park District)

2012 Operating Procedures: Discussion was made to proposed changes to the 2011 Operating Procedures: #1 – remove the number of years an officer can hold office; #5 – Discussion was made to place notices of meetings on local community service announcements through WZVA, WOLD, TV3, and Smyth County News & Messenger; # 23 – Considering the

recent staff position of a County Attorney the use was questioned and after discussion #23 was removed. Mr. Venable made a motion to adopt the 2012 Operating Procedures with the changes stated which was seconded by Mr. Davidson and the following vote was recorded.

Vote: 6 yays (Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent (Park District)

2011 Revised Annual Report: Mrs. Kirk explained the changes made on the revised 2011 Annual Report as requested by Mrs. Pritts. Mr. Frazier made a motion to approve the report with those changes, which was seconded by Mr. Venable and the following vote was recorded.

Vote: 6 yays (Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent (Park District)

Budget for 2012-2013 fiscal years: Mr. Williams presented the 2012-2013 Planning Commission budget. Mr. Williams informed the Commission that he had received instructions to make at least a 5% budget cut. Based on the arrival of the staff County Attorney, Mr. Frazier recommended the budget for County Attorney be reduced to \$2,200, thereby exceeding the requested 5% cut request and it will allow the Planning Commission to hire an attorney should any conflicts arise, the motion was seconded by Mr. Venable and the following vote was recorded:

Vote: 6 yays (Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent (Park District)

Subdivision Ordinance: Beasley Commons Subdivision Plat Approval: Mr. Williams explained he had spoken to Mr. Bill Rush and Mr. Rush was unable to obtain all of the other required signatures before tonight's meeting and requested to be placed on the next scheduled meeting's agenda. Mr. Venable made a motion to approve Mr. Rush's request, which was seconded by Mr. Frazier and the following vote was recorded:

Vote: 6 yays (Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent (Park District)

Recess: At approximately 6:43 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, 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.

***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, January 26, 2012, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application pursuant to 9-2.1 from Mable Hayden, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Marion, Virginia, to rezone approximately 22 acres from Agricultural/Rural to Commercial. The Smyth County Comprehensive Plan does not identify a density range and the general usage is vacant property. The property is located behind 2286 Lee Hwy. in Marion, Virginia, and is identified as Tax Map Nos. 56G-A-3, 56G-1-40A, 56G-1-41A and can be found in Grid Map No. 5486 of the official Zoning Map of Smyth County.

At this public hearing, subject to the rules of procedure of the Board of Supervisors 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. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed 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 the Smyth County Administrator's office at (276) 783-3298 at least forty eight (48) hours prior to the hearing.

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

*Michael L. Carter, County Administrator
Clegg Williams, Zoning Administrator*

Board Members Present: Chairman Wade Blevins, Regina Davidson, Ron C. Blevins, Todd Dishner, Roscoe Call, and Rick Blevins

Commissioners Present: Chairman Norman Sparks, Graham Davidson, Blake Frazier, Charles Wassum, Pokey Harris and Wayne Venable; **Absent:** Park District Vacant

Staff Present: County Attorney Heather Pritts, Clegg Williams, Becca Kirk, Michael Carter, Pam Testerman, Sally Morgan, and Scott Simpson. Approximately 5 citizens and Dan Kegley with the Smyth County News were present.

Mable Hayden — Application for Map Amendment: At approximately 7:07 p.m. Mr. Williams explained Mable Hayden's intention to sell her land located behind 2286 Lee Hwy in Marion. The property is further identified as Tax Map Nos. 56G-A-3, 56G-1-41A & 56G-1-40A. She currently has the property on the market with Realtor Tom Evans of Ideal Realty. Mr. Williams explained that recent interest in the property for commercial development led Ms. Hayden to tonight's application request. With her application, she submitted the required owner's affidavit and paid the required fee. Notice of tonight's public hearing was advertised in the Smyth County News & Messenger on January 14 and 21. Additionally, first class mailing was made to each of the applicant's adjoining property owners. Mr. Williams pointed out the pertinent sections of the Zoning Ordinance, the 2005 Comprehensive Plan identifying this property as Rural/Residential of the Future Land Use Map. He received one comment from LeRoy Blizzard who requested Mr. Williams inform the Board and Commission that he is in favor of any commercial development being proposed in the County. Mr. Williams also read into the record an email from Becky Bane, Permit Specialist for Virginia Department of Transportation.

Tom Evans of Ideal Realty represented Mrs. Hayden and was in attendance and available for questions. Mr. Ron Blevins questioned the potential effect the pond located on the back of the property would have on any development. Mr. Evans explained any developer would have to address any issues with the pond through EPA. Mrs. Davidson asked if the property is already listed, to which Mr. Evans confirmed that it is. Mr. Evans stated there have been potential individuals interested in the property if it is zoned Commercial.

Debby Byrd spoke in favor of the application and stated her opinion of the need for commercial development in Smyth County.

Earl McClure spoke on the application process stating his opinion that the County does not have the authority to rezone property and citizens should be able to do whatever they wish with their property. No one else spoke on the application.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:17 p.m. Chairman Sparks recessed the Planning Commission.

Chairman Sparks reconvened the Commission at approximately 7:19 p.m. Mr. Sparks opened the floor to the Commission for comments or questions.

Recommendation on the request of Mable Hayden for a Map Amendment: Mr. Venable made a motion to recommend the Board approve Mable Hayden's application for a Map Amendment to rezone approximately 22 acres located behind 2286 Lee Hwy in Marion from Agricultural/Rural to Commercial (Tax Map Nos. 56G-A-3, 56G-1-41A and 56G-1-40A). Mr. Davidson seconded the motion and the following vote was recorded.

Vote: 6 yays	(Venable, Davidson, Wassum, Frazier, Harris, and Sparks)
1 absent	(Park District)

Adjournment: Upon motion of Mr. Frazier, seconded by Mr. Venable and unanimously carried the meeting was adjourned at approximately 7:22 p.m.

Wayne Venable, Secretary

See Attachments: E-mail from Becky Bane and Recommendation from Planning Commission

From: Bane, Becky
Sent: Tuesday, January 24, 2012 8:52 AM
To: Becca Kirk; Clegg Williams
Cc: TomEvans62@hotmail.com
Subject: Mable H. Hayden

Becca,

I was asked by Tom Evans to provide information regarding VDOT requirements for a potential commercial entrance to the property of Mable H. Hayden, Tax ID 56G-A-3, located on Route 11 in Smyth County, which he needs for a re-zoning request.

The location appears to meet the sight distance requirements, and there are no topographical issues that would prevent a commercial entrance at this location. The only issue I see is that a commercial entrance at this property would not meet the new Access Management spacing requirements for distance between adjoining commercial entrances, which is 445' (measured centerline to centerline). However, at the time of development, an exception to the spacing standards can be requested by the developer or property owner, the procedure is outlined in Appendix F of the Design Guidelines for Entrances and Intersections, available on-line at <http://www.virginiadot.org/projects/landuse.asp>. Another option would be to share a commercial entrance with one of the two adjoining commercial properties.

Any commercial entrance would be required to meet all of the VDOT requirements applicable at the time of the application, and VDOT approval of a commercial entrance is not guaranteed for any property. That having been said, there appear to be no insurmountable issues at this location for the property be zoned commercial, provided the developer can comply with VDOT requirements.

Please let me know if you have any questions or need any additional information.

Thanks,

Becky Bane

Permit Specialist

Virginia Department of Transportation

2843 Chapman Road

Wytheville, VA 24382

(276) 228-2154 Extension 109

(276) 228-6981 (Fax)

**Smyth County Planning Commission Recommendation to
Board of Supervisors of Smyth County, Virginia**

WHEREBY pursuant to the notice requirements of Va. Code Section 15.2-2204, upon such proper advertising January 14, 2012 and on January 21, 2012 in the Smyth County News and Messenger, a newspaper publication having general circulation within Smyth County, Virginia;

WHEREBY, pursuant to requirements of Va. Code Section 15.2-2204(A), on the 26th day of January, 2012, the Planning Commission for Smyth County, Virginia, held a joint public hearing with the Board of Supervisors of Smyth County, to hear public comments in favor and in opposition of:

An application pursuant to 9-2.1 from Mable Hayden, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Marion, Virginia, to rezone approximately 22 acres from Agricultural/Rural to Commercial. The Smyth County Comprehensive Plan does not identify a density range and the general usage is vacant property. The property is located behind 2286 Lee Hwy. in Marion, Virginia, and is identified as Tax Map Nos. 56G-A-3, 56G-1-40A, 56G-1-41A and can be found in Grid Map No. 5486 of the official Zoning Map of Smyth County (pg. 17-23).

WHEREBY, upon proper notice, advertisement, hearing of comments from the public, and discussion, the Planning Commission for Smyth County hereby recommends that the Board of Supervisors of Smyth County hereby:

deny,

approve, or

approve based on the following certain conditions: _____

_____.

Jan. 26, 2012
Date

Norman K. Sparks
Chairperson of the Planning Commission

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

SMYTH COUNTY PLANNING COMMISSION
Thursday, February 23, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, February 23, 2012, at 6:00 P.M. in the Smyth County Board of Supervisors meeting room, at 121 Bagley Circle, Marion, Virginia 24354.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; Pokey Harris, Rye Valley District; Joel Pugh, Park District; Charles Wassum, Atkins District; and Blake Frazier, Royal Oak District (arrived at approximately 6:25 p.m.)

Staff Present: Clegg Williams, Zoning Administrator; Becca Kirk, Administrative Assistant; Sally Morgan, Community Development Planner; and Heather Pritts, County Attorney

At approximately 6:00 p.m. Chairman Sparks called the meeting to order and introduced Mr. Joel Pugh, newly appointed Planning Commissioner, representing the Park District.

Adoption of Agenda: Mrs. Harris made a motion to adopt the agenda as presented which was seconded by Mr. Venable and the following vote was carried:

Yeas:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

Approval of Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, January 26, 2012, meeting with corrections. Mr. Davidson seconded the motion and the following vote was recorded:

Yeas:	5	Harris, Venable, Davidson, Wassum, and Sparks
Abstain:	1	Pugh
Absent:	1	Frazier

Citizens' Time: No one spoke during citizen's time.

Map Amendment Request: Mr. Williams informed the Planning Commission of the Board's approval of the Commission's recommendation to approve Ms. Mable Hayden's request for a Map Amendment to rezone approximately 22 acres from Agricultural/Rural to Commercial.

Subdivision Ordinance Request: Mr. Williams explained an application for a variance to the Subdivision Ordinance requested by Smyth County School Board. Mr. Williams reminded the Commission the School Board's previous request for a variance to create an emergency egress road through the Richardson and Gordon properties for ingress/egress. He explained that as construction began, engineers realized the amount of waste material being generated could be used to fill the ravine between the two properties and the ingress/egress road could be shortened significantly by moving it parallel to I-81. He stated the School Board is requesting a conditional approval to move the location of the ingress/egress road and as before, agree to survey the access road upon its completion.

Dr. Mike Robinson was present and addressed questions from the Commissioners by confirming Mr. Richardson and Mr. Gordon are both in agreement to allow the School Board to use whatever land necessary to complete the ingress/egress road at no additional fee to be paid to them by the School Board, the access road will still be locked at both ends, it is not in the AEP easement, they will abandon the previously approved ingress/egress road once completion of the proposed new road takes place and they will record new deeds with a survey of the proposed ingress/egress road.

Mrs. Harris made a motion to approve the School Board's request for a variance to create an emergency ingress/egress road parallel to I-81 on the following conditions: (i) that the existing easements be extinguished by recorded deed, (ii) that new easements be obtained and properly recorded for the proposed emergency ingress/egress access road, and (iii) that the new road be surveyed and a new plat be presented to the Planning Commission for review and approval before recording. Mr. Venable seconded the motion and the following vote was recorded as follows:

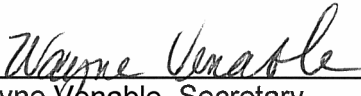
Yeas:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

2010 Comprehensive Plan Review: Ms. Morgan handed out an updated version of Chapter II. She explained that new data had come in from the 2010 Census and she made updates to the chapter. She also stated VDOT had forwarded comments and requested a transportation map be included in the proposed plan. Mr. Venable made a motion for staff to proceed with adding the Census data to Chapter II and VDOT's recommendation to Chapter VI and set a public hearing at the regular March meeting to consider recommending the proposed revisions to the 2010 Comprehensive Plan. Mr. Davidson seconded the motion and the vote was recorded as follows:

Yeas:	7	Harris, Venable, Davidson, Wassum, Sparks, Pugh and Frazier
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Training: Mr. Williams reviewed the PlanVIRGINIA schedule for training and advised any Commissioner's interested to contact the office to make arrangements.

Adjournment: Chairman Sparks adjourned the Planning Commission at approximately 7:05 p.m.



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, March 22, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, March 22, 2012, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; Blake Frazier, Royal Oak District; Joel Pugh, Park District; and Charles Wassum, Atkins District **Commissioner(s) Absent:** Pokey Harris, Rye Valley District

Staff Present: Clegg Williams, Becca Kirk, Sally Morgan, Scott Simpson, Acting County Attorney John Tate

Others Present: Howard Burton, Atkins District Supervisor and Dan Kegley, Smyth County News & Messenger

At approximately 6:00 p.m. Chairman Sparks 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 the following vote was carried:

Yeas:	6	Frazier, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Harris

Approval of Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, February 23, 2012. Mr. Frazier seconded the motion and the following vote was recorded:

Yeas:	6	Frazier, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Harris

Citizens' Time: No one spoke during citizen's time.

Subdivision Ordinance: Beasley Commons Plat Approval: Mr. Williams produced Bill Rush's proposed Subdivision Plat of Beasley Commons for review and approval. He explained all necessary signatures have been obtained for the plat with the exception of the Health Department. The Health Department requested more details for the septic system layouts on each lot be shown on the plat. Mr. Rush also detailed 10' public utility easements on the plat. Mr. Williams stated the staff's recommendation to allow Chairman Sparks sign the plat after signature of the Health Department is obtained. Mr. Davidson made a motion to approve the plat as presented and allow Chairman Sparks sign the plat once the Health Department's signature is obtained. Mr. Venable seconded the motion and the following vote was recorded:

Yeas:	6	Frazier, Venable, Davidson, Wassum, Pugh, and Sparks
Absent:	1	Harris

Smyth County Board of Supervisors: Mr. Williams explained the Board's request for (1) resubdivision of a subdivision lot pursuant to Section 7.12 and (2) the creation of a right of way to a lot the County's is in negotiations to purchase for the site of a sewer treatment facility to be constructed. Mr. Sparks inquired as to the maintenance of the existing 40' right of way. Mr. Simpson stated the County would

maintain their portion to the same standards all other county rights of way are maintained. Mr. Tate explained the County actually already owns 20' of the existing right of way; however, that 20' does not attach to the proposed lot being purchased. Therefore; a right of way must be created to allow access to the proposed lot.

Mr. Pugh made a motion to approve the resubdivision pursuant to Section 7.12 which was seconded by Mr. Frazier and the following vote was recorded:

Yeas:	6	Frazier, Venable, Davidson, Wassum, Pugh, and Sparks
Absent:	1	Harris

Mr. Frazier made a motion to approve the creation of a right of way across the existing 40' which was seconded by Mr. Venable and the following vote was recorded:

Yeas:	6	Frazier, Venable, Davidson, Wassum, Pugh, and Sparks
Absent:	1	Harris

At approximately 6:26 Mr. Sparks recessed the Planning Commission for the public hearing.

At approximately 6:26 p.m. Mr. Sparks then called the public hearing to order and read the legal ad as advertised in the Smyth County News and Messenger on March 10 and March 17, 2012. No citizens were present to speak on the proposed 2010 Comprehensive Plan.

PUBLIC HEARING

**SMYTH COUNTY PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
TO CONSIDER AMENDMENTS TO SECTIONS OF
THE SMYTH COUNTY COMPREHENSIVE PLAN**

Pursuant to Sections 15.2-2204, 15.2-2223 and 15.2-2225 of the Code of Virginia, 1950 as amended, the Smyth County Planning Commission will conduct a public hearing on Thursday, March 22, 2012, at 6:15 P.M., or as soon thereafter, to receive public input on a comprehensive update of the Smyth County Comprehensive Plan ("Plan") being considered for recommendation by the Planning Commission to the Smyth County Board of Supervisors. The public hearing will be held at the Board of Supervisors Meeting Room in the Smyth County Office Building located at 121 Bagley Circle, Marion, Virginia 24354. This update is undertaken to assure compliance with Code of Virginia Section 15.2-2230 which requires that comprehensive plans be reviewed and updated on a regular basis. The Plan serves as a general guide for decisions about future land development and facility development. It contains goals for long range development as well as objectives for implementing the goals. Draft changes have been made to the text, policies, and maps.

Copies of the proposed plan and maps are available for inspection in the Smyth County Administrator's Office at the address given above during normal business hours and online at Smyth County's website: www.smythcounty.org. All are encouraged to view the proposed plan and maps and attend the public hearing. At the hearing, persons may make comments regarding the proposed Comprehensive Plan amendment, subject to the rules of procedure of the Planning Commission of Smyth County. If you have any questions, please contact Clegg Williams, Zoning Administrator, by telephone at (276) 783-3298, Ext. 227 or by e-mail at zoning@smythcounty.org.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Administrator's office at (276) 783-3298 at least forty eight (48) hours prior to the hearing.

*Done by order of the Smyth County Planning Commission
Norman Sparks, Chairman*

2010 Comprehensive Plan Review: Mr. Williams explained the state requirement to review the Comprehensive Plan every five (5) years. While that was done in 2010 and a public hearing held in February 2011, the Planning Commission voted to present the full plan to the Board upon the incorporation of updated Census Data. During the interim, VDOT requested additional documents be incorporated as well. These changes led to tonight's public hearing.

At approximately 6:43 Mr. Sparks closed the public hearing.

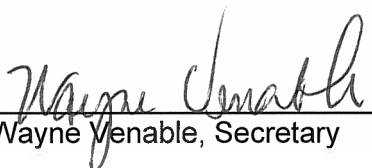
Mr. Venable made a motion to forward the proposed 2010 Comprehensive Plan to the Board for their adoption which was seconded by Mr. Davidson and the following vote was recorded:

Yeas:	6	Frazier, Venable, Davidson, Wassum, Pugh, and Sparks
Absent:	1	Harris

Other Business: Mr. Williams informed the Planning Commission of the termination of Heather Pritts as staff County Attorney and John Tate will act as County Attorney until a replacement is hired. For that reason he stated the Ordinance Committee agenda is on hold. Mr. Williams stated the Committee will be updated on the progress ~~and~~ ^{as} it is made.

At approximately 6:45, Mr. Frazier ^{as} made a motion to adjourn the meeting which was seconded by Mr. Venable and the following vote was recorded:

Yeas:	6	Frazier, Venable, Davidson, Wassum, Pugh, and Sparks
Absent:	1	Harris


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 26, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, April 26, 2012, at 6:00 P.M. in the Smyth County Board of Supervisors meeting room, at 121 Bagley Circle, Marion, Virginia 24354.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; Pokey Harris, Rye Valley District; Joel Pugh, Park District; Charles Wassum, Atkins District; and Blake Frazier, Royal Oak District

Staff Present: Clegg Williams, Zoning Administrator; Becca Kirk, Administrative Assistant

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

Adoption of Agenda: Mrs. Harris made a motion to adopt the agenda as presented which was seconded by Mr. Venable and the following vote was carried:

Yeas: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Approval of Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, March 22, 2012, meeting with corrections. Mr. Pugh seconded the motion and the following vote was recorded:

Yeas: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Citizens' Time: No citizen's were present to speak during citizen's time.

Subdivision Ordinance Request: Suzanna H. Kessee – Vacation of Lot Lines and Re-division: Mr. Williams explained Ms. Kessee's request to re-divide three lots; 22, 23, and 24 of the Frank Slaughter Property; into four lots (Tracts A-D) consisting of over two (2) acres each. She intends to retain Tract D and sell the remaining tracts. Considering the re-division creates new lot lines, she is requesting the old lot lines be vacated as shown on the plat dated April 6, 2012, which will be recorded with each deed transferring the property to the respective new owners. VDOT has approved entrances to each of the tracts with the recommendation that Tracts B and C share an entrance.

Mr. Frazier made a motion to approve the vacation of lot lines as requested. The motion was seconded by Mr. Venable and the following vote was recorded.

Yeas: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Mr. Davidson made a motion to allow the re-division as requested. The motion was seconded by Mrs. Harris and the following vote was recorded.

Yeas: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

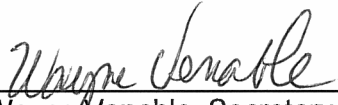
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Mr. Sparks informed the Commission he had signed the final plats previously approved by the Commission for Beasley Commons Subdivision and Smyth County Board of Supervisors.

Adjournment: Mr. Venable made a motion to adjourn the Commission's meeting which was seconded by Mr. Davidson and unanimously carried at approximately 6:30 p.m.



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, May 24, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, May 24, 2012, at 6:00 P.M. in the Smyth County Board of Supervisors meeting room, at 121 Bagley Circle, Marion, Virginia 24354.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; Pokey Harris, Rye Valley District; Joel Pugh, Park District; Charles Wassum, Atkins District; and Blake Frazier, Royal Oak District

Staff Present: Clegg Williams, Zoning Administrator; Becca Kirk, Administrative Assistant; Sally Morgan, Economic Development Director; Cory Osborne, Intern

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

Adoption of Agenda: Mrs. Harris made a motion to adopt the agenda as presented which was seconded by Mr. Venable and the following vote was carried:

Yeas: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Approval of Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, April 26, 2012, meeting as presented. Mr. Frazier seconded the motion and the following vote was recorded:

Yeas: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Sally Morgan introduced Cory Osborne as an Intern working with the County during the summer.

Citizens' Time: No citizen's were present to speak during citizen's time.

Recess: At approximately 6:10 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, 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.

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

May 24, 2012

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The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, May 24, 2012, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Cooper Jones for a Special Use Permit to establish an Automotive Sales and Service business. The property is owned by Lyle Musser and located at 7959 Lee Hwy in Rural Retreat. It is identified as Tax Map No. 38B-1-10 through 38B-1-14 and is zoned Agricultural/Rural.

At this public hearing, 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. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

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

Michael L. Carter, County Administrator

Norman K. Sparks, Chairman of the Planning Commission

MEMBERS PRESENT:

Chairman, Chilhowie District Supervisor Wade H Blevins, Jr., Rye Valley District Supervisor Rick K Blevins, North Fork District Supervisor Ron C Blevins, Atkins District Supervisor J. Howard Burton, Saltville District Supervisor Roscoe D Call, Chilhowie District Planning Commissioner Graham Davidson Sr., Royal Oak District Supervisor Regina H Davidson, Vice Chair, Park District Supervisor M. Todd Dishner, Royal Oak District Planning Commissioner G. Blake Frazier, Vice Chair, Rye Valley Dist Planning Commissioner L.V. Pokey Harris, Park District Planning Commissioner Joel Pugh, Chairman, North Fork Dist. Planning Commissioner Norman Sparks, Saltville District Planning Commissioner Wayne Venable and Atkins District Planning Commissioner Charles Wassum III (14)

MEMBERS ABSENT:

None (0)

STAFF:

Director of Finance Charlie Atkins, County Administrator Michael Carter, Administrative Assistant Becca Kirk, Economic Development Director Sally Morgan, Assistant

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County Administrator Scott Simpson, Acting County Attorney John H Tate, Jr., Office Service Assistant Pam Testerman and Building & Zoning Administrator Clegg Williams (8)

Cooper Jones – Special Use Permit – Automotive Sale and Service Business: Mr. Williams explained Mr. Jones' interest in establishing an Automotive Service business. Mr. Jones is negotiating to lease a garage owned by Lyle Musser in Rural Retreat. The structure is located at 7959 Lee Highway, identified as tax map numbers 38B-1-10 through 38B-1-14 and is zoned Agricultural/Rural. Mr. Williams stated the garage was once used as a commercial repair garage but has been closed for several years. Considering the property is zoned A/R, Mr. Musser's vested right to operate an automotive sales/service was lost when the garage was closed for a period of twenty-four (24) months. Mr. Williams stated he advertised notice of this public hearing in the Smyth County News on May 12 and 19. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. He did not receive any comments regarding this application but read into record two letters of support from Pleasant Hill Lutheran Church and Roy Owens. Mr. Williams highlighted Section 3-2.2 e) which allows the proposed use by issuance of a SUP, Section 10-8 which defines Automotive Sales & Service, and Article 6 which contains the provisions for Special Use Permits. He also noted the 2005 Comprehensive Plan identifies this property as Commercial/Industrial on the Future Land Use Map.

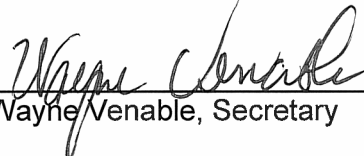
Cooper Jones was present and explained he is retiring from the public school system as a mechanic and wants to operate a small mechanical business at 7959 Lee Highway in Rural Retreat. He stated his hours of operation would probably be around 7 a.m. to 6:00 p.m. He stated he lives in close vicinity and would operate Monday through Friday and on Saturdays once he is qualified to conduct automotive inspections.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:07 p.m.

At approximately 7:08 p.m. Chairman Norman Sparks reconvened the Planning Commission meeting to consider Cooper Jones' application.

Recommendation on Cooper Jones - Special Use Permit Application: At approximately 7:08 p.m. Mr. Frazier made a motion to recommend the Board of Supervisor's approve Mr. Jones' application for a Special Use Permit to operate an Automotive Sales and Service Business at 7959 Lee Hwy in Rural Retreat. The motion was seconded by Mr. Venable and unanimously carried.

Adjournment: Mr. Frazier made a motion to adjourn the Commission's meeting which was seconded by Mr. Venable and unanimously carried at approximately 7:10 p.m.


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 28, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, June 28, 2012, at 6:00 P.M. in the Smyth County Board of Supervisors meeting room, at 121 Bagley Circle, Marion, Virginia 24354.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; Pokey Harris, Rye Valley District; Joel Pugh, Park District; and Charles Wassum, Atkins District

Commissioners Absent: Blake Frazier, Royal Oak District

Staff Present: Clegg Williams, Zoning Administrator; Becca Kirk, Administrative Assistant; Sally Morgan, Economic Development Director; Michelle Clayton, County Attorney; and Cory Osborne, Intern

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

Adoption of Agenda: Mrs. Harris made a motion to adopt the agenda as presented which was seconded by Mr. Venable and the following vote was carried:

Ayes:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

Approval of Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, May 24, 2012, meeting as presented. Mrs. Harris seconded the motion and the following vote was recorded:

Ayes:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

Citizens' Time: No citizen's were present to speak during citizen's time.

Subdivision Ordinance: Betty Doss's application for a Site Development Plan to install a third dwelling on a single lot: Mr. Williams explained Ms. Doss's application to place a third home on her property consisting of 3.756 acres. He stated that Ms. Doss was advised that any right of way created by a future division would require Planning Commission approval. In addition, should a shared septic system be approved, future divisions would require deeded easements in compliance with Health Department regulations.

Mrs. Harris made a motion to approve the application with the conditions that any right of way proposed in the future be submitted to the Planning Commission and should a shared septic system be installed, all required easements be recorded when the tract is divided, which was seconded by Mr. Venable and the following vote was carried:

Ayes:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

Mr. Williams introduced Michelle Clayton who has been hired as County Attorney who officially starts on July 2, 2012.

Recess: At approximately 6:13 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, 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.

***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, June 28, 2012, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Freedom Tabernacle Church for a Special Use Permit to establish a Private School. The property is addressed as 442 and 444 Freedom Tabernacle Lane in Atkins. It is identified as Tax Map Nos. 48-A-108A and 48-A-108E and is zoned Agricultural/Rural.

At this public hearing, 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 the County Zoning Administrator at the address given above. Copies may be viewed during regular business hours Monday through Friday from 8 a.m. to 5 p.m.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

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

*Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning
Commission*

Members Present: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr., Rye Valley District Supervisor Rick K Blevins, Atkins District Supervisor J. Howard Burton, Saltville District Supervisor Roscoe D. Call, Chilhowie District Planning Commissioner Graham Davidson Sr., Royal Oak District Supervisor Regina H Davidson, Vice Chair, Park District Supervisor M. Todd Dishner, Vice Chair, Rye Valley District Planning Commissioner L.V. Pokey Harris, Park District Planning Commissioner Joel Pugh, Chairman, North Fork District Planning Commissioner Chairman Norman Sparks, Saltville District Planning Commissioner Wayne Venable and Atkins District Planning Commissioner Charles Wassum III (12)

Members Absent: Royal Oak District Planning Commissioner G. Blake Frazier; and North Fork District Supervisor Ron C Blevins, (2)

Staff: County Administrator Michael Carter, Assistant County Administrator Scott Simpson, Director of Finance Charlie Atkins, Administrative Assistant Becca Kirk, Economic Development Director Sally Morgan, Acting County Attorney John H Tate, Jr., Office Service Assistant Pam Testerman and Building & Zoning Administrator Clegg Williams, County Attorney Michelle Clayton, and Intern Cory Osborne (10)

Others Present: Stephanie Porter-Nichols from the Smyth County News and Messenger and approximately 5 citizens.

At approximately 7:03 p.m. Mr. Williams explained an application from Freedom Tabernacle Church for a Special Use Permit to operate a Private School on the Church's grounds addressed as 442 and 444 Freedom Tabernacle Lane in Atkins. He stated the property is identified as Tax Map Nos. 48A-108A and 48-A-108E and is zoned Agricultural/Rural. Mr. Williams stated he advertised notice of this public hearing in the Smyth County News on June 16 and 23. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. He did not receive any comments regarding this application. Mr. Williams highlighted Section 3-2.2 a) which allows the proposed use by issuance of a Special Use Permit, Section 10-53.1 which defines Private School, and Article 6 which contains the provisions for Special Use Permits. He also noted the 2005 Comprehensive Plan identifies this property as Rural/Residential on the Future Land Use Map.

Mrs. Virgie Barnett was present to represent Freedom Tabernacle Church and briefly spoke on the proposed school.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:06 p.m.

At approximately 7:06 p.m. Chairman Norman Sparks reconvened the Planning Commission meeting to consider Freedom Tabernacle Church's application.

Recommendation on Freedom Tabernacle Church - Special Use Permit

Application for a Private School: At approximately 7:07 p.m. Mrs. Harris made a motion to recommend the Board of Supervisor's approve Freedom Tabernacle Church's application for a Special Use Permit to operate a Private School at 442 and 444 Freedom Tabernacle Lane in Atkins (Tax Map Nos. 48-A-108A and 48-A-108E). The motion was seconded by Mr. Venable and unanimously carried.

Ayes:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

Adjournment: Mr. Pugh made a motion to adjourn the Commission's meeting which was seconded by Mr. Venable and unanimously carried at approximately 7:08 p.m.

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 26, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, July 26, 2012, at 6:00 P.M. in the Smyth County Board of Supervisors meeting room, at 121 Bagley Circle, Marion, Virginia 24354.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; L. V. "Pokey" Harris, Rye Valley District; Joel Pugh, Park District; and Charles Wassum, Atkins District

Commissioners Absent: Blake Frazier, Royal Oak District

Staff Present: Clegg Williams, Zoning Administrator; Becca Kirk, Administrative Assistant; and Michelle Clayton, County Attorney

At approximately 6:07 p.m. Chairman Sparks called the meeting to order.

Adoption of Agenda: Mr. Venable made a motion to adopt the agenda as presented which was seconded by Mrs. Harris and the following vote was carried:

Ayes:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

Approval of Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, June 28, 2012, meeting as presented. Mr. Pugh seconded the motion and the following vote was recorded:

Ayes:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

Citizens' Time: No citizen's were present to speak during citizen's time.

Other Business: Mr. Wassum requested an opportunity for Commissioner's to discuss any concerns they have on each month's agenda. Mr. Williams relayed the Board's approval of Freedom Tabernacle Church's application for a Special Use Permit to operate a Private School.

Recess: At approximately 6:17 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Members Present: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr., Rye Valley District Supervisor Rick K Blevins, Atkins District Supervisor J. Howard Burton, Chilhowie District Planning Commissioner Graham Davidson Sr., Royal Oak District Supervisor Regina H Davidson, Vice Chair, Park District Supervisor M. Todd

Dishner, Vice Chair, Rye Valley Dist Planning Commissioner L.V. "Pokey" Harris, Park District Planning Commissioner Joel Pugh, Chairman, North Fork Dist. Planning Commissioner Chairman Norman Sparks, Saltville District Planning Commissioner Wayne Venable and Atkins District Planning Commissioner Charles Wassum III and North Fork District Supervisor Ron C Blevins, (12)

Members Absent: Royal Oak District Planning Commissioner G. Blake Frazier; and Saltville District Supervisor Roscoe D. Call, (2)

Staff: County Administrator Michael Carter, Director of Finance Charlie Atkins, Administrative Assistant Becca Kirk, Office Service Assistant Pam Testerman and Building & Zoning Administrator Clegg Williams, County Attorney Michelle Clayton (6)

Others Present: Stephanie Porter-Nichols from the Smyth County News and Messenger and approximately 6 citizens.

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.

***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, July 26, 2012, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Bernita D. Haga for a Special Use Permit to establish an Automotive Sales and Service business. The property is located at 942 Pierce Road in Marion. It is identified as Tax Map Nos. 48-A-137X4, 48-A-137X6, and 48-A-137X7 and is zoned Agricultural/Rural.

At this public hearing, 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. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

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

*Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission*

At approximately 7:03 p.m. Mr. Williams explained an application from Bernita Haga for a Special Use Permit to operate an Automotive Sales and Service business at 942 Pierce Road in Marion. He explained they are interested more in the "service" side of the business. He stated the property is identified as Tax Map Nos. 48-A-137X4, 48-A-137X6 and 48-A-137X7 and is zoned Agricultural/Rural. Mr. Williams stated he advertised notice of this public hearing in the Smyth County News on July 14 and 21. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. He did not receive any comments regarding this application. Mr. Williams highlighted Section 3-2.2 e) which allows the proposed use by issuance of a Special Use Permit, Section 10-8 which defines Automotive Sales and Service, and Article 6 which contains the provisions for Special Use Permits. He also noted the 2005 Comprehensive Plan identifies this property as Rural/Residential on the Future Land Use Map.

The applicant, Bernita Haga, was present along with her son, Zack, and husband, Bobby. Bobby Haga discussed the intent to operate an Automotive and Sales Service business at his property on Pierce Road as a means of supplemental income and an activity for his children to earn money and work experience.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:06 p.m.

At approximately 7:06 p.m. Chairman Norman Sparks reconvened the Planning Commission meeting to consider Bernita Haga's application.

Mr. Sparks asked Mr. Haga to expand on the hours of operation and services which will be provided. Mr. Haga explained they intend to mainly service vehicles with oil changes, tire changes, cleaning, detailing and minor repairs. He stated they would not be hauling unlicensed vehicles and the vehicles scheduled to be serviced or detailed would be moved in and out quickly.

Recommendation on Bernita Haga - Special Use Permit Application for an Automotive Sales and Service: At approximately 7:10 p.m. Mr. Pugh made a motion to recommend the Board of Supervisor's approve Bernita Haga's application for a Special Use Permit to operate an Automotive Sales and Service business at 942 Pierce Road in Marion (Tax Map Nos. 48-A-137X4, 48-A-137X6 and 48-A-137X7) on the condition that the hours of operation not exceed Monday through Saturday from 7 a.m. to 7 p.m. and no more than ten (10) licensed vehicles for servicing are allowed on the property at one time. The motion was seconded by Mrs. Harris and unanimously carried.

Ayes:	6	Harris, Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	1	Frazier

Adjournment: Mr. Pugh made a motion to adjourn the Commission's meeting which was seconded by Mr. Venable and unanimously carried at approximately 7:11 p.m.

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 23, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, August 23, 2012, at 6:00 P.M. in the Smyth County Board of Supervisors meeting room, at 121 Bagley Circle, Marion, Virginia 24354.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; L. V. "Pokey" Harris, Rye Valley District; Joel Pugh, Park District (arrived at approximately 6:04 p.m.); Blake Frazier, Royal Oak District and Charles Wassum, Atkins District

Commissioners Absent: None

Staff Present: Clegg Williams, Zoning Administrator; Sally Morgan, Community Development Director; and Michelle Clayton, County Attorney

At approximately 6:02 p.m. Chairman Sparks called the meeting to order.

Adoption of Agenda: Mr. Davidson made a motion to adopt the agenda as presented which was seconded by Mr. Venable and the following vote was carried:

Ayes:	6	Harris, Venable, Davidson, Wassum, Sparks, and Frazier
Absent:	1	Pugh

Approval of Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, July 27, 2012, meeting as presented. Mrs. Harris seconded the motion and the following vote was recorded:

Ayes: 7	Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh
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Subdivision Ordinance:

Buford and Kaye Brown: (*More than two dwelling units on a single lot*) Mr. Williams explained that Mr. and Mrs. Brown own a tract of land consisting of 15 acres for which they are requesting to install a fourth dwelling. The driveway for 643 will be extended to be used as the driveway for the fourth dwelling if approved.

Mr. Davidson made a motion to approve the Brown's request to install the fourth dwelling as presented. Mr. Frazier seconded the motion and the following vote was recorded:

Ayes: 7	Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh
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Boundary Line Adjustment:

Christopher and Felicia Eller: Mr. Williams explained Mr. and Mrs. Eller's request to vacate a property line between them and an adjoining one acre tract owned by Mr. Johnson, who wishes to give the tract to them. Because the one acre tract qualifies as a self sufficient lot, Mr. Williams required the Eller's present the deed and plat to the Planning Commission for approval to vacate the proposed interior property line so the one acre tract will not be a "land locked" tract. Essentially this process will marry the

Eller's two tracts making them the owners of a single tract of land consisting of 2.206 acres, more or less.

Mr. Frazier made a motion to approve the Eller's request to approve a boundary line adjustment as presented. Mr. Davidson seconded the motion and the following vote was recorded:

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Robert and Rebecca Harris:

Boundary Line Adjustment – Mr. Williams explained Mr. and Mrs. Harris' request to adjust their boundary lines to be consistent with the fences constructed on the property.

Mr. Frazier made a motion to approve the Eller's request to approve a boundary line adjustment as presented. Mr. Venable seconded the motion and the following vote was recorded:

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Right-of-Way Request – Mr. Williams explained Mr. and Mrs. Harris' request to move a right of way that was conveyed at the initial purchase of the property. The right of way was never developed because they owned the adjoining tracts. Considering the property is to be auctioned they are requesting to abandon the existing right of way that was never developed and create a new right of way

Mrs. Harris made a motion to approve the Harris' request to approve the right of way as presented. Mr. Venable seconded the motion and the following vote was recorded:

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Citizens' Time: Earl McClure was present and expressed his concerns about the proposed Subdivision Ordinance revisions still being before the Board's Ordinance Committee without action being taken. He stated he feels the Zoning Ordinance also needs to be reviewed and updated.

Commissioner's Comments/Questions: Mr. Wassum requested an update regarding the status of the Ordinance Committee's standing since the former County Attorney's review. Mr. Williams recommended the Planning Commission allow Michelle Clayton, County Attorney, time to review the current Ordinance and conduct research to begin the process of revising the Ordinance.

Recess: At approximately 6:36 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Members Present: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr., Rye Valley District Supervisor Rick K Blevins, Atkins District Supervisor J. Howard

Burton, Chilhowie District Planning Commissioner Graham Davidson Sr., Royal Oak District Supervisor Regina H Davidson, Vice Chair, Park District Supervisor M. Todd Dishner, Vice Chair, Rye Valley Dist Planning Commissioner L.V. "Pokey" Harris, Park District Planning Commissioner Joel Pugh, Chairman, North Fork Dist. Planning Commissioner Chairman Norman Sparks, Saltville District Planning Commissioner Wayne Venable and Atkins District Planning Commissioner Charles Wassum III, Royal Oak District Planning Commissioner G. Blake Frazier, Saltville District Supervisor Roscoe D. Call and North Fork District Supervisor Ron C Blevins (arrived at approximately 7:05 p.m.) (14)

Staff: County Administrator Michael Carter, Assistant County Administrator Scott Simpson, Building & Zoning Administrator Clegg Williams, County Attorney Michelle Clayton and Sally Morgan, Community Development Director

Others Present: Stephanie Porter-Nichols from the Smyth County News and Messenger and approximately 2 citizens.

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.

***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, August 23, 2012, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Smyth Technology Group, Inc. d/b/a SmythNet for a Special Use Permit to erect a Communication Tower adjoining 259 Walker Mountain Lane, Marion. The property is owned by Charles M. Buchanan Jr., et al, identified as Tax Map No. 33-A-10 and is zoned Agricultural.

At this public hearing, 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. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

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

*Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission*

At approximately 7:02 p.m. Mr. Williams explained an application from Smyth Technology Group, Inc. for a Special Use Permit to erect a Communication Tower on a tract of land owned by Charles Buchanan and identified as Tax Map Number 33-A-10 and is zoned Agricultural. He stated that, as required, additional information was submitted by Mr. Shannon Rogers, P. E. of Pillar Engineering & Surveying. Mr. Williams stated he advertised notice of this public hearing in the Smyth County News on August 11 and 18. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. He did not receive any comments regarding this application. Mr. Williams highlighted Section 3-1.2 h) which allows the proposed use by issuance of a Special Use Permit, Section 10-17 which defines the proposed use, and Article 6 which contains the provisions for Special Use Permits as well as Section 4-11 which contains additional regulations for Communication Towers.

The owner of Smyth Technology Group, Inc. d/b/a SmythNet, Michael Perdue, was present and offered a packet of information about his company, the existing towers located on Walker Mountain and Federal Communication Commission information.

There was discussion concerning the specifics of the tower's benefits and its service capacity between the members and applicant.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:21 p.m.

At approximately 7:21 p.m. Chairman Norman Sparks reconvened the Planning Commission meeting to consider Smyth Technology Group, Inc. d/b/a SmythNet's application.

Recommendation on Smyth Technology Group, Inc. d/b/a SmythNet - Special Use Permit Application for a Communication Tower: At approximately 7:22 p.m. Mr. Frazier made a motion to recommend the Board of Supervisor's approve Smyth Technology Group, Inc., d/b/a SmythNet's application for a Special Use Permit to erect a Communication Tower on the property of Charles Buchanan located on Walker Mountain and identified as Tax Map No. 33-A-10. The motion was seconded by Mrs. Harris and unanimously carried.

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Adjournment: Mr. Sparks adjourned the Planning Commission meeting at approximately 7:23 p.m.

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 27, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, September 27, 2012, at 6:00 P.M. in the Smyth County Board of Supervisors meeting room, at 121 Bagley Circle, Marion, Virginia 24354.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; L. V. "Pokey" Harris, Rye Valley District; Joel Pugh, Park District; Blake Frazier, Royal Oak District and Charles Wassum, Atkins District

Commissioners Absent: None

Staff Present: Clegg Williams, Zoning Administrator; Becca Kirk, Administrative Assistant; and Michelle Clayton, County Attorney

At approximately 6:02 p.m. Chairman Sparks called the meeting to order.

Adoption of Agenda: Mr. Venable made a motion to adopt the agenda as presented which was seconded by Mr. Frazier and the following vote was carried:

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Pugh and Frazier

Approval of Minutes: Mrs. Harris made a motion to approve the minutes, with recommended corrections, of the Thursday, August 23, 2012. Mr. Venable seconded the motion and the following vote was recorded:

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Boundary Line Adjustments:

James Reid: Mr. Williams explained Mr. Reid's request to vacate a property line. He plans to auction his property and proposes to divide it into four tracts. Upon the surveying of his property it became apparent there were old lot lines that would make a couple of the tracts land locked; therefore, Mr. Reid is requesting to vacate the old lot lines.

Mr. Frazier made a motion to approve Mr. Reid's request to approve a boundary line adjustment as presented. Mrs. Harris seconded the motion and the following vote was recorded:

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Charles Frye: Mr. Williams explained Mr. Frye's request to adjust his boundary lines for property he is selling and this adjustment will allow for the 4.16 acres he is retaining to be consistent with a fence constructed on the property.

Mr. Frazier made a motion to approve the Mr. Frye's request to approve a boundary line adjustment as presented. Mrs. Harris seconded the motion and the following vote was recorded:

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Citizens' Time: No one was present.

CPEAV Training: Mr. Williams reminded the Commission to review the schedule for an upcoming Conference being held October 7 and to let him know of any interest in attending in order to make the appropriate arrangements.

Zoning Ordinance: Mr. Williams informed the Commission of the Board's approval of last month's request from Smyth Technology Group to erect a Communication Tower on Walker Mountain.

Commissioner's Comments/Questions: No comments were made.

Recess: At approximately 6:19 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Mr. Todd Dishner, Vice Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Members Present: Vice-Chairman, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; Atkins District Supervisor J. Howard Burton; Chilhowie District Planning Commissioner Graham Davidson Sr.; Royal Oak District Supervisor Regina H Davidson; Vice Chair, Rye Valley Dist Planning Commissioner L.V. "Pokey" Harris; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Chairman Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Charles Wassum III; Royal Oak District Planning Commissioner G. Blake Frazier; Saltville District Supervisor Roscoe D. Call; and North Fork District Supervisor Ron C Blevins (13)

Staff: Assistant County Administrator, Scott Simpson; Administrative Assistant, Becca Kirk; Administrative Assistant, Christy Bise; Building & Zoning Administrator, Clegg Williams; County Attorney, Michelle Clayton; and Economic Development Director, Sally Morgan

Others Present: Approximately 10 citizens.

Mr. Scott Simpson read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**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, September 27, 2012, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Earnest Teaters for a Special Use Permit for "Mining, Quarrying and Mineral Extraction" on his property located at the end of Holden Drive in Marion identified as Tax Map Nos. 58-1-2A and 58-A-2B and zoned Agricultural/Rural.

An application from Earnest Teaters for a Special Use Permit for "Mining, Quarrying and Mineral Extraction" on his property located between 527 and 643 Town Springs Road in Chilhowie identified as Tax Map No. 76-A-36 and zoned Agricultural/Rural.

An application from High Country Horse Camp, LLC for a Special Use Permit to establish a Campground. The property is located at 6315 Whitetop Road in the Konnarock Community. It is identified as Tax Map Nos. 86-A-40C and 86-A-40D and a portion of Tax Map No. 86-A-40B and is zoned Agricultural/Rural.

At this public hearing, 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. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

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

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Earnest Teaters – Two (2) Special Use Permits for Mining, Quarrying and Mineral Extraction: At approximately 7:07 p.m. Mr. Williams explained two Special Use Permit applications from Earnest Teaters for "Mining, Quarrying and Mineral Extraction" on two separate pieces of property he owns. The first site is located at the end of Holden Drive in Marion, Tax Map Nos. 58-1-2A and 58-A-2B, and the second site is located on Town Springs Road in Chilhowie, Tax Map No. 76-A-36. Both properties are zoned Agricultural/Rural.

Mr. Williams stated he advertised notice of this public hearing in the Smyth County News on September 15 and 22. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file for all of tonight's applications. Mr. Williams

highlighted Section 3-2.2 r) which allows the proposed use by issuance of a Special Use Permit, Section 10-46.1 which defines the proposed use, and Article 6 which contains the provisions for Special Use Permits. Mr. Williams stated he had received general comments and questions about all of tonight's applications, none asked to be relayed at the hearing. He added that Mr. Teaters was advised that should his Special Use Permit be approved he must obtain a Department of Mines, Minerals and Energy (DMME) permit. Mr. Williams explained that if Mr. Teaters is permitted by DMME he will be required to post a bond for the acreage being disturbed. As Mr. Teaters completes mining a portion of the site, he must "reclaim" that portion of the tract. At that point, he can move to another part of the property and the bond will follow the mining operations.

Mr. Teaters was present and addressed concerns about Holden Drive being a private road. Mr. Teaters and one of the adjoining property owners, Willis Bridgeman, who was also present, primarily share the maintenance of the road. Mr. Teaters discussed particulars of his trucks and equipment and load capacity of the trucks.

Roscoe Call mentioned his experience with DMME and feels they will ensure Mr. Teaters is operating appropriately and within the rules and regulations they have established for mining sites.

No one else spoke on the application.

High Country Horse Camp, LLC – Special Use Permit for Campground or Recreational Vehicle Park: At approximately 7:23 Mr. Williams explained the application from Tom Davis on behalf of High Country Horse Camp, LLC. He stated Mr. Davis intends to convert his residential rental property into a campground with four cabins, a bathhouse, and six recreational vehicle spots. The property is located in the Konnarock Community behind the former Weaver's Store. Mr. Williams highlighted Section 3-2.2 j) which allows the proposed use by issuance of a Special Use Permit, Sections 10-12 and 10-16 which defines the proposed uses, and Article 6 which contains the provisions for Special Use Permits.

Mr. Davis was present and explained the general history of the property and the problems he has encountered using it for residential rental purposes. He would like to provide an option for camping to visitors of the Konnarock Community as well as reestablish the former Weaver's Store. He stated the car wash located on the property has been demolished and only a couple of manufactured homes remain on the property for which he intends to remove if his request is approved. He wishes to make this property profitable for the members of the LLC and would like to start operations in October. He stated the campground would not be for horse trailers and is for strictly campers interested in an RV pull-through site or occupying a cabin for recreational use. He stated he has discussed with Department of Social Services the possibility of setting up a program for Veterans to use the campground to have a place to stay while enjoying the Mt. Rogers experience. He acknowledged his proposed placement of the cabins within the 100 year floodplain meant the cabins would have to be one foot above the base flood elevation. He further explained the only other place for the cabins on the property would cover the septic system and drainfield, and he wanted the cabins away from the parking and RV pull-through sites but still within walking distance of the bathhouse and store. He stated if approved, he would still need the necessary approvals from the Health Department to operate the campground.

No one else spoke on the application.

Vice Chairman Todd Dishner and Chairman Norman Sparks closed the public hearing at approximately 7:38 p.m.

At approximately 7:39 p.m. Chairman Norman Sparks reconvened the Planning Commission meeting to consider tonight's applications.

Recommendation on Earnest Teaters - Special Use Permit Application (Holden Drive, Tax Map Nos. 58-1-2A and 58-1-2B) for *Mining, Quarrying and Mineral*

Extraction: Discussion was made regarding the road maintenance of Holden Drive. Mr. Williams explained that DMME may play a role in requiring Mr. Teaters maintain Holden Drive as well as the option the Planning Commission has to place conditions upon any Special Use Permit recommendation. At approximately 7:39 p.m. Mr. Frazier made a motion to recommend the Board of Supervisor's approve Mr. Teaters' application for a Special Use Permit for *Mining, Quarrying and Mineral Extraction* with the condition that Mr. Teaters maintain Holden Drive in its present condition. Mrs. Harris seconded the motion and the following vote was recorded.

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Recommendation on Earnest Teaters - Special Use Permit Application (Town Springs Road, Tax Map No. 76-A-36) for *Mining, Quarrying and Mineral Extraction*

At approximately 7:45 p.m. Mr. Venable made a motion to recommend the Board of Supervisor's approve Mr. Teaters' application for a Special Use Permit for *Mining, Quarrying and Mineral Extraction*. Mrs. Harris seconded the motion and the following vote was recorded.

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Recommendation on High Country Horse Camp, LLC - Special Use Permit Application (Tax Map No. 86-A-40C, 86-A-40D and a portion of 86-A-40B) for *Campground or Recreational Vehicle Park*

Campground or Recreational Vehicle Park: At approximately 7:46 p.m. Mr. Frazier made a motion to recommend the Board of Supervisor's approve High Country Horse Camp, LLC's application for a Special Use Permit for *Campground or Recreational Vehicle Park*. Mrs. Harris seconded the motion and the following vote was recorded.

Ayes: 7 Harris, Venable, Davidson, Wassum, Sparks, Frazier and Pugh

Adjournment: Mr. Sparks adjourned the Planning Commission meeting at approximately 7:48 p.m.

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 15, 2012

The Smyth County Planning Commission met in their regular meeting on Thursday, November 15, 2012, at 6:00 P.M. in the Smyth County Board of Supervisors meeting room, at 121 Bagley Circle, Marion, Virginia 24354.

Commissioners Present: Chairman Norman Sparks, North Fork District; Graham Davidson, Chilhowie District; Wayne Venable, Saltville District; Joel Pugh, Park District; and Charles Wassum, Atkins District

Commissioners Absent: L. V. "Pokey" Harris, Rye Valley District and Blake Frazier, Royal Oak District

Staff Present: Clegg Williams, Zoning Administrator; Becca Kirk, Administrative Assistant; and Michelle Clayton, County Attorney; J. Howard Burton, Atkins District Supervisor

At approximately 6:01 p.m. Chairman Sparks 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 the following vote was carried:

Ayes:	5	Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	2	Harris and Frazier

Approval of Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, September 27, 2012. Mr. Davidson seconded the motion and the following vote was recorded:

Ayes:	5	Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	2	Harris and Frazier

Site Development Plan:

Larry Testerman: Mr. Williams explained Mr. Testerman's request to install a third manufactured home on approximately 15 acres he owns on South Fork Road in Marion.

Donna Stephenson was present to represent her parents, William and Wilma Grinstead. Her parents are purchasing a new manufactured home and are installing it on Larry Testerman's property. She said there is currently a septic system and access to Thomas Bridge Water.

Mr. Davidson made a motion to approve Mr. Testerman's request for a site development plan for more than two dwelling units on a single lot. Mr. Pugh seconded the motion and the following vote was recorded:

Ayes:	4	Davidson, Wassum, Sparks, and Pugh
Abstain:	1	Venable
Absent:	2	Harris and Frazier

Subdivision Ordinance:

Smyth County Board of Supervisors: Mr. Williams explained the Board's request to establish a right of way for egress and ingress to a well site the County is negotiating to purchase from J. W. Cumbow in Groseclose.

Mr. Davidson made a motion to approve the Board of Supervisors's request to approve a right of way. Mr. Venable seconded the motion and the following vote was recorded:

Ayes:	5	Venable, Davidson, Wassum, Sparks, and Pugh
Absent:	2	Harris and Frazier

Citizens' Time: Washington County Planning Commissioner Bruce Dando was present for observation in connection to Michael Chandler's Certified Planning Commissioner classes.

Zoning Ordinance: Mr. Williams informed the Commission of the Board's approval of Earnest Teaters' requests to establish two mining, quarrying, and mineral extracting sites and their approval of High Country Horse Camp, LLC's request to establish a Campground or Recreational Vehicle Park.

Commissioner's Comments/Questions: Discussion was made about the new elementary school's development and the emergency access road.

Recess: At approximately 6:28 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:00 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Members Present: Chairman, Chilhowie District Supervisor, Wade Blevins; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; Atkins District Supervisor J. Howard Burton; Chilhowie District Planning Commissioner Graham Davidson Sr.; Royal Oak District Supervisor Regina H Davidson; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Chairman Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Charles Wassum III; Saltville District Supervisor Roscoe D. Call; and North Fork District Supervisor Ron C Blevins (12)

Staff: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; Administrative Assistant, Becca Kirk; Administrative Assistant, Christy Bise; Building & Zoning Administrator, Clegg Williams; County Attorney, Michelle Clayton; and Economic Development Director, Sally Morgan; Chief Financial Officer, Charlie Atkins

Members Absent: Rye Valley Dist Planning Commissioner L.V. "Pokey" Harris and Royal Oak District Planning Commissioner G. Blake Frazier

Others Present: Approximately 20 citizens, Stephanie Porter-Nicols of the Smyth County News & Messenger and Mike Hounshell of the Smyth County Sheriff's Department were present.

Mr. Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**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, November 15, 2012, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from CPV Smyth Generation Company, LLC for a Special Use Permit to establish an "Electric Generating Facility" on property currently owned by Industrial Development Authority of Smyth County located behind 369 and 371 Mulberry Lane in Atkins identified as Tax Map No. 48-A-45 and zoned Agricultural/Rural.

At this public hearing, 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. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

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

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

CPV Smyth Generation Company, LLC (CPV) – Special Use Permit for *Electric Generating Facility*: At approximately 7:03 p.m. Mr. Williams explained a Special Use Permit application from CPV for an "Electric Generating Facility." He stated they have negotiated an option with Smyth County IDA to purchase a 108.15 acre tract of land on Mulberry Lane in Atkins. He advertised notice of this public hearing in the Smyth County News on November 3 and 10. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. Mr. Williams highlighted Section 3-2.2 I) which allows the proposed use by issuance of a Special Use Permit, Section 10-28 which defines the proposed use, and Article 6 which contains the provisions for Special Use

Permits and referenced the future land use map in the current 2005 Comprehensive Plan. Mr. Williams read into record an email from John Bolling of VDOT stating their confidence that a low volume commercial entrance can be installed to access the property; however, final approval would take place during the permit application process.

Gener Gotiangco of Bethesda, Maryland and Vice President of CPV was present and discussed the benefits of CPV operating in Smyth County. He gave a detailed summary of the company operations. Other members of CPV were also present and stated their roles in the company: Stephen Steele, Engineer with CHA, representing CPV locally; Andy Condlin, Attorney assisting with the legal permitting and general processes; and Keith Price, Engineer working on the conceptual design.

Donald Stacy, James Grubb, Kay Russell, and Linda Logan all spoke in opposition to the request. Their concerns included: possible impact to the water table, increased traffic, reduced property values, noise, pollution, view shed, survey markers placed on adjoining property without permission and the structure's aesthetics. Mr. Stacy presented a petition in opposition to be placed in the record.

Charlie Clark, former Supervisor member for the North Fork District and Marvin Craig both spoke in favor of the request stating the need for jobs, increase to the tax base and other economic benefits.

Mr. Gotiangco informed the Planning Commission and Board of Supervisors that on November 8, 2012, CPV conducted an "Informational Open House" at the Atkins Elementary School. While area residents received personal invitations, the meeting was open to the public. Next, he addressed each of the concerns mentioned by those present. He explained that several concerns will be better addressed during the permitting processes CPV will have to go through with Department of Environmental Quality, Virginia Department of Transportation, Appalachian Power, and Department of Conservation & Recreation. It was discussed that CPV had in 2001, considered locating in Broadford. Due to a turn in the economy, the project did not proceed. While they considered the Broadford site in 2012, along with many others, they felt the Atkins site was better suited. Discussion was made about CPV selling power to Appalachian Power. Mr. Gotiangco confirmed they intended to sell the power they generate to Appalachian Power; however, the rates are determined by the State Corporation Commission and CPV will not be in any position to determine or predict rates. When asked if the existing Merillat buildings were sufficient for this type of facility, Mr. Gotiangco stated the buildings had not been evaluated but typically these types of buildings are not constructed for the type of infrastructure CPV requires. Considering the extensive permitting processes, Mr. Gotiangco stated the projected start date is the Spring of 2015. Regarding hours of operation, the plant will primarily operate during peak times. Safety concerns were raised for which Mr. Gotiangco stated CPV has not had any catastrophes and feels this plant is safer than other forms of energy plants.

Mr. Steele discussed the VDOT regulations which be addressed during the VDOT permitting process. He stated CPV had bored 80' holes in four different locations on the site and found no water. Considering that, he felt there wouldn't be any effects on the local water table.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 8:12 p.m.

At approximately 8:12 p.m. Chairman Norman Sparks reconvened the Planning Commission meeting to consider tonight's applications.

Recommendation on CPV Smyth Generation Company, LLC (CPV) - Special Use Permit Application (Tax Map No. 48-A-45) for *Electric Generating Facility*.

Discussion was made regarding the concerns expressed during the hearing. Considering the number of comments regarding access to public water and the possible impact to private wells, several Planning Commission members felt any effort on CPV's part to provide a public water line to those in the immediate area would reduce the concern. A few Commissioners stated they felt CPV had conducted due diligence and felt they would continue to do so. Mr. Pugh stated his heart felt compassion for the neighbors concerns with the water; however, he does understand the great need for electricity as well. Dr. Wassum stated he noticed that neighbors closer to the site didn't seem to have as many concerns as those further out from the site and the neighbors wanted to see more jobs. At approximately 8:19 p.m. Mr. Venable made a motion to recommend the Board of Supervisor's approve CPV's application for a Special Use Permit for an *Electric Generating Facility*. Mr. Davidson seconded the motion and the following vote was recorded.

Ayes:	4	Venable, Davidson, Sparks, and Pugh
Nays:	1	Wassum
Absent:	2	Frazier and Harris

Adjournment: Mr. Sparks adjourned the Planning Commission meeting at approximately 8:25 p.m.

Wayne Venable, Secretary