

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 23, 2014

The Smyth County Planning Commission met in their regular meeting on Thursday, January 23, 2014, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, Joel Pugh, and Charles Wassum

Commissioner(s) Absent: Wayne Venable, L. V. "Pokey" Harris and Royal Oak District Commissioner (Vacancy)

Staff Present: Clegg Williams and Becca Marean

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

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

Vote: 4 yays	Davidson, Wassum, Pugh, and Sparks
2 absent	Harris and Venable
1 vacancy	Royal Oak District

Mr. Sparks appointed Clegg Williams as temporary Chairman for the election of officers.

Election of Officers:

Chairman: Mr. Williams then opened the floor for nominations of Chairman for calendar year 2014. Mr. Davidson nominated Mr. Sparks for Chairman; it was seconded by Mr. Pugh. With no other nominations Mr. Sparks was elected to serve as Chairman for 2014.

Vote: 3 yays	Davidson, Wassum, and Pugh
2 absent	Harris and Venable
1 vacancy	Royal Oak District
1 abstain	Sparks

Vice Chairman: Mr. Sparks opened the floor for nominations of Vice-Chairman for calendar year 2014. Mr. Davidson nominated Mr. Pugh for Vice Chairman; it was seconded by Mr. Sparks. With no other nominations Mr. Pugh was elected to serve as Vice Chairman for 2014, with the following vote recorded.

Vote: 3 yays	Davidson, Wassum, and Sparks
2 absent	Harris and Venable
1 vacancy	Royal Oak District
1 abstain	Pugh

Secretary: Mr. Sparks opened the floor for nominations of Secretary for calendar year 2014. Mr. Davidson nominated Mr. Venable; it was seconded by Mr. Pugh. With no other nominations Mr. Venable was elected to serve as Secretary for 2014, with the following vote recorded.

Vote:	4 yays	Davidson, Wassum, Pugh, and Sparks
	2 absent	Harris and Venable
	1 vacancy	Royal Oak District

Clerk: Mr. Sparks opened the floor for nomination of Clerk for calendar year 2014. Mr. Davidson nominated Becca Marean; it was seconded by Mr. Pugh. With no other nominations Mrs. Marean was elected to serve as Clerk for 2014. The following vote was recorded.

Vote:	4 yays	Davidson, Wassum, Pugh, and Sparks
	2 absent	Harris and Venable
	1 vacancy	Royal Oak District

Set Calendar year 2014: Mr. Pugh motioned to set the meetings for the fourth Thursday at 6:00 p.m. with the exception of November and December due to holidays, which will be scheduled for November 20 and December 18. Mr. Davidson seconded the motion and the following vote was recorded.

Vote:	4 yays	Davidson, Wassum, Pugh, and Sparks
	2 absent	Harris and Venable
	1 vacancy	Royal Oak District

Minutes: Mr. Davidson made a motion to approve the minutes of the Thursday, December 19, 2013, meeting with a few corrections as mentioned by Mr. Sparks. Mr. Pugh seconded the motion and the following vote was recorded.

Vote:	4 yays	Davidson, Wassum, Pugh, and Sparks
	2 absent	Harris and Venable
	1 vacancy	Royal Oak District

Citizens' Time: No citizens spoke.

Committee Appointments: Appointments were discussed and Mr. Sparks volunteered himself to the Ordinance committee and appointed Mr. Wassum and Mr. Pugh.

2014 Operating Procedures: Mr. Sparks tabled the operating procedures until the February meeting.

2013 Annual Report: Discussion was made regarding the Goals section of the report. Frustration was expressed by several members regarding several of the 2012 goals not being met. Mr. Pugh made a motion to approve the report but to keep VCPA School training available to members and to add "Debate Outstanding Zoning Ordinance Issues" which was seconded by Mr. Davidson and the following vote was recorded.

Vote:	4 yays	Davidson, Wassum, Pugh, and Sparks
	2 absent	Harris and Venable
	1 vacancy	Royal Oak District

Questions/Comments from Commissioners: No other comments or questions were discussed.

Recess: At approximately 6:41 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 23, 2014, 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 Rebecca Michele Thomas for a Special Use Permit to establish a Childcare Center. The property is located at 733 Wet Springs Road in Chilhowie. It is identified as Tax Map Nos. 76-9-11 and 76-A-143A1 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) 706-8315 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

Board Members Present: Chairman Wade Blevins, Blake Frazier, Ron C. Blevins, Todd Dishner, Roscoe Call, Howard Burton and Rick Blevins

Commissioners Present: Chairman Norman Sparks, Graham Davidson, Charles Wassum, and Joel Pugh; **Absent:** Wayne Venable, L. V. "Pokey" Harris and Royal Oak District Representative (Vacancy)

Staff Present: County Administrator, Michael Carter, Assistant County Administrator, Scott Simpson; County Attorney Michelle Clayton, Clegg Williams, Becca Marean, Kelly Woods, Charlie Atkins. Approximately 4 citizens and Stephanie Porter-Nichols with the Smyth County News were present.

Rebecca Thomas — Application for Special Use Permit: Mr. Williams explained Rebecca Thomas' intention to seek a special use permit to establish a *Childcare Facility* at her residence located at 733 Wet Springs Road in Chilhowie. The property is further identified as Tax Map Nos. 76-9-11 and 76-A-143A1. Mr. Williams explained that Mrs. Thomas has operated a childcare facility for some time but until recent procedural changes with the Department of Social Services she was unaware a Special Use Permit was required. 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 11 and 18. Additionally, a first class mailing was sent to each of the applicant's adjoining property owners.

Ms. Thomas was present and informed the Board she has operated her childcare facility in her home for the past 15 years, five of which she has been licensed through DSS. She is licensed to keep up to 12 children. She currently has six during the day and gets two off the school bus in the afternoons. She stated she spoke with all of her neighbors and no one had anything negative to say.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:06 p.m. Chairman Sparks recessed the Planning Commission.

Chairman Sparks reconvened the Commission at approximately 7:07 p.m. Mr. Sparks opened the floor to the Commission for comments or questions.

Recommendation on the request of Rebecca Thomas for a Special Use Permit: Mr. Davidson made a motion to recommend the Board approve Rebecca Thomas' application for a Special Use Permit to operate a Childcare Facility at 733 Wet Springs Road in Chilhowie (Tax Map Nos. 76-9-11 and 76-A-143A1. Mr. Pugh seconded the motion and the following vote was recorded.

Vote: 4 yays	Davidson, Wassum, Pugh, and Sparks
2 absent	Harris and Venable
1 vacancy	Royal Oak District

Adjournment: At approximately 7:08, Mr. Sparks adjourned the Planning Commission's meeting.

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 27, 2014

The Smyth County Planning Commission met in their regular meeting on Thursday, March 27, 2014, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, Charles Wassum, Wayne Venable, L. V. "Pokey" Harris and Robbie Doyle

Commissioner(s) Absent: Joel Pugh

Staff Present: Clegg Williams

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

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 Ms. Harris and voted on as follows:

Vote: 6 yays	Davidson, Wassum, Venable, Harris, Doyle, and Sparks
1 absent	Pugh

Minutes: Mr. Davidson made a motion to approve the minutes of the Thursday, January 23, 2014 meeting. Mr. Wassum seconded the motion and the following vote was recorded:

Vote: 6 yays	Davidson, Wassum, Venable, Harris, Doyle, and Sparks
1 absent	Pugh

Citizens' Time: No citizens spoke.

2014 Operating Procedures: After discussion, Mr. Venable made a motion to approve the 2014 Operating Procedures with the discussed changes, which was seconded by Ms. Harris and voted on as follows:

Vote: 6 yays	Davidson, Wassum, Venable, Harris, Doyle, and Sparks
1 absent	Pugh

Report from Budget Committee: Mr. Williams explained the member payment and mileage remained the same; however, the budget was reduced for education/lodging and attorney fees were eliminated.

Subdivision Ordinance:

John Clark: *Right-of-way variance request:* Mr. Williams directed the Planning Commissioners to the preliminary plat showing the proposed property to be conveyed to Olin Corporation by Mr. John Clark. He explained the mining conducted years ago has led to a number of cave-ins on Mr. Clark's farm. He stated that Olin had no intention of developing the property. He also pointed out that the agriculture operation taking place on the property would be impacted if the ordinance was enforced.

Mr. John Clark was present and described the issues he is encountering as a result of the cave-ins and he expressed his concern for safety. He acknowledged the need for subdivision ordinance and its' requirements but felt their proposal was unique and the reason they applied for a variance. If the ordinance was complied with, a road built to state standards may actually invite the public to the area. Something he and Olin were trying to prevent.

Mr. Stanley Haynes was present and spoke on behalf of the Olin Corporation. He reiterated the concerns for safety and described their plan to erect an agricultural fence around the proposed tract. Regarding the proposed right-of-way, he stated that it would be used quarterly for access to inspect the fence and signs posted on the property. He stated another reason for the variance request was Olin's desire not to impose on Mr. Clark's farming operation. Regarding the size of the tract, he stated the proposed tract should cover all of the abandoned shafts once mined by Olin.

Discussion was made regarding the potential transfer of the proposed tract in the future. Mr. Williams explained the majority of this property is located within the floodway and it is entirely located in the floodplain. He stated that while the property may be transferred in the future, development would be limited by floodplain requirements.

Mr. Venable made a motion to approve the request, which was seconded by Mr. Davidson and the following vote was recorded:

Vote: 6 yays	Davidson, Wassum, Venable, Harris, Doyle, and Sparks
1 absent	Pugh

Charles Trivitt: *Right-of-way variance request:* Mr. Williams explained the application may look familiar considering the Trivett's have been before the Planning Commission before requesting the same variance. He reminded the Commission that all previous requests had been approved. Mr. Williams explained the conflict between the County Code and the State Code regarding the definition of "immediate family".

Mr. Sparks mentioned that a maintenance agreement had been required on the previous approvals.

Mr. Venable made a motion to approve the request with the condition that a maintenance agreement be included in the transfer deed which was seconded by Mr. Doyle and the following vote was recorded:

Vote: 6 yays	Davidson, Wassum, Venable, Harris, Doyle, and Sparks
1 absent	Pugh

Questions/Comments from Commissioners: Mr. Wassum brought up discussion regarding the Operating Procedures and the references made to the Community Development Director. Mr. Williams informed the Commission that the position had been filled by Ms. Lori Hester and he was unsure if her duties had been amended. He stated that he would report next month as to the role Ms. Hester would have with the Planning Commission.

Mr. Sparks introduced Mr. Robbie Doyle as the representative from the Royal Oak District.

Minor discussion was made regarding the Special Use Permit form created by Mrs. Clayton.

Recess: At approximately 6:47 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:00 p.m. joint public hearing with the Board of Supervisors.

Chairman Sparks reconvened the Commission at approximately 7:30 p.m. Mr. Sparks opened the floor to the Commission for comments or questions.

Recommendation on the request of Tammy Miller for a Special Use Permit: After discussion Mr. Wassum made a motion to recommend the Board approve Tammy Miller's application for a Special Use Permit to operate a *Childcare Facility* at 208 Myers Street in Marion (Tax Map No. 46B-1-26) with the condition that the number of children cannot exceed six (6), and the hours of operation be limited to 6:30 a.m. to 5:30 p.m. Mr. Davidson seconded the motion and the following vote was recorded.

Vote:	3 yays	Davidson, Wassum and Sparks
	3 nays	Doyle, Venable, and Harris
	1 absent	Pugh

Considering the vote was a tie, Mr. Davidson made a motion to approve the application with the condition that there be a maximum of five (5) children kept and the operating hours be from 6:30 a.m. to 5:30 p.m. Mr. Wassum seconded the motion and the following vote was recorded.

Vote:	4 yays	Davidson, Wassum, Doyle, and Sparks
	2 nays	Venable and Harris
	1 absent	Pugh

Adjournment: At approximately 7:50 Mr. Sparks adjourned the Planning Commission's meeting.

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 26, 2014

The Smyth County Planning Commission met in their regular meeting on Thursday, June 26, 2014, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, Charles Wassum, Joel Pugh, L. V. "Pokey" Harris and Robbie Doyle

Commissioner(s) Absent: Wayne Venable

Staff Present: Clegg Williams, Becca Marean and Michelle Clayton

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

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

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Minutes: Mrs. Harris made a motion to approve the minutes of the Thursday, April 24, 2014 meeting. Mr. Davidson seconded the motion and the following vote was recorded:

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Citizens' Time: No citizens spoke.

Zoning Ordinance:

Jimmy and Donna King: *Site Development Plan – more than two dwelling units on a single lot:* Mr. Williams explained Mr. and Mrs. King's desire to place a third dwelling on their property. Mr. King was present for questioning from the Commission. Mr. Sparks asked about Mr. King's future plans for the property. Mr. King stated right now the property is farm land and he had not really thought about any future plans for it. The requirement for meeting the Manufactured Home Park Ordinance for a fourth manufactured home was brought up and discussed and Mr. Williams stated he and Mr. King had already discussed that as well.

Mr. Davidson made a motion to approve Mr. and Mrs. King's request to place a third manufactured home on their property located at 7737 Lee Hwy in Rural Retreat, Tax Map No. 38-A-16N. Mr. Wassum seconded the motion and the following vote was recorded:

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Questions/Comments from Commissioners: Mr. Wassum brought up discussion regarding the County's process of Special Use Permits to operate childcare centers. He referenced several codes and definitions. Mr. Williams informed the Commission that he had discussed the matter with Department of Social Services. Had he known Mr. Wassum wanted to discuss the issue, Mr. Williams stated he could have been better prepared. He said the issue has been presented to the Board of Supervisors who has referred the matter to the Ordinance Committee. After intense discussion, Mrs. Clayton again stated the matter would be going before the Ordinance Committee. With that, Mr. Sparks ended the debate.

Recess: At approximately 6:20 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 26, 2014, 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 Larry and Debra Hall for a Special Use Permit for the expansion of a nonconforming use (portable toilet business) located at 776 & 792 Cleghorn Valley Road in Marion. The property is identified as Tax Map No. 43-A-29A and 43-A-30 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) 706-8315 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

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

Board Member(s) Absent: Blake Frazier

Commissioners Present: Chairman Norman Sparks, Graham Davidson, L. V. "Pokey" Harris, Charles Wassum, Robbie Doyle, and Joel Pugh; **Absent:** Wayne Venable

Staff Present: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Zoning Administrator, Clegg Williams; Administrative Assistants Becca Marean and Kelly Woods, and Deputy Mike Hounshell. Approximately 10 citizens and Stephanie Porter-Nichols with the Smyth County News were present.

Larry and Debra Hall — Application for Special Use Permit. Mr. Williams explained Larry and Debra Hall's intention to seek a special use permit to expand a non-conforming use, a storage yard for portable toilets. Mr. Hall has stored these units on his property since the adoption of the Zoning Ordinance. Over the past several years, the storage yard has vastly expanded. The property is located at 776 and 792 Cleghorn Valley Road in Marion and further identified as Tax Map Nos. 42-A-29A and 43-A-30 and zoned Agricultural/Rural. Mr. Williams stated with their application, they submitted the required fee. Notice of the public hearing was advertised in the Smyth County News & Messenger on June 14 and 21. Additionally, a first class mailing was sent to each of the applicant's adjoining property owners. He stated he received a few phone calls but no one requested anything be relayed at the meeting and he did not receive any written correspondence. He highlighted the appropriate sections of the Zoning Ordinance and noted the future land use of Mr. and Mrs. Hall's property pursuant to the 2013 Comprehensive Plan.

Larry Hall was present and stated he has been delivering portable toilets since 1991. His employment provides him and his family with insurance benefits and it is his livelihood. He stated he felt storing the units at his home provides potential customers expedited service when restroom facilities become inoperable.

Debra Hall, Larry's wife, spoke on behalf of her husband. They have been married for 12 years and this is his only way of making a living. She stated he has always stored the units at his house for as long as she has known him and she sees it as a benefit to the County.

Bill Robinson of Wytheville, Virginia, spoke on the application. He stated he purchased the portable toilets business in 2002 and had intentions to move the business to Wythe County; however, Mr. Hall wanted to continue working for the company and asked Mr. Robinson to allow him to store the units on his property as a matter of convenience. Mr. Robinson provided the amount of money his company has spent in Smyth County for the past year, including gasoline, wages, solid waste fees, etc. He stated he only hires Smyth County residents to transport units in Smyth County and he commended his employees for their dependability and eagerness to assist customers any time of the day. He insured his company has all of the required permits and he has never received complaints about any of the company's storage units.

Several people, including Mr. Hall's neighbors, family, friends and co-workers spoke in favor of his application. They all stated the units come onto the property clean and do not emit any kind of odor.

Roscoe Call stated he has used this company on many occasions and commended their business ethics. He stated he had driven by the site and did not see any problems and did not smell any offensive odors from the site.

Ron Blevins asked if the County had received any complaints on this site. Mr. Williams stated that he had and it was the complaint that led to Mr. Hall's request. He asked if there was any fencing on the property. Mr. Hall stated there was not at this time but it was something he was considering. Mr. Williams explained that he felt the complaint was filed due to units being stored in the front yard. Mr. Blevins stated he was the Board's representative for this district and he was pleased it provided jobs.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:20 p.m. Chairman Sparks recessed the Planning Commission.

Chairman Sparks reconvened the Commission at approximately 7:20 p.m. and opened the floor to the Commissioners for comments or questions.

Recommendation on the request of Larry and Debra Hall for a Special Use Permit: Mr. Davidson stated he feels the business does not cause a lot of complaints and it provides jobs in Smyth County. Mrs. Harris stated how refreshing it is to see neighbors come out and support each other and employee's stepping forward on behalf of their employer. Mr. Davidson made a motion to recommend the Board approve Larry and Debra Hall's application for a Special Use Permit to expand a non-conforming use (portable toilet business) at 776 and 792 Cleghorn Valley Road in Marion (Tax Map Nos. 43-A-29A and 73-A-30). Mrs. Harris seconded the motion and the following vote was recorded.

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Adjournment: At approximately 7:30 Mr. Sparks adjourned the Planning Commission's meeting.

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 24, 2014

The Smyth County Planning Commission met at their regular meeting on Thursday, July 24, 2014, at 6:30 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, Charles Wassum, Joel Pugh, L. V. "Pokey" Harris, Wayne Venable and Robbie Doyle

Commissioner(s) Absent: None

Staff Present: Becca Marean, Michelle Clayton and Lori Hester

At approximately 6:30 p.m. Mr. Sparks called the meeting to order.

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: 7 yays Davidson, Wassum, Pugh, Harris, Doyle, Venable and Sparks

Minutes: Mrs. Harris made a motion to approve the minutes of the Thursday, June 26, 2014 meeting with one correction. Mr. Davidson seconded the motion and the following vote was recorded:

Vote: 7 yays Davidson, Wassum, Pugh, Harris, Doyle, Venable and Sparks

Citizens' Time: No citizens spoke.

Zoning Ordinance:

Questions/Comments from Commissioners: No one spoke. Considering this, Becca Marean, took the opportunity to introduce Lori Hester, Planning and Economic Developer. She briefly spoke about herself and invited any of the Planning Commissioners who had not met her before tonight to visit her office anytime.

Recess: At approximately 6:34 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.

Board Members Present: Chairman Wade Blevins, Ron C. Blevins, Howard Burton, Blake Frazier and Rick Blevins

Board Member(s) Absent: Roscoe Call and Todd Dishner

Commissioners Present: Norman Sparks, Graham Davidson, Charles Wassum, Joel Pugh, L. V. "Pokey" Harris, Wayne Venable and Robbie Doyle

Commissioner(s) Absent: None

Staff Present: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Administrative Assistants Becca Marean and Kelly Woods, and Deputy Ernie Atwell. Approximately 10 citizens and Stephanie Porter-Nichols with the Smyth County News were present.

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 24, 2014, 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 Kelly Richardson, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Adwolfe, Virginia, to rezone an area measuring approximately 190' x 235' from Agricultural/Rural to Commercial. The Smyth County Comprehensive Plan does not identify a density range and the general usage of this property has most recently been abandoned buildings. The property adjoins 107 Thomas Bridge Road in Marion, Virginia, and is identified as a portion of Tax Map No. 67-A-1 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 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. 2 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

Kelly Richardson — Application for Map Amendment: Mrs. Marean explained Kelly Richardson's intention to seek a map amendment to rezone the corner of Adwolfe Road,

Thomas Bridge Road, and Riverside Roads from Agricultural/Rural to Commercial. Mrs. Marean stated with her application, she submitted the required fee. Notice of the public hearing was advertised in the Smyth County News & Messenger on July 12 and 19. Additionally, a first class mailing was sent to each of the applicant's adjoining property owners. She stated the office had not received any phone calls or written correspondence regarding the application

Kelly Richardson was present but was not asked any questions by any members of the Planning Commission or Board of Supervisors.

No one else spoke on the application.

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

Chairman Sparks reconvened the Commission at approximately 7:08 p.m. and opened the floor to the Commissioners for comments or questions.

Recommendation on the request of Kelly Richardson's request for a Map Amendment from A/R to C: With no discussion, Mr. Venable made a motion to recommend the Board approve Mrs. Richardson's application for a Map Amendment to rezone the corner of Adwolfe Road, Thomas Bridge Road, and Riverside Road in Marion from Agricultural/Rural to Commercial (being a portion of Tax Map No. 67-A-1). Mr. Doyle seconded the motion and the following vote was recorded.

Vote: 7 yays Davidson, Wassum, Pugh, Harris, Doyle, Sparks, and Venable

Recess: At approximately 7:08 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:30 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:30 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.

Board Members Present: Chairman Wade Blevins, Ron C. Blevins, Howard Burton, Blake Frazier and Rick Blevins

Board Member(s) Absent: Roscoe Call and Todd Dishner

Commissioners Present: Norman Sparks, Graham Davidson, Charles Wassum, Joel Pugh, L. V. "Pokey" Harris, Wayne Venable and Robbie Doyle

Commissioner(s) Absent: None

Staff Present: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Administrative Assistants Becca Marean and Kelly Woods, and Deputy Ernie Atwell. Approximately 10 citizens and Stephanie Porter-Nichols with the Smyth County News were present.

**JOINT PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS**

AND THE SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and Planning Commission will conduct a joint public hearing on Thursday, July 24, 2014 at 7:30 p.m., or as soon thereafter, as may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following: Proposed revision of the Smyth County Subdivision Ordinance:

- Complete Re-structuring. Organized in seven articles: 1) General Provisions; 2) Subdivisions; 3) Administration; 4) Submission of Subdivision Plats for Approval; 5) Required Improvements and Development Standards; 6) Dedication of Land for Public Use; and 7) Definitions.
- Mandatory Requirements. from Virginia Code §15.2-2241 added, including: Construction cost estimate requirements lowered to 10%; Six (6) month time limit to file final subdivision plat- possible one year extension; Periodic and partial releases of bonds required when work completed.
- Family subdivisions. Expanded to include step-children, aunts, uncles, nieces, and nephews in the definition of immediate family member.
- Plats. Private right-of-ways to be shown by a certified surveyor; plats to be approved by signature of water/ sewer purveyors and 911 Coordinator.
- Private Roads. Deeds to clearly provide that private roads/ right-of-ways are not state or county maintained. Mail delivery and school bus transport not provided.
- Five (5) acre lots. May be exempted from the Subdivision Ordinance so long as the developer meets minimum street, deed transfer and plat requirements.
- Townhouses. To be moved to the Zoning Ordinance.
- Recreational Developments. (Section 4.3.23(5)) to be stricken.
- Boundary surveys. To be on four (4) corners of a tract if the subdivision is within 1000' feet of two (2) known coordinates.
- Monuments. To be marked with a steel rod not less than one-half (1/2") inch in diameter and eighteen (18") inches long and driven to be flush with finished grade.

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. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276)783-3298 x8315, at least 48 hours prior to the hearing. A copy of this proposed amendment is on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed during regular business hours Monday through Friday and at www.smythcounty.org.

Done by order of the Board of Supervisors and the Planning Commission of Smyth County

Michael L. Carter, County Administrator and
Norman Sparks, Planning Commission Chairman

Chairman Blevins opened the floor for public comments from those signed up to speak at approximately 7:34.

Charles Wassum spoke in opposition to the adoption of the Proposed Subdivision Ordinance and provided a handout highlighting each of his issues and requested it be attached to the official minutes, to which no one opposed.

Earl McClure spoke in opposition to the adoption of the Proposed Subdivision Ordinance with many of the same issues Mr. Wassum mentioned.

No one else spoke on the proposed Subdivision Ordinance.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:49 p.m.

Chairman Sparks reconvened the Commission at approximately 7:49 p.m. and opened the floor to the Commissioners for comments or questions.

Recommendation on the proposed Subdivision Ordinance revisions: Mr. Sparks opened the floor for discussion. Mr. Davidson asked if the Commission was ready to vote on the proposed Ordinance if it contained all of the issues mentioned by Mr. Wassum and Mr. McClure and if it was against the law. Mr. Sparks stated that everyone had been through the proposed Ordinance numerous times throughout the years. Mrs. Clayton reassured everyone once again that the proposed Ordinance had been reviewed several times including by outside counsel well versed in Virginia land use law. She stated that she would be happy to review any specific concerns but to date, none had been referenced. She continued by saying she was confident the proposed Ordinance complied with the state code. Mr. Pugh pointed out that many people were involved throughout the entire process and reminded Mr. Wassum and Mr. McClure that their fingerprints were all over the proposed Ordinance. He also reminded everyone they had an opportunity to meet with Clegg Williams and Michelle Clayton to discuss the proposed Ordinance but Mr. Wassum chose not to. Mr. Pugh questioned why anyone would not take advantage of such an opportunity and continue to raise issues. Mr. Wassum stated Virginia is a "Dillon Rule" state and he further stated the Virginia Code does not reference a "Joint Ordinance Committee."

After lengthy debating and discussion, Mr. Venable made a motion to recommend the Board adopt the revisions to the proposed Subdivision Ordinance. Mr. Pugh seconded the motion and the following vote was recorded.

Vote: 5 yays	Pugh, Harris, Doyle, Sparks, and Venable
2 nays	Wassum and Davidson

Adjournment: At approximately 8:00 p.m. Mr. Sparks adjourned the Planning Commission.

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 28, 2014

The Smyth County Planning Commission met at their regular meeting on Thursday, August 28, 2014, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, Charles Wassum, Joel Pugh, L. V. "Pokey" Harris, and Robbie Doyle **Commissioner(s) Absent:** Wayne Venable

Staff Present: Becca Marean, Clegg Williams, and Michelle Clayton

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

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

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Minutes: Mrs. Harris made a motion to approve the minutes of the Thursday, July 24, 2014 meeting. Mr. Pugh seconded the motion and the following vote was recorded:

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Citizens' Time: No citizens spoke.

Subdivision Ordinance: Dennis and Jean Brown – Variance request (Big Horn Estates): Mr. Williams gave a summary of the history the County has had with Big Horn Estates. He reminded the Commission of the deed restrictions placed on the development. Specifically, the restriction requiring lots be recreational use only. Mr. and Mrs. Brown stated they were seeking the same variance approved for other lots within the development and wanted the right to construct a single family dwelling.

Commissioners discussed their history with denying such requests and the Board's decision to overturn the denials upon the applicant filing an appeal to the Board. Earl McClure was present and requested to speak to which Mr. Sparks allowed. He stated his knowledge of the development and mentioned the definition of "recreational home". The majority of the Commissioner's agreed with the reasons for denying past requests. Mr. Wassum made a motion to deny Mr. and Mrs. Brown's request, which was seconded by Mr. Pugh, and the following vote was recorded.

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Discussion continued and it was questioned if there is a possibility to establish a homeowner's association or something comparable. Mr. Williams stated he felt there would be no possibility of getting all of the remaining lot owners together to agree on establishing anything. Mrs. Clayton

stated she would look into the matter. Mr. Sparks informed Mr. and Mrs. Brown they have the right to appeal the Commission's decision to which Mr. and Mrs. Brown produced a written appeal to be filed with the Board's clerk.

Other Business: Mr. Williams reminded the Commission of CPV's Special Use Permit approval for their proposed development in Atkins. He stated CPV had requested a "letter of substantial accord" be issued by the Board of Supervisors. To do that, an amendment to the Comprehensive Plan is required. He requested the Planning Commission consider setting a public hearing to make the requested amendment. Mr. Pugh made a motion to set a public hearing. Mr. Davidson seconded the motion and the following vote was recorded.

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Mr. Williams asked if the Planning Commission wanted to reclassify CPV's previous proposed site in Rich Valley back to the original designation. Mr. Sparks stated he felt it was safe to leave it as is for now so it does not cause confusion.

Mr. Williams informed the Commission the Board's adoption of the Subdivision Ordinance.

Questions/Comments from Commissioners: Mr. Wassum stated he would like areas of the County's website reviewed for accuracy and consistency. He then discussed the "childcare facility" as previously discussed on numerous occasions. Mr. Williams explained it is a matter that is still being discussed and currently staff is waiting on direction from the Board on how to proceed with either having joint or separate ordinance committee's to discuss the Zoning Ordinance amendments recommended.

Recess: At approximately 6:49 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.

Board Members Present: Chairman Wade Blevins, Ron C. Blevins, Howard Burton, Blake Frazier, Roscoe Call and Todd Dishner and Rick Blevins **Board Member(s) Absent:** None

Commissioners Present: Norman Sparks, Graham Davidson, Charles Wassum, Joel Pugh, L. V. "Pokey" Harris, and Robbie Doyle **Commissioner(s) Absent:** Wayne Venable

Staff Present: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Administrative Assistants Becca Marean and Kelly Woods, Zoning Administrator Clegg Williams and Economic Developer Lori Hester and Deputy Derek Breedlove. Approximately 3 citizens and Stephanie Porter-Nichols with the Smyth County News were present.

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

Smyth County Planning Commission Minutes

August 28, 2014

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The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, August 28, 2014, 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 Edward and Bryan Stokes for a Special Use Permit to establish a Mini-Warehouse. The property is located behind 130 Plum Creek Road in Chilhowie. It is identified as Tax Map Nos. 53-2-13 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. 8315 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

Normal K. Sparks, Chairman of the Planning Commission

Edward and Bryan Stokes — Application for Special Use Permit: Mr. Williams explained the Stokes' application for a Special Use Permit to construct a mini-warehouse on a portion of their property identified as Tax Map No. 53-2-13. Mr. Sparks asked how many units were being proposed to which Mr. Kim Davidson, contractor, stated they were proposing two 24' x 100'. No one else spoke on the application.

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

Chairman Sparks reconvened the Commission at approximately 7:07 p.m. and opened the floor to the Commissioners for comments or questions.

Recommendation on the request of Edward and Bryan Stokes' request for a Special Use Permit: With no discussion, Mr. Davidson made a motion to recommend the Board approve the application for a Special Use Permit to construct a mini-warehouse on Tax Map No. 53-2-13. Mrs. Harris seconded the motion and the following vote was recorded.

Vote: 6 yays	Davidson, Wassum, Pugh, Harris, Doyle, and Sparks
1 absent	Venable

Adjournment: At approximately 7:10 p.m. Mr. Sparks adjourned the Planning Commission.

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 25, 2014

The Smyth County Planning Commission met at their regular meeting on Thursday, September 25, 2014, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, Joel Pugh, Wayne Venable and Robbie Doyle **Commissioner(s) Absent:** Charles Wassum and L. V. "Pokey" Harris

Staff Present: Becca Marean, Clegg Williams, and Michelle Clayton

At approximately 6:30 p.m. Mr. Sparks called the meeting to order.

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

Vote: 5 yays	Davidson, Pugh, Venable, Doyle, and Sparks
2 absent	Wassum and Harris

Minutes: Mr. Pugh made a motion to approve the minutes of the Thursday, August 28, 2014, meeting with one minor correction. Mr. Doyle seconded the motion and the following vote was recorded:

Vote: 5 yays	Davidson, Pugh, Venable, Doyle, and Sparks
2 absent	Wassum and Harris

Citizens' Time: No citizens spoke.

Subdivision Ordinance: Robin Street – Site Development Plan – More than two dwelling units on a single lot: Mr. Williams gave a summary of Ms. Street's request explaining she has applied for building and zoning permits to set a manufactured home on her property for her daughter and she wishes to do the same for her son without dividing her land. He stated Ms. Street had called him apologizing for not being able to attend the meeting due to illness.

Mr. Davidson made a motion to approve Ms. Street's request for more than two dwelling units on a single lot which was seconded by Mr. Venable and the following vote was recorded:

Vote: 5 yays	Davidson, Pugh, Venable, Doyle, and Sparks
2 absent	Wassum and Harris

Other Business: Recommendation on Conservation Easement for Bryan Stokes: Mr. Williams explained Mr. Stokes' desire to put his property into a conservation easement with Virginia Outdoor Foundation (VOF). The VOF has requested a letter of support from Smyth County showing the proposed conservation easement is in conformance with the County's Comprehensive Plan. Mr. Williams described the advantages and disadvantages of conservation easements and provided a map showing the acreage in Smyth County under conservation easements. He explained Mr. Stokes' property is unique in that it is located in the

Town of Chilhowie and in Smyth County, has public water and public sewer, and is surrounded by residential development. It is identified as Rural/Residential on the future land use map.

With much discussion Mr. Doyle made a motion to recommend the Board provide a letter supporting Mr. Stokes' conservation easement. Mr. Pugh seconded the motion and the following vote was recorded:

Vote: 5 yays	Davidson, Pugh, Venable, Doyle, and Sparks
2 absent	Wassum and Harris

Questions/Comments from Commissioners: Minor conversation was made about Big Horn Estates and the Special Use Permit standards checklist prepared by Mrs. Clayton to be signed by the Commissioner's after hearing an application for a Special Use Permit.

Recess: At approximately 7:00 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.

Board Members Present: Chairman Wade Blevins, Ron C. Blevins, Howard Burton, Blake Frazier, Roscoe Call and Todd Dishner and Rick Blevins **Board Member(s) Absent:** None

Commissioners Present: Norman Sparks, Graham Davidson, Joel Pugh, Wayne Venable, and Robbie Doyle **Commissioner(s) Absent:** L. V. "Pokey" Harris and Charles Wassum

Staff Present: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Administrative Assistants Becca Marean and Kelly Woods, Zoning Administrator Clegg Williams and Deputy Michael Lowe. Stephanie Porter-Nichols with the Smyth County News was present. No citizens attended the public hearing.

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 25, 2014, 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 William R. Stevenson for a Special Use Permit for the expansion of a nonconforming use (manufactured home park) located behind 6275 Lee Highway and 6306 Mill Lane in Atkins. The property is identified as Tax Map No. 49-A-18 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) 706-8315 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
Normal K. Sparks, Chairman of the Planning Commission

William Stevenson — Application for Special Use Permit to expand a non-conforming use – Manufactured Home Park: Mr. Williams explained Mr. Stevenson's application for a Special Use Permit to expand a non-conforming use (manufactured home park) on his property identified as Tax Map No. 49-A-18, located behind 3275 Lee Hwy and behind 6306 Mill Lane in Atkins. He stated Mr. Stevenson purchased the manufactured home park several years ago and currently has approximately 26 existing homes on the property and wishes to add approximately 15 more sites. He referenced the relevant Zoning Ordinance sections. Notice of tonight's public hearing was advertised in the Smyth County News & Messenger on September 13 and 20. Additionally, a first class mailing was sent to each of the applicant's adjoining property owners and did not receive any comments.

Mr. Stevenson was in attendance and addressed questions. Norman Sparks inquired about drainage conditions at the proposed sites along Mill Lane. Mr. Stevenson acknowledged there is occasionally drainage issues in the swags for which he proposes to fill and set drainage pipes when setting a home. Ron Blevins asked Mr. Williams if DEQ would regulate Mr. Stevenson when he begins to fill the land and set drainage pipes. Mr. Williams stated DEQ would not be involved because he does not plan to work in any stream. He further explained he and Mr. Stevenson had already discussed the requirements of the County's Erosion and Sediment Control/Stormwater Management Ordinance and the Manufactured Home Park Ordinance. No one else spoke on the application.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:23 p.m.

Chairman Sparks reconvened the Commission at approximately 7:23 p.m. and opened the floor to the Commissioners for comments or questions.

Recommendation on the request of William Stevenson's request for a Special Use Permit: With no discussion, Mr. Doyle made a motion to recommend the Board approve the application for a Special Use Permit to expand his non-conforming use (Manufactured Home Park) on Tax Map No. 49-A-18. Mr. Pugh seconded the motion and the following vote was recorded.

Vote: 5 yays	Davidson, Pugh, Venable, Doyle, and Sparks
2 absent	Wassum and Harris

Recess: At approximately 7:24 p.m. Mr. Sparks recessed the Planning Commission's meeting until their 7:30 p.m. joint public hearing with the Board of Supervisors.

Public Hearing: At 7:30 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. Ron Blevins made a motion to forgo reading the rules of procedures for public hearing due to the lack of citizens present, which was seconded by Mr. Rick Blevins, and passed unanimously.

Board Members Present: Chairman Wade Blevins, Ron C. Blevins, Howard Burton, Blake Frazier, Roscoe Call and Todd Dishner and Rick Blevins **Board Member(s) Absent:** None

Commissioners Present: Norman Sparks, Graham Davidson, Joel Pugh, Wayne Venable, and Robbie Doyle **Commissioner(s) Absent:** L. V. "Pokey" Harris and Charles Wassum

Staff Present: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Administrative Assistants Becca Marean and Kelly Woods, Zoning Administrator Clegg Williams and Deputy Michael Lowe. Stephanie Porter-Nichols with the Smyth County News was present. No citizens attended the public hearing.

**SMYTH COUNTY BOARD OF SUPERVISORS
AND SMYTH COUNTY PLANNING COMMISSION
NOTICE OF JOINT PUBLIC HEARING
TO CONSIDER AN AMENDMENT TO THE
SMYTH COUNTY COMPREHENSIVE PLAN AND FUTURE LAND USE MAP**

Pursuant to Sections 15.2-2204, 15.2-2225 and 15.2-2229 of the Code of Virginia, 1950 as amended, the Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, September 25, 2014 at 7:15 P.M., or soon thereafter, to receive public input on an amendment to the Smyth County Comprehensive Plan and Future Land Use Map – Map 4.4.

The amendment is sought by Competitive Power Ventures Smyth Generation Company, LLC ("CPV") to re-classify the property on Mulberry Lane in Atkins (Tax Map 48-A-45) now owned by the Smyth County Economic Development Authority as "Institutional/Public Service" rather than "Rural/Residential" in the comprehensive plan and future land use map. CPV has an option to purchase the land and a special use permit was approved by the Board of Supervisors on December 11, 2012 to establish an "Electric Generating Facility" on the site.

The joint 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. The draft amendment to the text and the map 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 amendment to the comprehensive plan and land use map and attend the public hearing. At the hearing, persons may make comments regarding the proposed Comprehensive Plan amendment, subject to the rules of procedures of the Smyth County Board of Supervisors and the Planning Commission of Smyth County. If you have any questions, please contact Clegg Williams, Zoning Administrator, by telephone at (276) 783-3298, Ext. 8315 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 Board of Supervisors - Michael L. Carter, County Administrator
Smyth County Planning Commission - Norman Sparks, Chairman

2013 Comprehensive Plan Text and Map Amendment: Mr. Williams explained the proposed amendment to the text and map to classify CPV's proposed development on Mulberry Lane as Institutional/Public Service in the 2013 Comprehensive Plan. Mr. Gener Gotiangco was present and addressed questions. Todd Dishner questioned what other properties located in the County are identified as Institutional/Public. Mr. Williams pointed out those areas. Blake Frazier questioned Mr. Gotiangco on the status of CPV's proposed facility. Mr. Gotiangco explained a project of this magnitude has many facets and takes years to bring it to fruition. While nothing is guaranteed, he assured everyone the project is moving forward and is being pursued aggressively. He stated, they are in the middle of air permitting and the project is still on schedule for 2017.

Mrs. Clayton pointed out the County is required by state law to review the Comprehensive Plan every five (5) years and it can be revised at a later date should tonight's request be approved and CPV's proposed site does not develop. Robbie Doyle pointed out the Broadford site was not developed and it is still classified for CPV. He questioned if this was something CPV was in a rush to obtain. Mr. Gotiangco stated he does feel this is critical because he feels the Special Use Permit is incomplete without the appropriate future land use classification suitable for CPV's project. No one else spoke on the application.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:47 p.m.

Chairman Sparks reconvened the Commission at approximately 7:47 p.m. and opened the floor to the Commissioners for comments or questions.

Recommendation: 2013 Comprehensive Plan Text and Map Amendment: With no discussion, Mr. Venable made a motion to recommend the Board amend the 2013 Comprehensive Plan text and map amendment to include "the proposed power plant site on Mulberry Lane" in the Institutional/Public Service Land Uses section. Mr. Doyle seconded the motion and the following vote was recorded.

Vote: 5 yays	Davidson, Pugh, Venable, Doyle, and Sparks
2 absent	Wassum and Harris

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

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 20, 2014

The Smyth County Planning Commission met at their regular meeting on Thursday, November 20, 2014, at 6:00 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, Wayne Venable and Joel Pugh
Commissioner(s) Absent: Robbie Doyle, Charles Wassum and L. V. "Pokey" Harris

Staff Present: Becca Marean and Clegg Williams

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

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

Vote:	4 yays	Davidson, Pugh, Venable, and Sparks
	3 absent	Doyle, Wassum and Harris

Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, September 25, 2014, meeting with one minor correction. Mr. Davidson seconded the motion and the following vote was recorded:

Vote:	4 yays	Davidson, Pugh, Venable, and Sparks
	3 absent	Doyle, Wassum and Harris

Citizens' Time: No one was present.

Other Business: None.

Questions/Comments from Commissioners: Minor conversation was made about conservation easements and the Atkins District Commissioner position vacated by Charles Wassum.

Adjournment: At approximately 6:20 p.m. Mr. Sparks adjourned the Planning Commission.

Wayne Venable, Secretary

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

SMYTH COUNTY PLANNING COMMISSION
Thursday, December 18, 2014

The Smyth County Planning Commission met at their regular meeting on Thursday, December 18, 2014, at 6:30 P.M. in the Smyth County Office Building.

Commissioners Present: Norman Sparks, Graham Davidson, Wayne Venable, Robbie Doyle, Hazel Wagoner and Joel Pugh **Commissioner(s) Absent:** L. V. "Pokey" Harris

Staff Present: Becca Marean, Clegg Williams and Michelle Clayton

Hazel Wagoner, newly appointed representative for Atkins District introduced herself to the other members prior to the meeting.

At approximately 6:30 p.m. Mr. Sparks called the meeting to order.

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 Mr. Davidson and voted on as follows:

Vote: 6 ayes	Davidson, Pugh, Venable, Wagoner, Doyle and Sparks
1 absent	Harris

Minutes: Mr. Venable made a motion to approve the minutes of the Thursday, November 20, 2014, meeting. Mr. Davidson seconded the motion and the following vote was recorded:

Vote: 6 ayes	Davidson, Pugh, Venable, Wagoner, Doyle and Sparks
1 absent	Harris

Citizens' Time: No one was present.

Other Business: Mr. Williams presented a budget worksheet for Fiscal Year 2015. He requested the Commission look at the budget and propose figures to be sent to the Board's Budget Committee. Considering last year's budget was reduced to only member payments and mileage Mr. Venable made a motion to forward last year's adopted figures requesting they be adopted again for 2015. Mr. Pugh seconded the motion and voted on as follows.

Vote: 6 ayes	Davidson, Pugh, Venable, Wagoner, Doyle and Sparks
1 absent	Harris

Questions/Comments from Commissioners: None.

Recess: At approximately 6:40 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. Mr. Burton made a motion to waive reading the rule of procedure due to the lack of

citizen's present for the public hearing. The motion was seconded by Mr. Ron Blevins and passed unanimously.

Board Members Present: Chairman Wade Blevins, Ron C. Blevins, Howard Burton, and Todd Dishner

Board Member(s) Absent: Blake Frazer, Roscoe Call and Rick Blevins

Commissioners Present: Norman Sparks, Graham Davidson, Hazel Wagoner, Joel Pugh, Wayne Venable, and Robbie Doyle **Commissioner(s) Absent:** L. V. "Pokey" Harris

Staff Present: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Administrative Assistants Becca Marean and Kelly Woods, Zoning Administrator Clegg Williams and Economic Developer Lori Hester and Deputy Alan Morgan and Stephanie Porter-Nichols with the Smyth County News were present. No citizens were present.

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, December 18, 2014, 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 Charles Melvin Thweatt, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Atkins, Virginia, to rezone approximately 1.8 acres, more or less, from Industrial to Commercial. The Smyth County Comprehensive Plan does not identify a density range and the general usage of this property has most recently been vacant. The property is located at 5735 Atkins Tank Road in Atkins, Virginia, and is identified as Tax Map No. 48B-6-1, 48B-A-4 and a portion of 4B-1-1 and can be found within Grid No. 90 of the State Plane Grid Index.

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) 706-8315 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

Charles Melvin Thweatt — Application for Map Amendment (I to C): Mr. Williams explained Mr. Thweatt's intention to seek a map amendment to rezone his property addressed as 5735 Atkins Tank Road in Atkins from Industrial to Commercial. Mr. Williams stated with Mr. Thweatt's application, he submitted the required fee and notice of public hearing was advertised in the Smyth County News & Messenger on December 6 and 13. Additionally, a first class mailing was sent to each of the applicant's adjoining property owners. He stated the office had not received any phone calls or written correspondence regarding the application.

Mr. Thweatt was present and addressed the Board and Commission stating his plans are to open a hardware store considering the only one left in Marion had closed recently.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:08 p.m.

Chairman Sparks reconvened the Commission at approximately 7:08 p.m. and opened the floor to the Commissioners for comments or questions.

Recommendation on the request of Charles Melvin Thweatt's request for a Map Amendment from I to C: Mr. Venable made a motion to recommend the Board approve Mr. Thweatt's application for a Map Amendment to rezone 5735 Atkins Tank Road in Atkins (Tax Map Nos. 48B-6-1, 48B-A-4, and a portion of 48B-1-1) from Industrial to Commercial. Mr. Davidson seconded the motion and the following vote was recorded.

AYES:	Venable, Doyle, Pugh, Wagoner, and Davidson.
NAYS:	None.
ABSTAINERS:	Sparks.
ABSENT:	Harris.

Adjournment: At approximately 7:10 p.m. Mr. Sparks adjourned the Planning Commission.

Wayne Venable, Secretary