

Patrick County Planning Commission

Meeting of April 18, 2005

Present: Leon Holt, Chairman; Johnny Marion, Vice-Chairman; Bill Clark; and Cleve Lawson

Also Present: Michael Burnette, Assistant County Administrator; Eric Monday, County Attorney; Jeannie Frisco, Secretary for the Commission; Jamie Clark, WHEO; Nancy Lindsey, The Enterprise; Lisa Rakes, Administrative Assistant; and Mr. Charles Huff with Citizens Cablevision, Inc.

A public hearing and meeting of the Patrick County Planning Commission was held on April 18, 2005 at 7:00 PM, in the Second Floor Conference Room of the Patrick County Administration building.

The public hearing, which was conducted for the purpose of receiving public comment regarding Citizens Cablevision, Inc.'s request for a variance of the Patrick County Subdivision Ordinance, was closed after no public comment or concern was received.

Mr. Leon Holt, Chairman called the meeting to order. The minutes from the April 6, 2005 meeting were presented for approval. Motioned by Mr. Johnny Marion and seconded by Mr. Cleve Lawson, the minutes were approved.

Voting Aye: All
Voting Nay: None

Discussion was held regarding the variance request presented by Mr. Charles Huff of Citizens Cablevision, Inc. Citizens Cablevision, Inc. requested approval for the subdivision of a 0.1198-acre parcel of land to be used for placement of telecommunications equipment for the purpose of supplying cable television and broadband services to the citizens of Patrick County. Mr. Johnny Marion made the motion and was seconded by Mr. Cleve Lawson that the Planning Commission grant a variance to Citizens Cablevision, Inc. or its corporate successor subject to the condition that it not be used for residential or retail purposes and that if Citizens or its corporate successor cease to use the property, it would revert back to the original landowner contingent upon their acceptance.

Voting Aye: All
Voting Nay: None

Mr. Leon Holt, as an agent of the County of Patrick, signed the plats presented by Mr. Huff. These plats were attested by Ms. Lisa Rakes. The plat will be recorded in the Clerk's Office of the Circuit Court of Patrick County by Mr. Huff and a copy will be retained on file in the Office of the County Administrator.

Mr. Holt instructed that a letter be composed and mailed to Citizens Cablevision, Inc. regarding the approval of the variance request.

Mr. Leon Holt opened the floor for discussion regarding revisions to the draft Subdivision Ordinance. The following changes were discussed and agreed upon by the members:

Article 4(i) there should be no change so it shall remain to be read as "Lot line revision: A

change in the lot lines of existing parcels of property which will create a combined lot with one tax identification number and will not leave a substandard remnant.”

(r)(1) shall be amended to read “~~Any conveyance creating a lot line revision, or any conveyance where the total number of lots is not increased and no substandard lots are created.~~ Any lot line revision of boundary lines and which is identified as such on the instrument creating such conveyance.”

Mr. Monday, County Attorney, suggested adding a cemetery exemption in the Ordinance to be added as Item 5 to Article 4. Mr. Holt advised Mr. Monday to draft the language and forward it to Planning Commission members. It shall read as follows:

5. Any substandard lot which is restricted to, or dedicated for, use as a cemetery for the interment of human remains, and which includes express language of such restriction or dedication in the instrument creating such lot.

Article 7(a)(2) All lots conveyed or retained are 1 (one) acre or more in size; and
(a)(3) delete “or in the ease of family subdivision” to read as follows:
All lots contain at least 50 feet of road frontage ~~and or in the case of family subdivision,~~ provide for a permanent easement of right of way for a roadway of at least 20 feet in width for access to a public street.
NOTE: the deletion of this language is permitted by the Code requirements for family subdivisions, see Virginia Code § 15.2-2244(A).

The members discussed adding a more defined time frame in Article 9(b) for petitions for variances to be considered. It was agreed that Mr. Monday would draft language to the effect that the Commission would make a determination in no longer than thirty (30) days. It shall read as follows:

Article 9 (b) Procedure: All petitions for variances shall be made in writing and shall explain fully the grounds therefor. Petitions for variances shall be submitted to the County Administrator at least 14 days prior to the next scheduled meeting of the Commission. At its meeting, the Commission shall review and discuss the petition and shall vote to deny the petition, or to request additional information or alterations to the proposed variance from the petitioner, or to refer it to public comment on such notice and at such time as the Commission may determine, which shall nevertheless occur no more than 30 days thereafter . Within 10 days of any such public comment, the Commission shall vote upon whether to request additional information or alterations to the proposed variance from the petitioner before acting upon the petition, in which situation the procedure shall begin anew, or, if no such additional information or alteration is required, shall vote either to approve or to deny the petition.

Mr. Holt instructed that once the changes were made to the draft Subdivision Ordinance that it would be forwarded to all Planning Commission members for approval prior to submitting it to the Board of Supervisors to be placed on the agenda. Mr. Bill Clark suggested that the Planning Commission members would need to meet again to approve the draft; however, it was agreed that a copy of the revised

Ordinance would be emailed to all members and they would contact Ms. Frisco or Ms. Rakes by no later than Wednesday, April 20th at 12:00 noon with their approval or any further revisions. This would be necessary in order for it to be included with the packets to the Board of Supervisors for their meeting on April 25th. It was further agreed that Mr. Monday would add a clause regarding the Health Department signing off on plat approvals for water/sewer capabilities. It should read as follows:

4. Certificate of Approval by the Health Department:

I, _____, Director of the Patrick County Health Department, hereby certify that the said Department fully approved, for the provision of water and sewer, the Final Plat of the Subdivision entitled _____, on the day of _____, 200 .

Director (or designee)

Mr. Holt opened the floor for discussion regarding the review of the Comprehensive Plan. Mr. Holt indicated that he had spoken with Mr. Dowd and the West Piedmont Planning District Commission is understaffed and would not be able to update the Comprehensive Plan. Ms. Frisco informed the members that she had spoken with Mr. Dowd as well and it was indicated that statistical information would be supplied by West Piedmont Planning District Commission and a template of the 1998 plan would be supplied so that revisions and additions could be made.

Mr. Holt asked that Mr. Burnette bring back input from the Economic Development Authority regarding this matter.

Mr. Clark asked if every department within the County would be represented, and Mr. Burnette answered that they would.

Mr. Holt indicated that the Board of Supervisors would need to understand the magnitude of work involved in creating the Comprehensive Plan and that the Planning Commission does not have the ability to acquire the data necessary. Mr. Holt recommends making changes and/or additions to one section at a time.

Mr. Burnette stated that Ms. Regena Handy would direct the Board of Supervisors to inform each department of the complexity and the necessity of collecting data for the Comprehensive Plan.

With no further business to discuss, Mr. Bill Clark made the motion and was seconded by Mr. Cleve Lawson to adjourn the meeting.

Chairman

Date