

Building, Planning & Zoning
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**Bath County Planning Commission
Bath County Courthouse – Room 115
Monday, April 26, 2021 - 6:00 P.M.**

PLANNING COMMISSION MEMBERS PRESENT: Chairman John Loeffler, Vice-Chair Jason Miller, Monroe Farmer, John Cowden

MEMBERS ABSENT: Cynthia Rudnick

PUBLIC IN ATTENDANCE: Mike Bollinger (press), Ernest Deel, Jr.

STAFF PRESENT: Sherry Ryder

CALL TO ORDER:

Chairman Loeffler called the Bath County Planning Commission meeting to order at 6:00 p.m.

PUBLIC COMMENT—MATTERS UNRELATED TO THE AGENDA: None

ADDITIONS OR CORRECTIONS TO THE AGENDA: None

PUBLIC HEARING:

- Ernest Wayne Deel, Jr. and Lauranna R. Deel – Tax Map #77-0-48B – Application for a Conditional Use Permit to operate an automotive repair shop at the address of 2247 Mill Creek Road, Millboro, Virginia. The property is zoned A-2 Agricultural General and comprises 5.18 acres. The property is situated in the Millboro Magisterial District. (Section 603.03-6 Bath County Land Use Regulations).

Sherry Ryder: Ernest Deel and Lauranna Deel have made application for an automotive repair shop. They currently have a garage located on their property now. They would use that garage for the proposed business. They anticipate doing small vehicle maintenance, i.e., oil changes, brake jobs, etc. They would eventually like to perform state inspections.

The garage is 32'x32'. The garage already has electricity and heat.

VDOT has been asked to review the proposed business for entry way into the state highway. VDOT response should be later this week.

The current use of this property is residential and agricultural. There is ample room for parking. The adjoining properties are zoned Agriculture. The property is not located within the designated growth area.

The Relevant Section(s) are 802.04 and 603.03-6 of the Bath County Land Use Regulations and page 4-3 of the Bath County Comprehensive Plan – Economy Goal 8.

Mr. Deel shared more pictures of the garage.

Chairman Loeffler: Will all of the work be done inside of the 32'x32' barn garage?

Mr. Deel: Yes.

Vice-Chair Jason Miller: What will your hours of operation be and days?

Mr. Deel: Monday thru Friday, 8a.m. to 4 p.m.

Sherry Ryder: A course, if someone has a tire blow-out or something.

Mr. Deel: Yes, of course, emergency situations.

Mr. Cowden: The adjoining land owners didn't call the office, but you have spoken with them?

Mr. Deel: Yes, I have spoken with several of them and they welcome it.

John Cowden: How far from Rt 39 is this?

Mr. Deel: About 2.2 miles.

Vice-Chair Jason Miller: Sherry, will there be any stipulation on the number of vehicles he can have?

Sherry Ryder: He can ask for that or it can be made part of the Conditional Use permit for a garage by the Planning Commission. As well as, the number of people waiting service or being worked on at any given time, no junk cars, no tire accumulation. DEQ comes after us if you let that go.

Mr. Deel, do you have any idea on how many cars you may have? Thinking ahead.

Mr. Deel: I thought about 10. I can't imagine having more. I don't want more than that sitting there.

Vice-Chair Jason Miller: Sometimes it is out of your hands. You fix a car, but they can't come to get it for 2-3 days. Then you have 2 or 3 more come in. You don't want to limit yourself by saying exactly a number. That may be what you want to shoot for, then you tell someone their car is ready, but they are out of town. I would say about 15 would be better.

Mr. Deel: Okay, a limit of 15.

Sherry Ryder: And, you are not going to want that many, but you can use that for leverage.

Chairman Loeffler: I did speak to Maggie Anderson and she said they are in full support.

John Cowden: There is good screening there already. Are they adjoining?

Sherry Ryder: She would be the closest neighbor.

Chairman Loeffler: They just sold the adjoining property, but stated there would be no issues.

Mr. Deel: They live about ½ to ¼ mile above me.

John Cowden: What do you do with used motor oil and other things?

Mr. Deel: I have used Bill Thompson. He has an outdoor furnace and they burn used motor oil. When I was at BARC, they would come pick it up to burn it in their furnace. Recycle it.

Mr. Deel: They would bring their own barrel to put it in. We would use up a 55-gallon drum and then they would bring us an empty barrel and we would just swap it out.

Chairman Loeffler: That's what we do with our used frying oil. It's common practice.

Chairman Loeffler: If there are no more question, do I hear a motion?

Mr. Farmer: I move we accept and recommend approval for a Conditional Use Permit for an indefinite length of time for an auto repair/garage on property and location as stated. In accordance with 603.03-6 and 802.04 of the Bath County Land Use Regulations, with the conditions of: No accumulation of excesses tires, auto parts or junk cars. No more than 15 vehicles parked/waiting at any given time. Monday -Friday, 8a.m.– 4 p.m.

Vice-Chair Jason Miller: I second the motion.

VOTE: 4-0 motion passed.

Sherry Ryder: Mr. Deel, the application goes next to the BZA. They will meet on Monday, May 17, 2021 at 7 p.m. I will send you a reminder notice so you won't forget to be there. Jason Miller is a part of both boards. Please let us know if you hear anything from the VDOT situation.

CHAIRMAN'S REPORT: None

STAFF REPORT

Sherry Ryder: Gave an overview.

Chairman Loeffler asked Sherry Ryder about the quote on assistance with rezoning in the County.

Sherry Ryder: The Central Shenandoah Planning District Commission and I spoke and they have sent out a new revised/ revamped request for a proposal to get a better dollar amount, cost. All of the proposals we received were way up and down and far apart. In order to get everybody on the same page we revamped it and sent it back out. We gave them a deadline of 3 weeks to come back with a new game plan. Hopefully I will have something by the next meeting to share.

Chairman Loeffler gave Mr. Cowden a short update and reason on the subject.

OLD BUSINESS: Update on Sign Ordinance.

Chairman Loeffler informed Mr. Cowden on the issues that have come up on signage. The Planning Commission had spent a lot of time and effort on the ordinance a few years back. There had not been any issues on the ordinance until resent.

Vice-Chair Jason Miller asked Sherry if there were any news from Richmond on hemp/ marijuana?

Sherry Ryder: I have seen where some other localities are working on marijuana/hemp. They haven't adopted anything yet, but is in the process. There are some legislations that have passed that will affect Planning and Zoning. A decluttering code that localities can adopt in their ordinance. We will see how far that goes before getting shot down, but we should know more in July.

NEW BUSINESS: None

MINUTES:

Chairman Loeffler: We have the minutes for the March 22, 2021 meeting.

Vice-Chair Jason Miller: I move we approve the minutes of March 22, 2021.

Mr. Farmer: I second.

VOTE: 3-0-1 (John Cowden abstained, not at last month's meeting.)

ADJOURN

Mr. Cowden: I motion we adjourn.

VOTE: 4-0



Chairman John Loeffler

5/24/21

Date