

*Susan Reeves, Chairperson
Charity McDaniels, Co Chairperson
Edith Jackson, Planning Commission Member
Kenneth Mulkey, Planning Commission Member
Jack Murray, Planning Commission Member
Richard Taylor, Planning Commission Member
Benny Moore, Planning Commission Member
Todd Day, Town Manager*

TOWN OF TAZEWELL, VIRGINIA
Planning Commission Meeting
Monday, August 3, 2015
7:00 p.m.
Town of Tazewell Council Chambers

❖ **Call to Order by Planning Commission Chairman**

(Please bring your Code Book & Comprehensive Plan if you own one)

1. Pledge of Allegiance
2. Invocation
3. Approval of Minutes
[Planning Commission Meeting of July 6, 2015]
4. Condemnation of Gilley House (Chris)
5. Compensive Plan(Chris)
6. Compensive Plan (Art Mead)
7. Concerns
8. Adjournment

**Planning Commission Meeting Minutes
July 6, 2015**

The Tazewell Planning Commission met at 7:00 p.m. in the Town Hall Council Chambers.

Present:

Absent:

Planning Commission Member Richard Taylor
Planning Commission Member Kenneth Mulkey
Planning Commission Member Susan Reeves
Planning Commission Member Jack Murray
Planning Commission Member Charity McDaniel
Planning Commission Member Edith Jackson
Town Manager Todd Day (Non-Voting Member)

Planning Commission Member Benny Moore

Staff present was Town Attorney Brad Pyott; Town Clerk Leeanne Billings; and Zoning, Property & Maintenance Official Chris Hurley.

CALL TO ORDER

Planning Commission Member Jack Murray called the meeting to order. Planning Commission Member Richard Taylor lead the pledge of allegiance. Planning Commission Member Jack Murray gave the invocation.

WELCOME NEW MEMBERS

Manager Day introduced the new members of the Planning Commission, Charity McDaniel and Edith Jackson.

APPOINTMENT OF CHAIRPERSON

Previous Chairman Jerry McReynolds is no longer on the committee. He has been appointed a position on the Town Council. Planning Commission Member Taylor made a motion to nominate Planning Commission Member Susan Reeves as Chairperson. Planning Commission Member Murray seconded the motion. On vote: Planning Commission Member Mulkey, aye; Planning Commission Member Reeves, aye; Planning Commission Member Taylor, aye; Planning Commission Member Murray, aye; Planning Commission Member McDaniel, aye; Planning Commission Member Jackson, aye.

APPOINTMENT OF VICE-CHAIRPERSON

Planning Commission Member Murray made a motion to nominate Planning Commission Member Charity McDaniel as Vice-Chairperson. Planning Commission Member Jackson seconded the motion. On vote: Chairperson Reeves, aye; Planning Commission Member

Mulkey, aye; Planning Commission Member Taylor, aye; Planning Commission Member Murray, aye; Planning Commission Member McDaniel, aye; Planning Commission Member Jackson, aye.

OVERVIEW OF PLANNING COMMISSION

Manager Day gave an over view of the Planning Commission and what the committee is responsible for and the works they have done in the past. He introduced Art Meade of the Weldon Cooper Center and gave a history of how he has helped the Town.

APPROVAL OF MINUTES

Motion to approve minutes was made by Planning Commission Member Mulkey, seconded by Planning Commission Member Taylor to approve the April meeting minutes. On vote: Chairperson Reeves, aye; Planning Commission Member Mulkey, aye; Planning Commission Member Taylor, aye; Planning Commission Member Murray, aye.

Planning Commission Member McDaniel and Planning Commission Member Jackson abstained from voting because they were not at the June meeting.

HOLY FAMILY WORSHIP (ST. TERESA'S) ON TAZEWELL AVENUE

Zoning, Property & Maintenance Official Chris Hurley stated that St. Teresa's Catholic Church had recently torn down a house and wants to build back. The setbacks they have presented do not meet the requirements in our code. They will be taking this to the Board of Zoning Appeals and appeal the setbacks. The BZA meeting will be Monday, July 13th at 7:00 p.m. Also, Manager Day informed the Planning Commission members that the Board of Zoning Appeals members are appointed by Town Council and approved by the Circuit Court Judge.

CONDEMNATION OF DALE PROPERTY AT 409 HOTEL AVENUE

Zoning, Property & Maintenance Official Chris Hurley stated that this property is an unsafe structure and it has been recommended that it be condemned. He then showed the new members pictures of the structure and stated that this would be on the Council agenda for the next meeting.

Manager Day stated that the Town has been trying to address the issue of unsafe properties and this is the 9th property that has been condemned. He stated that there is also one on Coral Drive and one on Steeles Lane that they are working on. Also, he stated that the cost of the demolition is a 100% cost to the tax payer. Once the Town has the property demolished the Town Attorney is able to put a lien on the property until the landowner pays the Town for the service provided.

UPDATE ON ADDRESSING FOR CAMPBELL LANE AND DIAL ROCK

Zoning, Property & Maintenance Official Chris Hurley stated that the areas of Campbell Lane and Dial Rock would be readdressed. At Campbell Lane, it is recommended that the apartments on this road will now be as follows: Cadet Lane, Hokie Lane, and Pride Lane. The area at Dial Rock will be renumbered because the numbers skip around and it is causing difficulty for the Post Office. Also, it is recommended the road that is currently Dial Rock that goes toward CVS will now be Professional Drive. Motion was made by Planning Commission Member Murray to accept Professional Drive, Cadet Lane, Hokie Lane and Pride Lane as the new street names. Motion was seconded by Planning Commission Member Mulkey. On vote: Chairperson Reeves, aye; Vice-Chairperson McDaniel, aye; Planning Commission Member Mulkey, aye; Planning Commission Member Taylor, aye; Planning Commission Member Murray, aye; Planning Commission Member Jackson, aye.

CONCERNS

ZONING MEETING AND ADDRESSING ORDINANCES

Town Attorney Brad Pyott stated that before the Town does any addressing changes their needs an Addressing Ordinance giving them the authority to make such changes. Motion was made by Planning Commission Member Murray for Town Attorney Brad Pyott to draft a Street Naming and Addressing Ordinance. Motion was seconded by Planning Commission Member Taylor. On vote: Chairperson Reeves, aye; Vice-Chairperson McDaniel, aye; Planning Commission Member Mulkey, aye; Planning Commission Member Taylor, aye; Planning Commission Member Murray, aye; Planning Commission Member Jackson, aye.

COMPREHENSIVE PLAN

Manager Day stated that he would like to get a draft of the Comprehensive Plan ready so we can file it with VDOT. This issue was brought up two years ago and tabled. He also stated that he will get the new members a copy of the Comprehensive Plan and a Code Book.

ADJOURNMENT

Motion was made by Planning Commission Member Murray to adjourn the meeting. Motion was seconded by Planning Commission Member Mulkey. On vote: Chairperson Reeves, aye; Vice-Chairperson McDaniel, aye; Planning Commission Member Mulkey, aye; Planning Commission Member Taylor, aye; Planning Commission Member Murray, aye; Planning Commission Member Jackson, aye.

Meeting adjourned at 7:49 p.m.

**Board of Zoning Appeals Meeting Minutes
July 13, 2015**

The Tazewell Board of Zoning Appeals met at 7:00 p.m. in the Town Hall Council Chambers to discuss building a new residence on the property of the Holy Family Parish located on Tazewell Avenue.

Present:

Absent:

Board of Zoning Appeals Chairman Benny Moore
Board of Zoning Appeals Member William Benson
Board of Zoning Appeals Member Joe Bowen
Board of Zoning Appeals Member Bill Weeks

Board of Zoning Appeals Member Steve Lutz

Staff present was Town Manager Todd Day; Town Attorney Brad Pyott; Town Clerk Leeanne Billings; and Zoning, Property & Maintenance Official Chris Hurley.

CALL TO ORDER

Board of Zoning Appeals Chairman Benny Moore called the meeting to order and lead the pledge of allegiance. Manager Day gave the invocation.

EXPLANATION FOR BOARD OF ZONING APPEALS

Town Attorney Brad Pyott explained the process for zoning appeals. He read the Requirements for Review of Decisions of the Zoning Administrator with Respect to Request for Variance, Special Exemption Applications. (see minute attachments)

PRESENTATION OF DOCUMENTS AND THE APPLICATION

Zoning, Property & Maintenance Official Chris Hurley discussed each step taken in the process. He explained the process from denying the zoning permit and why, discussed the plat map, the zoning codes, the Board of Zoning Appeals Application, Notice of Public Hearing, notifying the adjoining property owners, and the requested setbacks. He stated that the Town Code setbacks for that property are 60 feet from the center of the road and the requested setbacks are 20 feet. Chairman Moore asked what the size of the proposed structure would be. Zoning, Property & Maintenance Official Chris Hurley answered 40 x 40 and he approached the members to explain the size and placement of the structure on the map of the lot that was provided to them.

COMMENTS FROM THE HOLY FAMILY PARISH

-Paul Hefney from Richmond came before the committee to speak. He commended Chris Hurley for the work he has done. He stated that the house that was torn down needed to be because of water and black mold problems. The water runoff from the land above the house gathered under the house and caused many issues. He also said the cost of building back there would be costly because they would need to install something to keep water away from the property. He stated if any of the neighbors had issues with the proposed location to rebuild, they will not go through with this request. They do not want to go against any of the neighbors.

Board of Zoning Appeals Member Bowen asked which house had the issue Paul Hefney showed him on the map and then asked how long they had owned it. Jim Talbert, church member, said about the last five years. Mr. Hefney said that the priest that lived in the house complained about coughing, etc.

Chairman Moore asked Zoning, Property & Maintenance Official Chris Hurley, if the run off from Oak Lane caused this problem. Manager Day stated that we based this decision purely on the Code Book.

Town Attorney Brad Pyott asked when the parking lot was put in. Judy Starling, neighbor of the church, stated in the early 90's. She believes the water problem came from the parking lot. She lived in the house that was torn down years ago and they didn't have that issue when she lived there.

-Vince Shoemate, from St. Elizabeth Church in Pocahontas, Virginia spoke and stated that he was under the house when the previous priest lived there and there was water standing under the house.

-Wade Belcher spoke and stated that he did some work in the bathroom of the house and there were five inches of water under the house and he looked in the meter box and it was full of water also.

-Rayburn Minton from Buchanan County spoke and stated that he took pictures on a rainy day to see the run off pattern and where the house was located was not good because of the drainage problems. They had the house inspected and after findings decided to tear down. The contractors suggested a suitable location and that is the requested location they are bringing before the board.

COMMENTS FROM ADJOINING LANDOWNERS

Judy Starling of 226 Oak Lane stated that she was concerned with the location they had requested. She stated that if they build at the requested location, it would be too close to her home. She would like to see the new structure be built to meet the Code Book and be moved over on the property.

Zoning, Property & Maintenance Official Chris Hurley also stated that he received a letter from Mrs. Mash, another neighbor, also concerned with the placement of the new structure.

Paul Hefney asked Judy Starling where would she be happy with the placement, 20 more feet over? Town Manager Day stated that this appeal request was for 20 foot setbacks, if they wanted to change their request they would need to submit a new request and start over. Town Attorney Pyott stated that this meeting the meeting tonight is only to approve or deny the request for 20 foot setbacks.

VOTE BY BOARD OF ZONING APPEALS

Chairman Moore asked if anyone had anything else to say. Paul Hefney stated that since there were concerns from the neighbors they would like to withdraw their request. Board of Zoning Appeals Member Bowen made a motion to accept their withdrawal request. Board of Zoning Appeals Member Weeks seconded the motion. On vote Board of Zoning Appeals Member Benson, Aye; Board of Zoning Appeals Member Bowen, Aye; Board of Zoning Appeals Member Weeks, Aye.

MEMBERSHIP DISCUSSION

Manager Day stated that the members of this board are appointed by the Town Council and approved by the judge. He asked everyone present if they are still interested in being on the board. Each member present said yes. Manager Day stated that member Steve Lutz wanted to be removed and there would be a vacancy on the board and asked if anyone had suggestions who could feel the position. At the time no one did and he asked them to let him know if they thought of someone and that it would be a two year appointment. He also stated that he appreciates each one of them for serving on the board and that they need to meet at least once a year and have a meeting per Code.

ADJOURNMENT

Motion was made by Board of Zoning Appeals Member Bowen to adjourn the meeting. Board of Zoning Appeals Member Weeks seconded the motion. On vote Board of Zoning Appeals Member Benson, Aye; Board of Zoning Appeals Member Bowen, Aye; Board of Zoning Appeals Member Weeks, Aye.

Meeting adjourned at 8:07 p.m.