Virginia: **At the Joint Public Hearing of the Chilhowie Planning Commission and Town Council held Thursday, March 28, 2024 at 7:00 p.m.**

Present: **David Blevins, Donna Blevins, Jim Bonham, Flave Davis, and Jim Paine**

Council: **Honorable Gary L. Heninger, Mayor presiding; Councilors Bill Clear, Shannon Donnelly, Brent Foster, Julie Sturgill, and P.J. Wolfe.**

Absent: **None.**

Also Present: **Mr. John E.B. Clark, Jr., Town Manager; Mrs. Felicia Eller, CMC, Clerk-Treasurer; Messrs. Paul Cassell, Town Attorney; Andrew Moss, Police Chief; and David Haynes, Fire/EMS Chief.**

Public Hearing:

- Joint Public Hearing with Planning Commission on Adding "Storage-Meeting Room Building" as (F) in Section 3.2-2 Conditional Uses Permitted in the R-2 Residential General District Zoning Ordinance – Mrs. Eller presented the following:

Notice of Joint Public Hearing
Of Adding "Storage-Meeting Room Building" as (F) in Section 3.2-2
Town of Chilhowie, Virginia

The Chilhowie Town Council and Planning Commission will be holding a Joint Public Hearing to amend the Town's Zoning Ordinance in the (R-2) Residential General Zone, by adding "Storage – Meeting Room" as (f) in Section 3.2-2 Conditional Uses Permitted in the Zoning Ordinance of the Town of Chilhowie. Pursuant to Section 15.2-2204 of the Code of Virginia, as amended, notice is hereby given of the Joint Public Hearing to be held at 7:00 p.m., or shortly thereafter, at the Chilhowie Town Hall 325 East Lee Highway, on March 28, 2024 in which citizens may attend and state their views thereon. Following the Joint Public Hearing the Planning Commission will recommend approval or denial of the amendment to the Town Council, or defer its recommendation to a later date. Persons wanting more information on this matter may contact the Town Hall.

By the Order of the Mayor and Chilhowie Town Council,

John E.B. Clark, Jr.
Town Manager

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Mayor Heninger opened the Public Hearing at 7:05 p.m.

Planning Commission Chairman Jim Bonham opens the Public Hearing at 7:05 p.m.

Rebecca Wilkinson-Smith: Mr. Bishop is not here tonight, so I can speak, he is out of town. I just appreciate you all expediting this and considering this and of course we appreciate you doing this for us. Thank you.

Mayor Heninger closed the Public Hearing at 7:07 p.m.

Planning Commission Chairman Jim Bonham closed the Public Hearing at 7:07 p.m.

Old Business:

- Planning Commission Comments and Recommendations to Town Council on 1) Adding "Storage-Meeting Room Building" as a Conditional Use Permitted in the R-2 General Residential District and 2) Granting that Designation to the Chilhowie Community Apple Festival at Sulphur Springs Road at Tax Parcel 53-A-54A:

Motion by David Blevins, second by Donna Blevins the Planning Commission recommends to Council add "Storage-Meeting Room" as Conditional Use Permit in the R-2 General Residential District as Subsection F under section 3.2-2 in the Town of Chilhowie Zoning Ordinance. The motion was approved with the following recorded vote:

David Blevins	Aye	Donna Blevins	Aye
Jim Bonham	Aye	Flave Davis	Aye
Jim Paine	Aye		

Motion by Julie Sturgill, second by P.J. Wolfe Council approves the recommendation to add "Storage-Meeting Room" as Conditional Use Permit in the R-2 General Residential District as Subsection F under section 3.2-2 in the Town of Chilhowie Zoning Ordinance. Motion was approved with the following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Mr. Paul Cassell, Town Attorney, reviewed §5.5-3 General Requirements, in the Town's Zoning Ordinance. Mrs. Donna Blevins inquired about erosion on the property. Mrs. Rebecca Wilkinson-Smith stated a retaining wall and drainage will be installed to ensure there will not be flooding issues. Mr. Jim Bonham inquired about landscaping and Mrs. Wilkinson-Smith stated the property will be very presentable. Mr. Flave Davis inquired about lighting affecting close by residents. Mrs. Wilkinson-Smith ensured Mr. Davis there are no residents close to the property of the building, and any lighting issues will be addressed.

Mr. Cassell reviewed the following with Planning Commission and Town Council.

AN ORDINANCE AMENDING "SECTION 3.2-2. Conditional uses permitted"

Of the Code of the Town of Chilhowie, Virginia

WHEREAS, the Planning Commission has recommended a change to the Town's Zoning Ordinances; and

WHEREAS, the Town Council believes that such change serves the best interest of the Town.

BE IT HEREBY ORDAINED as follows:

3.2-2 Conditional use permitted currently provides:

"3.2-2 Conditional use permitted.

Conditional uses in the residential-general (R-2) district shall be permitted following a public hearing and approval as set forth in articles V and VI. Conditional uses shall be one or more of the following uses:

(a) Schools, parks, playgrounds;
(b) Churches;
(c) Tennis courts, swimming pools not considered any accessory use;
(d) Multifamily dwelling units; or
(e) Medical or dental offices"

3.2-2. Conditional use permitted is hereby amended and replaced as follows:

"3.2-2. Conditional use permitted.

Conditional uses in the residential-general (R-2) district shall be permitted following a public hearing and approval as set forth in articles V and VI. Conditional uses shall be one or more of the following uses:

(a) Schools, parks, playgrounds;
(b) Churches;
(c) Tennis courts, swimming pools not considered an accessory use;
(d) Multifamily dwell units; ~~or~~
(e) Medical or Dental Offices<u>; or</u>
(f) <u>Storage-Meeting Room Building</u>"

This ordinance shall be effective upon passage.

Approved this 28th day of March, 2024 at a meeting of the Town Council of the Town of

Motion by Flave Davis, second by David Blevins the Planning Commission approves to grant designation to the Chilhowie Community Apple Festival at Sulphur Springs Road at Tax Parcel 53-A-54A to meet General Requirements of §5.5-3 of the Zoning Ordinance and add Storage-Meeting Room Building as Subsection F with two conditions; prevention of off sight lighting and to include landscaping. The motion was approved with the following recorded vote:

David Blevins	Aye	Donna Blevins	Aye
Jim Bonham	Aye	Flave Davis	Aye
Jim Paine	Aye		

Motion by Brent Foster, second by Julie Sturgill Council approves to grant designation to the Chilhowie Community Apple Festival at Sulphur Springs Road at Tax Parcel 53-A-54A meet General Requirements of §5.5-3 of the Zoning Ordinance and add "Storage-Meeting Room Building" as Subsection F with two conditions; prevention of off sight light and to include landscaping. Motion was approved with the following recorded vote:

Bill Clear	Aye	Shannon Donnelly	Aye
Brent Foster	Aye	Bob Jeter	Aye
Julie Sturgill	Aye	P.J. Wolfe	Aye

Having no further business, upon motion by Donna Blevins, second by Jim Paine unanimously passed, the Commission adjourned the meeting at 7:17 p.m.

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Felicia Eller, CMC, Secretary