

**PLANNING COMMISSION**  
**April 17, 2019**

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, April 17, 2019, AT 6:30 PM IN THE COUNTY MEETING ROOM.

Members present:            Jay Willer, Chairman  
                                     William Saunders, III, Vice-Chairman  
                                     John McCloskey, Member  
                                     Ron Williams, Member  
                                     Steve Kruskamp, Member

Staff present:                Dale Herring, Ex-Officio Member  
                                     Jim Frydl, Planning and Zoning Director  
                                     Stephanie Golon, County Planner  
                                     Cristy Snead, Secretary

**CALL TO ORDER**

The Chairman called the meeting to order.

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE**

Mr. Willer led the group in the Pledge of Allegiance and a Moment of Silence

**DETERMINATION OF QUORUM**

Each Commissioner stated their name to establish a quorum, with all five members present.

**PUBLIC HEARINGS**

**Ms. Sandra S. Emery requests a special use permit for Tourist Lodging as listed in Article 5-1-2.4 in the Greene County Zoning Ordinance on approximately 0.67 acres, zoned R-1, located at 279 Pine Bluff Road, Ruckersville. Identified on County Tax Maps as 37C-(22)-1-13. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Rural Area". (SUP#19-001)**

Ms. Golon addressed the commission and provided a description of the property. She stated the applicant is requesting a special use permit for Tourist Lodging. There were several aerial photos of the property that she presented to the commission.

Ms. Golon then provided the applicant's concept plan for their property. This included the location of the driveway, the area of the entryway of the basement and the measurements of the dwelling to the property line.

Ms. Golon reviewed the Virginia State Code that pertains to special use permits, as well as the Greene County Zoning Ordinance. She explained the Greene County Zoning Ordinance provides regulations on ways impacts could be addressed through conditions. It was explained that conditions must be related to an identifiable impact. The definition of Tourist Lodging was also provided.

Ms. Golon reviewed agency comments. The Building Official stated that there was a certificate of occupancy issued for the remodeled basement. VDOT reviewed the private entrance from Swift Run Road and found the current entrance to be acceptable. Public water is provided by Mountain Lake Water Company and sewer is provided by RSA. RSA stated increased impacts were not identified for either utility.

Ms. Golon stated that the Greene County Comprehensive Plan supports this application.

Mr. Willer asked if the special use permit could have a condition that it expires if or when the Emery's sell the property. Ms. Golon stated that they could make that a condition, she stated that they have to be careful about identifying what impact is being addressed if they choose to make this a condition.

Mr. Kruskamp asked Ms. Golon if the special use permit for this application could be put on a time limit, for example, a year to see how it is doing. Ms. Golon stated there are two options, the special use permit can expire or it can go before the Board of Supervisors for a review.

#### **PUBLIC HEARING:**

Mr. Willer opened the public hearing, however, no one signed up to speak. The public hearing was closed.

Mr. Willer asked the applicants if they would like to speak.

Sandra and Bob Emery

Mrs. Emery brought photos showing before and after pictures of the inside of their home.

Mr. Emery stated that this is not going to be an Airbnb that is booked all of the time, as they don't want to be doing laundry all of the time. He gave a description of the two parcels on either side of his parcel, stating that one parcel is vacant and the other is a weekend home, and most of the time it is empty.

Mr. Emery then stated that there is a possibility at some point they may like to rent out the entire house and not just the basement portion.

There was a discussion about the application stating that they would only utilize the basement for this use.

The commission had a discussion among themselves about the number of citizens that may want to have tourist lodging in Greene Mountain Lake subdivision as well as other areas of the county.

Ms. Golon then advised the commission, that this was the reason tourist lodging falls under special use permit so that each individual case has its own public hearing and impacts are identified and conditions are made if needed.

Mr. Willer spoke about the difference between this application and if there were an applicant that wanted to have an Airbnb, that does not reside in the home. He stated that there could be different conditions for that situation.

There was additional discussion about what would happen long term for tourist lodging with a special use permit. Mr. Frydl stated that every application for tourist lodging with a special use permit is going to be different, there can be different conditions set for each application and an application can also be denied if the commission identifies a reason.

Mr. Williams stated he wanted to discuss the conditions of this special use permit having a time limit, and the condition limiting the use to the basement. He stated he doesn't feel as if a condition should be that Mr. and Mrs. Emery can only use the basement, however, he would like to see a condition that the special use permit expires upon transfer or sale of the property.

The commission discussed who would review the special use permit after some time passes and if it would cost Mr. and Mrs. Emery anything for the review.

Ms. Golon stated that the board of supervisors would review it and that it would be no cost to Mr. and Mrs. Emery.

The commission discussed four possible conditions.

- The residence be owner-occupied
- Outdoor sound amplification at the tourist lodging unit
- That the special use permit expires when/if the property is ever transferred
- Review of the special use permit in three years (By the board of supervisors)

Mr. Willer said that they all agree the special use permit should be approved with two conditions.

Mr. McCloskey stated in accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and zoning practice; he moved to approve SUP#19-001 for Tourist Lodging as listed in Article 5-1-2.4 in the Greene County Zoning Ordinance on approximately 0.67 acres, zoned R-1, located at 279 Pine Bluff Road, Ruckersville. Identified on County Tax Maps as 37C-(22)-1-13. With the following conditions:

1. To ensure the character of the neighborhood, the single-family dwelling shall be owner-occupied.
2. To ensure the character of the neighborhood and protect the welfare of adjacent property owners there shall be a review every three years by the board of supervisors.

Mr. Williams seconded the motion

Mr. Williams – Aye  
Mr. Saunders – Aye  
Mr. McCloskey – Aye  
Mr. Kruskamp – Aye  
Mr. Willer – Aye

On a roll call vote of 5-0 special use permit (SUP#19-001) was been approved

## **OLD/NEW BUSINESS**

Ms. Golon stated that we have no new or old business at this time.

### **APPROVAL OF MINUTES**

Mr. Williams made a motion to approve the minutes as shown from March 20, 2019.

Mr. Saunders seconded the motion

Mr. Kruskamp abstained as he was absent from the March meeting

Mr. McCloskey – Aye

Mr. Saunders – Aye

Mr. Williams – Aye

Mr. Willer – Aye

With a vote 4-0, the March minutes were approved.

### **OTHER PLANNING MATTERS**

#### Ruckersville Advisory Council (RAC) update -

Ms. Golon stated that the last time RAC met they were talking about concepts and planning for beautification improvements. The RAC is active and very enthusiastic.

#### Town of Stanardsville Information-

Mr. Williams stated Town Council discussed the streetscape project. The Town of Stanardsville has its own zoning ordinance, however, they did not have a subdivision ordinance. The Council voted to reaffirm the policy of using the county's subdivision ordinance.

### **NEXT MONTHS AGENDA**

A public hearing will be held by the Agricultural & Forestal District Advisory Committee on Wednesday, May 15, 2019, at 5:30 p.m. in the County Administration Building Meeting Room concerning the continuation of the Agricultural & Forestal District program. This information is available for public inspection in the Greene County Planning Department located in the County Administration Building, Room 226, at 40 Celt Road in Stanardsville.

Ms. Haley Yost requests a special use permit for Tourist Lodging as listed in Article 5-1-2.4 of the Greene County Zoning Ordinance. The subject property is approximately 0.64 acres, zoned R-1, located at 376 Sunset Drive, Stanardsville and Identified as County Tax Map Number 37C-(7)-47. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Rural Area". (SUP#19-002)

Gallivanter, LLC/Kenneth, Kimberly & Mark Lawson request a special use permit for a Church listed in Article 3-1-2.14 and/or Conference Center listed in Article 3-1-2.15 in the Greene County Zoning Ordinance on approximately 21.94 acres, zoned A-1, located on Amicus Road approximately a quarter of a mile from Spotswood Trail. The parcel is identified on County Tax Maps as 50-(A)-38C. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Rural Area". (SUP#19-003)

Greenstone Development, LLC/Shimp Engineering request a special use permit to allow for a maximum of 165 townhomes and pending a rezone request to R-2 (Residential). (RZ#18-004) Listed in the Greene County Zoning Ordinance as Article 6-1-2.3 on 17.12 acres identified as

County Tax Maps as 66-(A)-2A, 66A-(1)-1, 66A-(1)-2, 66A-(2)-D, 66A-(3)-B that is zoned R-1, (Residential), which is adjacent to the northbound side of Route 29 North of the Albemarle County line. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Mixed Use Residential". (SUP#19-005)

**ADJOURNMENT**

The meeting was adjourned.

Respectfully submitted,

*Cristy Snead*  
Secretary

  
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Planning Commission, Chairman

5/15/19  
Date