

PRESENT: J. Curd, Chairman
S.N. Bridge, Vice-Chairman
W. F. Hite
T. H. Byerly
K. A. Shiflett
J. Shomo
J. D. Tilghman
D.L. Cobb, Director of Community Development

ABSENT: R.L. Earhart, Senior Planner and Secretary

VIRGINIA: At the Regular Meeting of the Augusta County
Planning Commission held on Tuesday, July 10, 2007
in the Board Meeting Room, Augusta County
Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Mr. Curd stated as there were seven (7) members present, there was a quorum.

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MINUTES

Mr. Byerly moved to approve the minutes of the Called and Regular meeting held on June 12, 2007. Mr. Shomo seconded the motion, which carried unanimously.

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**“AN ORDINANCE TO DECREASE THE REQUIRED SIZE OF CERTAIN LOTS
LOCATED IN SINGLE FAMILY RESIDENTIAL (SF) DISTRICTS”**

“AN ORDINANCE TO DECREASE THE REQUIRED SIZE OF CERTAIN LOTS
LOCATED IN SINGLE FAMILY RESIDENTIAL (SF) DISTRICTS” which amends the
Zoning Ordinance by decreasing the minimum lot area of lots in single family residential
districts to nine thousand square feet (9,000 sq. ft.) where curb, gutter, and sidewalks or
pedestrian pathways or trails are provided to applicable standards of the Virginia
Department of Transportation or the Augusta County Department of Parks and
Recreation. In all other cases, the minimum lot area in single family residential districts
shall remain twelve thousand square feet (12,000).

Mr. Cobb explained in 2002, the County amended the Zoning Ordinance to encourage
developers to build subdivisions with curb, gutter, sidewalks and walking trails. While

the County was encouraging developers to provide these above mentioned amenities, lot width decreased from 100 feet to 75 feet. However, total square footage of these lots remained at 12,000 total square feet. Mr. Cobb stated this Ordinance states that if the curbs, gutters, and sidewalks or trails are provided, total lot size can be reduced to 9,000 total square feet.

There being no one desiring to speak, Mr. Curd declared the public hearing closed.

Ms. Shiflett stated the goal of the Comprehensive Plan is to encourage more density in the Urban Service Areas and more walkable and livable neighborhoods in the community. She moved to recommend approval of the ordinance amendment as written.

Ms. Tilghman seconded the motion, which carried unanimously.

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New Business

Renewal of the Middlebrook Agricultural and Forestal District

Mr. Cobb presented to the Planning Commission an update on the renewal of the Middlebrook Agricultural and Forestal District. He explained the District was created December 9, 1998 for eight years and was to be reviewed by December 9, 2006.

Mr. Cobb stated on August 3, 2005, staff was contacted by Thomas Nelson. Mr. Nelson indicated he wished to continue to include his property in the District, but he was unable to assume leadership for the renewal effort on behalf of the other property owners.

Mr. Cobb explained on November 15, 2006, Nancy Sorrells, Board of Supervisors Riverheads District, Miles Bobbitt, Director of Agricultural Development and members of the Community Development Staff met at the Middlebrook Community Center where information was presented regarding this district. After the meeting, letters were sent to property owners in the district asking them to contact Community Development as to whether or not they wanted their property to continue being included in the Middlebrook Agricultural and Forestal District. Community Development has been contacted by several property owners who have chosen not to include their properties in the district. In total, eleven parcels have requested to be withdrawn. He stated individual property owners who wish to withdraw their property from the district can do so while the district is being reviewed. Mr. Cobb explained staff has heard from twenty-two landowners who have indicated they want to continue to be in the district. There were several property owners who did not respond. Mr. Cobb explained in the review process, if a property owner does not provide notice of his or her intention to withdraw from the District, the property will remain in the district. He also added there was one request for a parcel to be added to the district. On April 11, 2007, the Board of Supervisors met to discuss the

issue and decided to forward it to the Agricultural and Forestal District Advisory Committee.

Mr. Cobb stated on May 16, 2007 the Agricultural and Forestal District Advisory Committee recommended approval of the district on the condition that Dr. Marsh's land be added to the district again. He stated the committee further recommended if Dr. Marsh did not re-enter the District, the committee would have to pursue having two districts. The original application according to Mr. Cobb, contained 5,618 acres. He indicated approximately 2,000 acres have been requested to be withdrawn from the district. Mr. Cobb further explained Dr. Marsh would like to add his property back into the district with the exception of a one acre tract which he would like to convey to Oak Hill Baptist Church.

Mr. Curd asked if there was anyone desiring to speak.

Thomas Nelson, 6003 Middlebrook Road, Middlebrook, VA stated when he was originally handling the review of the district there was a fee of \$500. Mr. Nelson stated the Board of Supervisors has changed the fee structure and there is no longer a fee except for withdrawing from the district. He explained a number of landowners are withdrawing from the district in order to donate conservation easements. Mr. Nelson stated he feels the Board of Supervisors needs to provide incentives to individual landowners in the Middlebrook Agricultural and Forestal District. He suggested a different assessment of their property may be a way to do so.

Murphy Seaman, 35 Otts Mill Road, Raphine, VA, stated he is concerned with the number of people who have requested their land be withdrawn from the district. He stated if the County would provide him with a map of those that have withdrawn he would discuss with those property owners about getting back in the district.

Ms. Tilghman stated she agrees with Mr. Nelson, that she feels it is necessary for the County to provide incentives for landowners in the Middlebrook Agricultural and Forestal District. She moved to recommend to the Board of Supervisors that the Middlebrook Agricultural and Forestal District be renewed and that the Oak Hill Baptist Church prepare a plat including the exact amount of land they have requested to be deeded from Dr. Marsh's property. She stated this plat needs to be prepared prior to the Board of Supervisors' Public Hearing on the district.

Mr. Shomo seconded the motion, which carried unanimously.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mr. Curd asked if there were any comments regarding the upcoming items on the BZA agenda. The Commission took the following actions:

SUP 07-62 Michael W. Portch

Ms. Shiflett moved to recommend the Board of Zoning Appeals deny the request, as she feels the garage should be operating in a Business Zoned District.

Ms. Tilghman seconded the motion, which carried unanimously.

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There being no further business to come before the Commission, the meeting was adjourned.

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Chairman

Secretary