

August 2, 2022
Regular Meeting

**Pittsylvania County Planning Commission
Regular Meeting
August 2, 2022**

VIRGINIA: The Regular Meeting of the Pittsylvania County Planning Commission was held on August 2, 2022 in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia. Chairman - Westover District H.F. Haymore, called the meeting to order at 7:00 PM. The following members were present:

Attendee Name	Title	Status	Arrived
H.F. Haymore	Chairman - Westover District	Present	6:34 PM
Nathan Harker	Vice Chairman - Staunton River District	Present	6:35 PM
Colette Henderson	Member - Banister District	Present	6:26 PM
Janet Mease	Member - Callands-Gretna District	Present	6:27 PM
Brian K. Horne	Member - Dan River District	Present	6:29 PM
Gary Oakes	Member - Tunstall District	Present	6:31 PM
Richard Waters	Member - Chatham-Blairs District	Present	6:26 PM
Darrell Dalton	Board of Supervisors Rep	Present	6:32 PM

HEARING OF CITIZENS

No citizens came forward to speak.

APPROVAL OF AGENDA

A motion was made by Mr. Dalton, seconded by Mr. Waters, and by an eight (8) to zero (0) vote, the agenda was approved as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Darrell Dalton, Board of Supervisors Rep
SECONDER:	Richard Waters, Member - Chatham-Blairs District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

APPROVAL OF MINUTES

1. PC Minutes 07052022

A motion was made by Mrs. Mease, seconded by Mr. Horne, and by an eight (8) to zero (0) vote, the minutes were approved as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janet Mease, Member - Callands-Gretna District
SECONDER:	Brian K. Horne, Member - Dan River District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

CHAIRMAN'S REPORT

There was no Chairman's Report.

PUBLIC HEARING

1. Public Hearing: Case R-22-026 Charles Thomas; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Oakes)

Mr. Haymore opened the public hearing at 7:04 p.m. Mrs. Ragsdale, Director of Community Development, reported that Charles Thomas had petitioned to rezone 13.4 acres, located on State Road 722/Oakwood Drive in the Tunstall Election District from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for a Class B Home Occupation (kennel for boarding/grooming dogs). Jordan Thomas stated that the facility will not be visible to any adjacent property owners. She said that privacy fencing, rubber mats and specialty concrete will be used to keep noise down. The facility will not have more than ten (10) kennels and will be open by appointment only, not open to the public. She stated that the dogs will not make any noise as they will be training dogs. She said that they will be with her for two, four or six weeks at a time. Ms. Thomas stated that soothing enrichments will be provided during storms to keep the dogs calm. She also said the dogs would not be allowed outside from 10 p.m. to 6 a.m. Ms. Thomas stated that trash disposal and systematic waste procedures will take place daily, weekly, bi-weekly, and monthly that will be up to state code. Mr. Oakes asked if the main kennel would be totally enclosed. Ms. Thomas stated that it would be. She said that seven (7) to eight (8) foot wooden fences would enclose the property. Mr. Horne asked what type of training she would be offering. Ms. Thomas stated it would be basic obedience training. Mr. Waters asked about her experience in this field. Ms. Thomas stated that she started volunteering in shelters, has worked in veterinary clinics and rescues, and is currently in school to be a dog groomer. She also stated that she is currently employed by Bones & Bubbles in Danville, VA. Mrs. Mease said she thinks most of the neighbors' concerns are with odor and noise. Ms. Thomas stated that odor neutralizers will be used outside as well as kennels being cleaned on a daily basis. She also stated that waste will be taken off premises on daily basis and that specialty walls, specialty concrete and the fencing will bring the sound level down. Mr. Haymore asked what the maximum number of kennels there would be. Ms. Thomas stated the maximum will be ten (10) kennels. She said that more than likely the kennel will never be full and that she would not expand on this property. She stated that she will purchase a larger property for expansion. Mr. Harker asked if she lived on the property. Ms. Thomas stated that her parents live on the property, and she will live nearby, so the property will be under 24/7 surveillance. Mr. Waters said it looks like there will be a natural buffer of mature trees along the property lines. Ms. Thomas stated that was correct, and that will help with noise reduction. Mr. Waters also asked about the driveway being a shared easement. She stated that she will not be using this as the entrance to her facility. Several citizens signed up to speak regarding this case. First to speak was Patricia Collins. Ms. Collins presented a petition in opposition to the Board. She stated that everyone who lives on surrounding properties will be impacted by this project. She also stated that the hours will be 6 a.m. - 10 p.m. so the noise will be a factor for them as well. Ms. Collins stated that this will affect real estate values in this area. She said if this business is allowed that other businesses will also try to open in this neighborhood. Next to speak was Wendy Joyner. Ms. Joyner stated that this will be very close to her home, and she is worried about noise and odor coming from the facility. Denise Thomas spoke next; she is Jordan's mother. She said this has been Jordan's childhood dream and she had rescued dogs since she was thirteen. Ms. Thomas also stated that she had worked two (2) to three (3) jobs at the same time, all in animal care. Ms. Thomas stated that her daughter only uses positive reinforcement in her training, and she would like the chance to see her prove herself in this profession. Speaking next was Sheril Carr. Ms. Carr stated that she has over 30 years of experience in dog training, and she is here to offer support for

Jordan. Ms. Carr stated that Jordan has gone above and beyond any other intern she has ever had. Ms. Carr stated that she has 25 dogs at her training facility, so Jordan should be very experienced. Mandy Crowder spoke next to offer support for Jordan. Ms. Crowder stated that Jordan will be able to offer a valuable service to the community for individuals and families that own dogs. She stated that Jordan has trained her dog and that her dog is very obedient. Ms. Crowder feels that Jordan is an asset to the community. Ashley Crowder spoke next, stating that she is currently an animal control officer in a neighboring locality. Ms. Crowder stated that she is in attendance to offer support to Jordan, and that she helps keep dogs and their owners safe and this training helps make her job as an animal control officer easier. Tammy Jordan was next to speak. Ms. Jordan stated she was concerned about noise and odor, and that she will not be able to enjoy her pool. She was also concerned about property values decreasing. Ms. Jordan stated that she is hoping that Ms. Thomas can find another location to open her business. Bernie Jordan spoke next. He stated that is also worried about noise and odor, and just feels this is going to cause problems in the neighborhood. Jesse Oakes spoke next, showing support for Ms. Thomas. Mr. Oakes stated that he adopted a dog from the Humane Society in Danville that used to run and bark. He stated that he had concerns about putting her on a lead and did not want to fence in the property. Mr. Oakes stated that he employed Ms. Thomas to provide some corrective behaviors and that the bad behavior was curbed with a few short visits by Ms. Thomas. Mr. Haymore had Ms. Thomas come back to address questions and concerns by the citizens that spoke. She stated that the property will be encased by a 7-8-foot-high wooden fence, not chain-link fence. She also stated should be no traffic concerns, as this will be by appointment only. She stated that she normally transports the dogs from their home to her facility. Mr. Waters asked what the timeline was for her startup date. Ms. Thomas stated that she hopes to be start construction early 2023 and hopefully will be operating mid-year. Mrs. Mease asked if her parents land was the only option for her to start up. Ms. Thomas stated that it was at this time, and it will be under 24/7 surveillance. Mr. Haymore closed the public hearing at 7:48 p.m. A motion was made by Mr. Oakes, seconded by Mr. Harker to recommend the Board of Supervisors grant the rezoning request. Motion passed by a seven (7) to one (1) vote.

RESULT:	APPROVED [7 TO 1]
MOVER:	Gary Oakes, Member - Tunstall District
SECONDER:	Nathan Harker, Vice Chairman - Staunton River District
AYES:	Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton
NAYS:	Haymore

- Public Hearing: Case R-22-027 Ceasar Investment, LLC; Rezoning from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District (Henderson)

Mr. Haymore opened the public hearing 7:49 p.m. Mrs. Ragsdale, Director of Community Development, reported that Ceasar Investments, LLC, had petitioned to rezone 11.21 acres, located on State Road 792/Millstream Drive, from R-1, Residential Suburban Subdivision District to RPD, Residential Planned Unit Development District to allow for multiple dwellings to be constructed on the property. Mrs. Ragsdale, Director of Community Development represented the petition. Mr. Harker asked why denial was recommended for this case. Mrs. Ragsdale stated since it does not meet the VDOT requirements for a moderate volume commercial entrance, the site does not have adequate sight distance for this type of entrance as required by the VDOT Access Management

Regulations. Ms. Yolanda Ceasar was given Mr. Craddock's information to contact regarding this issue. No one was present to represent the petition. Mr. Haymore closed the public hearing at 7:51 p.m. A motion was made by Mrs. Henderson, seconded by Mrs. Mease that the zoning request be denied. Motion passed by an eight (8) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Colette Henderson, Member - Banister District
SECONDER:	Janet Mease, Member - Callands-Gretna District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

3. Public Hearing: Case S-22-011 New Testament Baptist Church; Special Use Permit for a School (Haymore)

Mr. Haymore opened the public hearing at 7:53 p.m. Mrs. Ragsdale, Director of Community Development, reported that New Testament Baptist Church had petitioned for a Special Use Permit for a School (Preschool and Afterschool Program) on 6.75 acres, located on State Road 740/Iris Lane. There were three representatives from New Testament Baptist Church to represent the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:53 p.m. A motion was made by Mrs. Mease, seconded by Mr. Horne, to recommend the Board of Zoning Appeals grant the Special Use Permit request. Motion passed by an eight (8) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janet Mease, Member - Callands-Gretna District
SECONDER:	Brian K. Horne, Member - Dan River District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

4. Public Hearing: Case S-22-013 Larry Oakes; Special Use Permit for the Sales, Service, and Repair of Automobiles (Horne)

Mr. Haymore opened the public hearing at 7:54 p.m. Mrs. Ragsdale, Director of Community Development, reported that Larry Oakes had petitioned for a Special Use Permit for an auto sales lot, service and repair of automobiles on 158.67 acres, located on State Road 968/Sandy Creek Church Road. Larry Oakes was present to represent the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:54 p.m. A motion was made by Mr. Horne, seconded by Mr. Harker, to recommend the Board of Zoning Appeals grant the Special Use Permit request. Motion passed by an eight (8) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brian K. Horne, Member - Dan River District
SECONDER:	Nathan Harker, Vice Chairman - Staunton River District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

5. Public Hearing: Case S-22-018 Darryl and Debra Burd; Special Use Permit for a Public Garage (Oakes)

Mr. Haymore opened the public hearing at 7:56 p.m. Mrs. Ragsdale, Director of Community Development, reported that Darryl & Debra Burd had petitioned for a Special Use Permit for a public garage on 0.66 acres, located on Highway 58/Martinsville Highway. Debra Burd was

present to represent the petition. Gary Ingram spoke in opposition to the petition, stating that it would be a nuisance to have automobiles parked along the property line. Mr. Haymore closed the public hearing at 8:01 p.m. Mr. Oakes asked Ms. Burd if they live on the property and she stated they do, and that the garage would be behind the home. Mrs. Burd stated that they have received a grant from River District to install a lift and finish the building. Mr. Oakes stated that because the lot is 2/3 of an acre, he is worried about the lot being so small with the number of vehicles that may be parked on the property. Mrs. Burd stated that they have five (5) personal vehicles. Mr. Oakes stated that a public garage does not suit this area since it is residential. Mr. Oakes made a motion to deny the Special Use Permit request. Mr. Waters asked if there were any conditions that could be applied to help with the Special Use Permit request. Mr. Oakes stated that with the size of the land, a garage is not a good fit for this area. Mr. Horne asked about the 25.36-acre parcel of land they own behind this property. Mrs. Burd stated they will be constructing a home in the future and do not want the garage on that parcel, they would like for the garage to be on the parcel with road frontage on Highway 58 since it is highly visible. A motion was made by Mr. Oakes, seconded by Mr. Harker that the Special Use Permit request be denied. Motion passed by a five (5) to two (2), one (1) abstained.

RESULT:	APPROVED [5 TO 2]
MOVER:	Gary Oakes, Member - Tunstall District
SECONDER:	Nathan Harker, Vice Chairman - Staunton River District
AYES:	Haymore, Harker, Oakes, Waters, Dalton
NAYS:	Henderson, Horne
ABSTAIN:	Mease

6. Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC; Special Use Permit for a Recreational Use (ATV Trails) (Henderson)

Mr. Haymore opened the public hearing at 8:14 p.m. Mrs. Ragsdale, Director of Community Development, reported that Elkhorn Lake ATV Trails, LLC, had petitioned for a Special Use Permit for recreational use (ATV Trails) on 149.1 acres, located on State Road 729/Red Road. Todd Chamberlain was present to represent the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 8:16 p.m. A motion was made by Mr. Henderson, seconded by Mr. Waters, to recommend the Board of Zoning Appeals grant the Special Use Permit request with the eight conditions presented by Staff. Motion passed by an eight (8) to zero (0) vote. Conditions are listed below:

1. Days of operation shall be limited to Thursday-Sunday.
2. Hours of operation shall be limited to 10:00 a.m. to 8:00 p.m. Thursday through Saturday and 1:00 p.m. to 8:00 p.m. on Sunday.
3. No alcohol permitted on premises.
4. Must maintain a 100-foot vegetative buffer along all exterior property lines. This does not apply to interior property lines within the total project area.
5. Must maintain a natural buffer along all waterways.
6. Must remain in compliance with all applicable Erosion and Sediment Control and Stormwater regulations
7. Must remain in compliance with all applicable Health Department regulations
8. Night rides are permitted once per calendar year until 2:00 a.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Colette Henderson, Member - Banister District
SECONDER:	Richard Waters, Member - Chatham-Blairs District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

OLD BUSINESS

There was no old business.

NEW BUSINESS

Mrs. Ragsdale invited all board members and the general public to attend the hearing for the Zoning Ordinance update on August 18, 2022, at 6 p.m. at the Pittsylvania County Community Center, there is also an online survey that can be completed and submitted.

ADJOURNMENT

The meeting was adjourned at 8:21 p.m.