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AT A MEETING OF THE MIDDLESEX COUNTY PLANNING COMMISSION HELD ON THURSDAY, February 9, 2023 IN THE BOARDROOM OF THE HISTORIC COURTHOUSE, SALUDA, VIRGINIA:

Present: Melvin Beverley, Chairman, Jamaica District
Teresa Anderson, Secretary, Harmony Village District
J. D. Davis, Harmony Village District
RD Johnson, Hartfield District
Marilyn South, Hartfield District
Bill Powell, Pinetop District
John England, Saluda District
Gordon Jones, Saluda District
Reginald Williams, Supervisor

Absent: Bev Butler, Vice Chairman, Pinetop District
Kristin Jessie, Jamaica District

David Kretz, Planning Director
Jody Collier, Community Development/Building Office Manager
Heather Lewis, Middlesex County Attorney

ELECTION OF OFFICERS

On a motion by Commissioner Powell, seconded by Commissioner Davis, and carried by unanimous vote, the following slate of officers was elected: Chairman – Bev Butler, Vice Chairman – R.D. Johnson, Secretary – Theresa Anderson.

ESTABLISHMENT OF REGULAR MONTHLY MEETING DATE, TIME & PLACE

On a motion by Commissioner England, seconded by Commissioner Davis, and carried by unanimous vote, the Planning Commission agreed to meet monthly on the second Thursday of the month at 7:00 p.m., in the Boardroom of the Historic Courthouse, Saluda, Virginia.

CALL TO ORDER

Vice Chairman Johnson called the February 9, 2023 regular meeting of the Planning Commission to order at 7:00 P.M.

APPROVAL OF MINUTES

On a motion by Commissioner Powell, seconded by Commissioner Davis, and carried by unanimous vote, the minutes of the December 08, 2022 meeting were approved.

PUBLIC HEARING

- 1. Ordinance Amendment #2022-02**, initiated by The Middlesex County Planning Commission. The request is for the purpose of amending Article 15, Section 15-29 (Tourist Homes), Article 22, Section 22-1 (Definitions) and any section that references the use Tourist Home, of the Middlesex County Zoning Ordinance. The amendment proposes to re-name the Tourist Homes section to Short-Term Rentals and add additional requirements related to zoning approval. The Definitions section will be amended to add definitions for Short-Term Rentals and Short-Term Rental Operator and the term Tourist Home will be replaced by the term Short-Term Rental in the district permitted uses that allow them.

Vice Chairman Johnson introduced Ordinance Amendment #2022-02

Mr. Kretz presented his staff report recommending approval of Ordinance Amendment #2022-02.

Vice Chairman Johnson opened the public hearing.

Karen Hall of 15 Berryville Shores addressed the Board. She said they currently have a tourist home in her community. They are basically mini motels she said. Our peaceful neighborhood has turned into a transient neighborhood. The house stays rented from Easter to Oyster Festival every day with numerous cars, boats and golf carts coming in and out. There is a lack of regulations. Please consider this along with making homes already permitted nontransferable.

Greg Chambers of 115 Cedar Point Dr. addressed the Board. He is a member of the HOA and said they have restrictions written in their covenants regarding Tourist Homes. He has one next door to his property. The person who owns this home is not a resident of Middlesex County. He currently has homes in different locations. This is what he does for a living. It is a three bedroom and advertised with nine beds. There have been cars and boats parked in the driveway and over flow to street parking. He would like to see no street parking of any kind and adhere to three bedrooms six people occupancy.

Chris Hodge of 73 Sturgeon St. asked when the tourist home is approved, is it considered to be that at all times? Are there restrictions on pets? What consideration is taken for surrounding neighbors?

Ralph Jones of 407 Pirates Bluff addressed the Board. He asked about bedrooms per persons. What happens when a home has six bedrooms? Is there any consideration for private roads with children playing and cars are flying in and out?

Adam Sharipo, owner of a tourist home at 151 River Watch Ln, addressed the board. He is in favor of the presented Ordinance Amendment. He has followed all the rules and understands there are some people operating tourist homes that do not.

William, 115 Sturgeon Creek asked if already permitted tourist homes would need to reapply? He feels this would be pointless if not as 90% of the market has permits.

There being no further comments, Vice Chairman Johnson closed the public hearing.

The Board had a discussion amongst themselves about vehicle parking along with violations being more serious.

On a motion by Commissioner Powell, seconded by Commissioner Davis and carried by a unanimous vote, Ordinance Amendment #2022-02 passed as is with modifications to off street parking to include cars, trucks, boats, trailers, jet skis and recreational vehicles and reduce the number of complaints from three to two that would constitute a violation with a vote of eight and one abstain.

- 2. Ordinance Amendment #2023-01**, initiated by Kevin R. Huennekens. The request is for the purpose of amending Article 15, Section 15-24.1 (Accessory Structure Total Number Limitation) and Section 15-24.2 (Accessory Structure Square Footage Limitation) of the Middlesex County Zoning Ordinance. The amendment would exempt swimming pools, their adjoining decking and related equipment from these two requirements.

Vice Chairman Johnson introduced Ordinance Amendment #2023-01.

Mr. Kretz presented his staff report recommending approval of Ordinance Amendment #2023-01.

Mr. Huennekens addressed the Board on his behalf. He said they have owned the property for twenty years and moved here permanently eight years ago. The road is private and maintained by the homeowners. The garage is adjacent from the house and the well is on the same property. The properties could never be sold separately. I'm happy to do a deed covenant to cover this. The pool will have an automatic hard cover with an alarm.

Vice Chairman Johnson opened the public hearing.

There being no comments, Vice Chairman Johnson closed the public hearing.

On a motion by Commissioner Davis, seconded by Commissioner Powell and carried by a unanimous vote, Ordinance Amendment #2023-01 passed with a vote of eight and one abstain.

OLD BUSINESS

NEW BUSINESS

Commissioner England initiated the Comprehensive Plan

PLANNING DIRECTOR'S REPORT

COMMITTEE REPORTS

ADJOURNMENT

With there being no further business, a motion to adjourn was made by Commissioner Davis, seconded by Commissioner Powell, and carried by unanimous vote. The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Theresa Anderson, Secretary

Date