



Town of Farmville Planning Commission

Town Council Chambers of the Town Hall
116 North Main Street, Farmville, Virginia

Agenda
Wednesday, October 16, 2024 @ 7:00pm

1. **Call to Order** (please silence devices)
2. **Roll Call**
3. **Approval of Agenda**
4. **Consideration of Minutes**-Regular Planning Commission Meeting-**June 20, 2024, July 17, 2024, and August 21, 2024.**
5. **Public Participation – Speakers have three (3) minutes to make statements on non-agenda items.**
6. **Public Hearing CUP24-005** – John & Kristen Kraus’ request for a conditional use permit to allow an accessory dwelling unit per Town Code Section 29.22.a. The site is located at 106 Jay’s Road on parcel number 0037A00(06)00-017. This property is zoned R-1 Low Density Residential.
 - a. Staff Report
 - b. Applicant Presentation
 - c. Planning Commission Deliberation
7. **Old Business**
8. **New Business**
 - a. Staff and Department updates
 - b. Commission Items
 - c. Other Items of Interest
9. **Adjournment**

Town of Farmville Planning Commission
Town Council Chamber of the Town Hall
116 North Main Street, Farmville, VA 23901
Thursday, June 20, 2024

Planning Commission Members Present: Chairperson Cameron Patterson, Vice-Chair Jerry Davenport, Dr. John Miller, and Jennifer Fraley. Rhett Weiss arrived at 7:32 P.M.

Planning Commission Members Absent: Patrick Crute and Abigail O'Connor

Staff Present: Director of Community Development Ashley Atkins-Austin, and Administrative Assistant II Michelle Watkins, CPT.

CALL TO ORDER

Chairperson Patterson called the Planning Commission meeting to order at 7:01 PM.

APPROVAL OF AGENDA

Chairperson Patterson noted the agenda was distributed and asked if there were any corrections. On a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present members voting "aye", the agenda was adopted with no corrections.

CONSIDERATION OF MINUTES

Minutes of Regular Planning Commission Meeting – April 17, 2024

Chairperson Patterson noted that the minutes had been likewise distributed and asked if there were any corrections or revisions. On a motion by Dr. Miller, seconded by Mr. Davenport, and with all present members voting "aye," the minutes from April 17, 2024 were approved as presented.

PUBLIC PARTICIPATION

There was no public participation.

PUBLIC HEARING – CUP24-003

Melbin Abel Ramirez's request for a conditional use permit to allow for an automobile repair service per Town Code Section 29.22.a. The 0.836-acre site is located at 513 East Third Street on Parcel 0023A04(23)08-002. This property is zoned B-2 Transitional Commercial.

Chairperson Patterson set forth case CUP24-003 to the Commissioners and asked for the staff report.

Ms. Atkins-Austin provided relevant information from the staff report with supporting slides. The application appears to meet the standards of review for Conditional Use Permits set forth in Section 29-13.c.1 of the Town Zoning Ordinance. It is consistent with the Future Land Use Map and Mixed-Use Commercial Districts. There are no significant impacts to the capacities of the utility or transportation systems. There are no significant environmental impacts to the site or adjacent properties.

Staff recommended approval of CUP24-003 with the following conditions:

1. All vehicles stored on the premises in excess of seventy-two (72) hours shall be placed in a storage yard.
2. No exterior display or storage of new or used automobile parts is permitted.

3. There shall be no storage of motor vehicles in landscaped areas or within ten (10) feet of the public road right-of-way.
4. The use shall be designed to ensure proper functioning of the site in regard to vehicle stacking, circulation, and turning movements.

The commissioners had a brief discussion with staff and Mr. Ramirez regarding his plan for tire storage. Mr. Ramirez plans to store the tires in an exterior storage container on site.

On a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present members voting “aye”, the public participation portion was opened.

Mr. Bobby Huskey, resident of Prince Edward County and owner of properties located across the street from the proposed site spoke in favor of CUP24-003.

With no further comments from the public, on a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present member voting “aye”, public participation was closed.

During a brief deliberation it was determined by the commissioners to make a revision to the list conditions by adding that a storage unit be placed to the rear of the structure no larger than 10’ X 40’.

On a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present members voting “aye”, the motion was passed to recommend approval of CUP24-003 to the Town Council with the additional condition to place a storage unit to the rear of the structure no larger than 10 X40.

PUBLIC HEARING – CUP24-004

Public hearing for Planning Commission recommendation to allow an accessory dwelling unit per Town Code Section 29-22 (a). The 4.500-acre site is located at 1406 Spottswood Drive and zoned R-1 low density residential.

Chairperson Patterson set forth case CUP24-004 to the Commissioners and asked for the staff report.

Ms. Ashley Atkins-Austin provided relevant information from the staff report with supporting slides. The property is zoned R-1 low density residential and consists of a single-family dwelling with two accessory structures (sheds), a pool and a deck at the pool.

Accessory Dwellings are permitted by Conditional Use Permit in the R1 Low Density Residential District pursuant to the zoning use matrix in Section 29-22.a (Table 1, Zoning Use Matrix). An accessory dwelling is a dwelling that exists as part of a principal dwelling or on the same lot as the principal dwelling and is subordinate in size to the principal dwelling.

The property has access to the Town’s public water and sewer system. There is no significant impact to public streets. The site is a standard residential lot and is not located in a floodplain or other protected area. There are no impacted watercourses, steep slopes, or other atypical environmental factors. Emissions (dust, heat, noise, light, vibrations, etc.) should be standard for residential use.

Staff recommended approval of the Conditional Use Permit for an accessory dwelling with the following conditions:

1. The structure shall comply with all setback requirements that apply to the primary structure.

2. Any accessory dwelling shall comply with all applicable requirements of the state department of health and the Virginia Uniform Statewide Building Code.
3. No signage advertising or promoting the existence of the structure shall be permitted on the exterior of the structure or anywhere on the property.

Mr. Gantt briefly spoke to the Commissioners explaining in further detail the location of the proposed ADU.

Chairperson Patterson shared that Commissioner Mr. Crute was a neighbor to the property and asked that his support be conveyed for the project.

On a motion by Ms. Fraley, seconded by Mr. Davenport, and with all present member voting “aye”, the public participation portion of the meeting was opened.

Ms. Watkins reported that staff had not received any comments or requests to speak from the public.

On a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present member voting “aye”, public participation was closed.

There was no deliberation amongst the Commissioners.

On a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present members voting “aye”, the motion to recommend approval of CUP24-004 to the Town Council with noted conditions was passed.

PUBLIC HEARING – ZTA24-003

Public hearing for Planning Commission recommendation to Town Council to amend Section 29-22 (a) – Table 1: Zoning Use Matrix of Article III of Chapter 29 – Zoning and Subdivision by allowing restaurant, mobile by Conditional Use Permit in the R-3 zoning district.

Chairperson Patterson set forth case ZTA24-003 to the Commissioners, after clarifying the order of the Resolution on the agenda with Ms. Watkins, he asked for a staff report.

Ms. Atkins-Austin provided relevant information from the staff report with supporting slides. In 2020, after several months of input and deliberation, the Town of Farmville adopted new zoning and subdivision ordinances (Chapter 29 of the Farmville Town Code) and a comprehensive plan. With this new ordinance came a zoning use matrix that provides all use types and all zoning districts where the use type is permitted or permitted with approval of a conditional use permit in accordance with the requirements of Article II of Chapter 29. The proposed amendment would allow an owner of a mobile restaurant to apply for a conditional use permit for a restaurant, mobile located in the R-3 zoning district.

Dr. Miller asked about existing ordinances or regulations for food trucks. Staff responded with Section 29-35 (Standards for specific uses).

On a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present members voting “aye”, the public participation portion of the meeting was opened.

Ms. Watkins reported that staff had not received any comments or requests to speak from the public.

On a motion by Ms. Fraley, seconded by Mr. Davenport, and with all present member voting “aye”, public participation was closed.

Chairperson Patterson asked if the request was driven by citizens that have interest and would the request for a conditional use permit come back to the Planning Commission. Ms. Atkins-Austin stated yes citizens have

approached Town Council members about the possibility and any conditional use permit request will come before the Planning Commission.

The Commissioners made clarifying comments regarding the use matrix in the Town Code and reiterated what prompted the request for ZTA24-003.

On a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present members voting “aye”, the motion to recommend approval of ZTA24-003 to the Town Council was passed.

PUBLIC HEARING – REZ24-001

Public Hearing for Planning Commission recommendation to Town Council to amend the Official Zoning Map to provide for the rezoning of properties along Griffin Boulevard from High Street to Edmunds Street from R-1 to R-3.

Chairperson Patterson set forth case REZ24-001 to the Commissioners and asked for the staff report.

Ms. Atkins-Austin provided relevant information from the staff report with supporting slides. The request is to rezone 21 lots from R-1 Low Density Residential to R-3 High Density Residential. The area consists of 21 parcels, tax map numbers 0023A03(11)02-002, 0023A03(11)02-003, 023A03(11)02-005, 0023A03(11)02-006, 0023A03(11)02-009, 0023A03(11)10-006, 0023A03(11)10-003, 0023A03(11)10-004, 0023A07(06)18-006, 0023A07(06)18-006A, 0023A07(06)18-007, 0023A07(06)18-008A, 0023A07(06)18-009, 0023A07(06)18-011, 0023A07(06)18-008, 0023A07(07)06-003A, 0023A07(07)06-003, 0023A07(07)06-004, 0023A07(07)06-005, 0023A07(07)06-006A, and 0023A07(07)06-006C.

High density residential district, R-3, encompasses high-density residential areas, both existing and planned, as well as certain compatible public, semipublic, and very limited commercial land uses. This district should provide a suitable environment for persons desiring the amenities of apartment living and the convenience of being closest to shopping and employment centers and other community facilities.

The Comprehensive Plan Existing Land Use Map designates the subject parcels as Institutional, Commercial, Residential, and Vacant. The Future Land Use designates the subject parcels as Low Density Residential.

The proposed rezoning to R-3 is consistent with the Future Land Use designation of Moderate Density Residential. The area consists of smaller lot sizes, closer proximity to Farmville’s downtown core, and a greater urban character. Moderate Density Residential would encourage new residential and light commercial uses, strengthened connections to existing neighborhoods and the downtown core through pedestrian connections and public spaces. All new development in this area should match the history, style, and character of the Town in their design and materials.

Staff recommended approval of the proposed rezoning and amendments to the official zoning map.

The Commissioners shared concerns regarding some of the following items:

- Impact on environment and roadways.
- Possibility of larger development
- Density issues
- Moton Overlay District being affected

Chairperson Patterson asked for a motion to open the public participation and forward further discussion to the deliberation portion.

On a motion by Ms. Fraley, seconded by Mr. Davenport, and with all present members voting “aye”, the public hearing portion of the meeting was opened.

Ms. Caryn Kayton, owner of a property in the proposed area, spoke in favor of the proposed rezoning.

On a motion by Mr. Davenport, seconded by Mr. Weiss, and with all present members voting “aye”, public participation was closed.

During deliberation, Dr. Miller had several concerns and mentioned the neighbors’ profound opposition of a convenience store being in their neighborhood. He also mentioned the possibility of the rezoning being disproportionately handled for the purpose of allowing a food truck in the zoning district and offered the suggestion of a more moderated solution for consideration.

Mr. Weiss concurred with Dr. Miller and shared several concerns such as nonconforming uses, the long list of additional uses that would be created if rezoned to R-3, increase in density, the effect of other residential zones, etc..

Chairperson Patterson shared that he has struggled with what Griffin Blvd. has already become. The area already has mixed-use.

Mr. Davenport added that he feels that R-3 is more of an appropriate zoning for that area. He understands the concerns that have been raised, however, there are several nonconforming uses that already exist in the area.

Dr. Miller shared that an easier solution would be just to focus on the food truck if that’s the issue.

Ms. Atkins-Austin stated that Dr. Miller’s suggestion had previously been discussed at Town Council as a possible solution however, a food truck being allowed in a R-1 district was not desirable.

Ms. Fraley concurred to previous concerns as well as sharing some of hers to include not starting something that then spreads, possible encroachment issues, and as previously mentioned, traffic impact.

The commissioners continued on with a brief discussion.

On a motion by Dr. Miller, seconded by Mr. Weiss, and with a vote of three “ayes” and two “nays”, the motion was passed to deny recommendation to approve REZ24-001 to Town Council.

PUBLIC HEARING – Resolution 2024-07-01

Public Hearing for Planning Commission recommendation to Town Council to amend the Comprehensive Plan Future Land Use Map to reflect the zoning amendment in ZTA24-003 and REZ24-001.

Chairperson Patterson set forth case REZ24-001 to the Commissioners and asked for the staff report.

Ms. Atkins-Austin shared that the proposed amendment would be to the Comprehensive Plan Future Land Use Map to show a moderate density residential as opposed to low density.

On a motion by Mr. Davenport, seconded by Ms. Fraley, the public participation portion of the meeting was opened.

Ms. Watkins reported that staff had not received any comments or requests to speak from the public.

On a motion by Mr. Weiss, seconded by Mr. Davenport, and with all present members voting “aye”, public participation was closed.

There was no deliberation.

On a motion by Dr. Miller, seconded by Ms. Fraley, and with all present members voting “aye”, the motion was passed to deny adoption of Resolution No. 2024-07-01.

OLD BUSINESS

There was no old business before the Commission.

NEW BUSINESS

Staff/Department Updates

- CUP24-001 was approved by Town Council
- ZTA24-002 was approved by Town Council
- Fences case back to Planning Commission by July meeting
- Potential Rezoning case for July Meeting
- Bylaws amendment
- Welcome to first meeting Ms. Fraley

COMMISSION UPDATES

There were no updates from the Commissioners.

ADJOURNMENT

With no further business, on a motion by Mr. Davenport, seconded by Mr. Weiss, and with all present members voting “aye”, the meeting was adjourned at 8:19PM.

Respectfully submitted by Michelle D. Watkins, CPT, Administrative Assistant II

Cameron Patterson, Chairperson

Abigail O’Connor, Secretary

**Town of Farmville Planning Commission
Town Council Chamber of the Town Hall
116 North Main Street, Farmville, VA 23901
Wednesday, July 17, 2024**

Planning Commission Members Present: Vice-Chair Jerry Davenport, Abigail O'Connor, Rhett Weiss, Jennifer Fraley, and Patrick Crute.

Planning Commission Members Absent: Chairperson Cameron Patterson and Dr. Miller.

Staff Present: Director of Community Development Ashley Atkins-Austin

CALL TO ORDER

Vice-Chair Davenport called the Planning Commission meeting to order at 7:00 PM.

APPROVAL OF AGENDA

Vice-Chair Davenport noted the agenda was distributed and asked if there were any corrections. On a motion by Mr. Weiss, seconded by Mr. Crute, and with all present members voting "aye", the agenda was adopted with no corrections.

PUBLIC PARTICIPATION

Carol Anderson, resident of 2503 Layne Street, expressed her opposition to the Commissioners regarding the Proposed Israel Hill project planned for Layne Street.

PUBLIC HEARING-ZTA24-001-FENCES

Public hearing for the Planning Commission recommendation to Town Council to amend the zoning ordinance by adding Section 29-35.b.5 – Fences. This will regulate the location and height of fences in residential districts.

Vice-Chair Davenport set forth case ZTA24-001 to the Commissioners.

On a motion by Mr. Crute, seconded by Ms. O'Connor, and with all present members voting "aye", Public Hearing ZTA24-001 was opened.

Ms. Atkins-Austin reported that staff had not received any comments or requests to speak from the public.

Ms. Ashley Atkins-Austin provided relevant information from the staff report with supporting slides. In 2020, after several months of input and deliberation, the Town of Farmville adopted new zoning and subdivision ordinances (Chapter 29 of the Farmville Town Code) and a comprehensive plan. With this new ordinance came landscaping requirements that were specifically for developments or redevelopments that required approved site plans, properties that were seeking rezoning to R-3, B-1, B-2, or B-3 districts, and for properties seeking a conditional use permit in a R-3, B-1, B-2, or B-3 zoning district. Walls and fences were listed in this code section with requirements for location and maintenance. Over the last few years, staff has received numerous calls questioning height and placement standards for fencing in the R-1 and R-2 zoning districts. In a comparison of other jurisdictions' fence regulations, the Staff determined that the lack of standards for height and location of fences was undesirable and therefore included standards that would be relevant to residential zoning districts.

ZTA24-001 was previously heard on April 17, 2024. Staff proposes amendments to **Article IV, Section 29-35.b.** of the zoning ordinance to add more specific regulations regarding the height and placement of fences. The amendment adds Section 29-35.b.5, *Fences*. **Attachment 1** is a redlined version of the ordinance showing these amendments.

On a motion by Mr. Crute, seconded by Ms. O'Connor, and with all present members voting "aye", the motion was passed to close Public Hearing ZTA24-001.

Mr. Weiss clarified some language in Sec. 29-35.b (5.b.) with staff and suggested revisions of the wording.

Vice-Chair Davenport clarified regulations regarding structure setbacks and right-of-way lines with staff.

On a motion by Mr. Crute, seconded by Ms. Fraley, and with all present members voting "aye" the motion was passed to recommend approval of ZTA24-002 with amendments to the Town Council.

POD24-001

Public Hearing for review of a site plan for the construction of a one-story, 2,325 square foot restaurant with pick-up window. Per Town Code Sections 29-13.e.2 and 29-13.e.4.e, site plans must be reviewed by the Planning Commission. The 1.006-acre site is located at 2004 South Main Third Street on Parcel 0037000(08)00-001. This property is zoned B-3 Highway Commercial.

Vice-Chair Davenport set forth case POD24-001 to the Commissioners.

Ms. Atkins-Austin reported that staff had not received any comments or requests to speak from the public.

On a motion by Mr. Crute, seconded by Ms. O'Connor and with all present members voting "aye", the motion was passed to open Public Hearing POD24-001.

Ms. Ashley Atkins-Austin provided relevant information from the staff report with supporting slides. Restaurants, drive in are permitted by-right in the B3 Highway Commercial District pursuant to the zoning use matrix in Section 29-22.a (Table 1, Zoning Use Matrix). A restaurant, drive in is defined in Section 29-81- as. An establishment primarily engaged in the preparation of food and beverages, for either take-out, delivery or table service, served in disposable containers at a counter and a drive-up or drive through service facility, or which offers curb service.

The site is located on South Main Street, a major throughfare through Farmville. The site plan proposes closing the entrance to the site from South Main Street and replacing it with a sidewalk. The single entrance to the site will be to the left side of the property at Bowling Lane. No improvements are required to existing public streets, and no additional streets are proposed. No impact to the mass transit system is expected.

The application appears to meet the standards of review for site plans set forth in Section 29-13.e of the Town Zoning Ordinance. It is substantially consistent with the Future Land Use Map and General Commercial Districts. There are no significant impacts to the capacities of the utility or transportation systems. The use appears to comply with the four (4) standards set forth in the standards for specific uses. The Staff recommends approval of POD24-001, a site plan for a restaurant, drive in.

Reid Cooksey, representative of Stonefield Engineering and Design; gave a brief introduction to the Commissioners and expressed that Ms. Atkins-Austin had already done a great job presenting the project.

Commissioners and staff had a brief discussion.

On a motion by Mr. Crute, seconded by Ms. Fraley, and with all present members voting “aye”, the motion was passed to approve POD24-01 as presented by staff.

OLD BUSINESS

- CUP24-004 was approved by Town Council
- CUP24-0036 was approved by Town Council
- ZTA24-003 was approved by Town Council
- REZ24-001 and Resolution No. 2024-07-01 was approved by Town Council

NEW BUSINESS

There was no new business before the Commissioners.

ADJOURNMENT

On a motion by Mr. Weiss seconded by Mr. Crute a, and with all present members voting “aye”, the meeting was adjourned at 7:26 P.M.

Respectfully submitted by Michelle D. Watkins, CPT, Administrative Assistant II.

Cameron Patterson, Chairperson

Abigail O’Connor, Secretary

DRAFT

**Town of Farmville Planning Commission
Town Council Chamber of the Town Hall
116 North Main Street, Farmville, VA 23901
Wednesday, August 21, 2024**

Planning Commission Members Present: Chairperson Cameron Patterson, Vice-Chair Jerry Davenport, Abigail O'Connor, Dr. Miller, Jennifer Fraley, and Patrick Crute.

Planning Commission Members Absent: Rhett Weiss

Staff Present: Director of Community Development Ashley Atkins-Austin and Administrative Assistant II Michelle Watkins, CPT.

CALL TO ORDER

Chairperson Patterson called the Planning Commission meeting to order at 7:00 PM.

APPROVAL OF AGENDA

Chairperson Patterson noted the agenda was distributed and asked if there were any corrections. On a motion by Mr. Crute, seconded by Ms. O'Connor, and with all present members voting "aye", the agenda was adopted with no corrections.

PUBLIC PARTICIPATION

There was no public participation.

Public Hearing REZ24-002

Public hearing for the Planning Commission recommendation to Town Council to amend the Official Zoning Map to provide for the rezoning of approximately 0.278 acres from B-3 to R-2. The site is located on the southeast corner of the Georgia Street and Monroe Street intersection and consists of parcel 110AV(02)0A-049A.

Chairperson Patterson set forth case REZ24-002 to the Commissioners.

On a motion by Mr. Davenport, seconded by Ms. Fraley, and with all present members voting "aye", Public Hearing REZ24-002 was opened.

Ms. Watkins reported that staff had not received any comments or requests to speak from the public.

On a motion by Ms. O'Connor, seconded by Mr. Crute, and with all present members voting "aye", Public Hearing REZ24-002 was closed.

Ms. Ashley Atkins-Austin provided relevant information from the staff report with supporting slides. The request is to rezone one (1) parcel that contains approximately 0.278 acres from B-3 Highway Commercial to R-2 Medium Density Residential. The site is identified as tax map number 110AV(02)0A-049A. A rezoning will have no impact on transportation or town streets. There are no environmental impacts. The rezoning would require a zoning map change. Staff recommend approval of the proposed rezoning and amendments to the official zoning map.

The Commissioners and Staff had a brief discussion.

On a motion by Dr. Miller, seconded by Mr. Crute, and with all present members voting "aye" the motion was passed to recommend approval of REZ24-002 to the Town Council.

The Commissioners and Staff had a brief discussion.

OLD BUSINESS

There was no old business before the Commissioners.

NEW BUSINESS

- The next step for the applicants of POD24-001; for the restaurant on South Main Street, is the permitting process.
- Town Council has sent ZTA24-001 back to the Planning Commission for further review.
- Possibility of cancelling September’s meeting, Ms. Atkins-Austin will be away at Professional Development.

ADJOURNMENT

On a motion by Mr. Davenport seconded by Mr. Crute, and with all present members voting “aye”, the meeting was adjourned at 7:10 P.M.

Respectfully submitted by Michelle D. Watkins, CPT, Administrative Assistant II.

Cameron Patterson, Chairperson

Abigail O’Connor, Secretary



Identification and Location Information

Applicants	John & Kristen Kraus
Property Owner	Same
Location	106 Jay’s Road, Tax Map # 0037A00(06)00-017
Ward	A, Council Member J. Hardy
Acreage	19,996.64sf, 0.459 acre
Zoning	R1 Low Density Residential
Future Land Use Recommendation	Low Density Residential
Overlays	None
Adjacent Zoning	R1 Low Density Residential on all sides of the property.
Adjacent Uses	Single-family dwellings on all sides of the property.
Staff Contact	Ashley Atkins-Austin, CZA, Director of Community Development Phone: 434-392-8465 Email: aaustin@farmvilleva.com

Background and Existing Conditions

Public hearing and consideration of an application by John and Kristen Kraus for an accessory dwelling unit (ADU) Conditional Use Permit (CUP) to construct a 44’ by 24’ garage with an ADU on the second floor, with the ADU occupying 936 square feet. The project is proposed at 106 Jay’s Road. The 0.459 - acre property is zoned R-1 low density residential and consists of a single-family dwelling with a shed.

Staff has been made aware of deed restrictions in this subdivision. Deed restrictions are not policed by the Town, but have been included for Commissioners review and information.

Zoning Ordinance Considerations

Accessory Dwellings are permitted by **Conditional Use Permit** in the R1 Low Density Residential District pursuant to the zoning use matrix in Section 29-22.a (Table 1, Zoning Use Matrix).

An *Accessory Dwelling (or Accessory Dwelling Unit)* is defined in Section 29-81- Definitions as the following:

- *A dwelling that exists as part of a principal dwelling or on the same lot as the principal dwelling and is subordinate in size to the principal dwelling.*

The R1 District’s purpose and intent is as follows:

- *Low density residential district, R-1, encompasses low-density single-family residential areas, both existing and planned. This district should provide a suitable environment for families who desire quiet spacious homesites with the amenities of suburban living, without fear of encroachment of dissimilar uses.*



Comprehensive Plan Considerations

Land Use Goals and Strategies

- Goal: Plan for a balance of compatible land uses meeting the community and economic needs of a growing town.
- Strategy: Allow for a wider mix of residential types, *including accessory dwellings* and live/work units.

Utilities

The property has access to the Town's public water and sewer system.

Transportation/ Streets

No significant impact to public streets.

Environmental

The site is a standard residential lot and is not located in a floodplain or other protected area. There are no impacted watercourses, steep slopes, or other atypical environmental factors. Emissions (dust, heat, noise, light, vibrations, etc.) should be standard for a residential use.

Findings and Recommendations

Staff's Findings

- The application appears to meet the standards of review for Conditional Use Permits set forth in Section 29-13.c.1 of the Town Zoning Ordinance.
- The application appears to meet the Comprehensive Plan's land use goals and strategies.
- There are no significant impacts to the capacities of the utility or transportation systems.
- There are no significant environmental impacts to the site or adjacent properties.
- An approval in this single instance will not have a detrimental effect on the neighborhood fabric or neighboring properties because the accessory structure is residential in character and is immediately adjacent to its own primary structure and no others. Additionally, the zoning ordinance allows for one single accessory dwelling with proper review and approval.
- Deed restrictions recorded for the subdivision state "only one dwelling unit, which must face towards the main or principal street on which located, shall be constructed on the lot hereby conveyed and not lot shall be subdivided." Staff has notified the land owner that the deed restriction issue has been raised by neighboring property owners. The Town does not police deed restrictions and we will not make a determination as to the validity of the restrictive covenants.
- In light of the deed restrictions, staff does not feel an accessory dwelling is harmonious with the character of the neighborhood.



Recommendations

The Staff recommends **denial** of the Conditional Use Permit for an accessory dwelling.

Additional Information

1. In response to the CUP application question, *Will proposed use have any detrimental effects on adjoining property owners? If so, please describe (ex. Noise, dust, fumes, etc.),* the applicants stated:

“No.”

2. There are no other zoning or code enforcement violations pending.

Attachments

1. Application
2. Adjacent Owner Notice
3. Vicinity and aerial maps
4. Site Photos
5. Plans from contractor
6. Deed restrictions

Section 29-13.c- Standards for review (of a Conditional Use Permit)

1. Conditional use permits may be issued for any of the uses for which a conditional use permit is required by the provisions of this chapter, provided that the governing body, upon a recommendation by the planning commission, shall find that:
 - A. The proposed use will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use.
 - B. The proposed use will not be detrimental to the public welfare or unduly injurious to property values or improvements in the neighborhood.
 - C. The proposed use will not be in conflict with the policies and principles of the town's adopted comprehensive plan.
 - D. Adequate public services, including streets and other trafficways, utilities, police and fire protection, are or reasonably will be available to support the proposed use.
2. In granting any conditional use permit, the governing body shall give due consideration to these relevant factors, as well as to any other reasonable land use and zoning considerations as may be required by the nature of the proposed use or as may be otherwise appropriate to effectuate the intent of this chapter, and the governing body shall designate such conditions as it deems necessary to carry out the intent of this chapter. The application for such conditional use permit shall be accompanied by such written and graphic material as may be necessary to enable the planning commission and the governing body to make the recommendation and findings set forth above.

TOWN OF FARMVILLE
APPLICATION FOR CONDITIONAL USE PERMIT

Please print or type

Approved: _____ Date _____
Town Manager

The undersigned owner of the following described property hereby applies for a Conditional Use Permit as provided in Chapter 29 of the Zoning Ordinance of the Town of Farmville, Virginia.

Applicant's Name: John & Kristen Kraus
Applicant's Address: 995 Redbud, Pittsboro NC 27312
Applicant's Telephone Number: (919) 235-2675

Present Land Use: (ex. Residential, commercial, etc.) Residential
Zone: R-1
Legal Description of Property w/ Deed Book and Page No.: Jesses Ridge 1 lot 17
1800/1831

Tax Map: 037A6 17 Lot: _____ Parcel: _____ Lot Size: 0.459 acre
Use for which Conditional Use Permit is Requested: to build a large 2 car garage with temporary living quarters
above to fit owners when they visit mother who currently lives in the house
Will proposed use have any detrimental effects on adjoining property owners? If so, please describe (ex. Noise, dust, fumes, etc.) No

Applicant's Statement (if application is not made by property owner):

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Town of Farmville Zoning Ordinance, as written, and also with the description contained in the permit application.

 Date 8/16/24
Signature of Applicant

Property Owner(s) Statement:

I hereby certify that I/we own the above described property, that the information given is complete and correct to the best of my knowledge, and that the above person(s), group, corporation, or agent has the full and complete permission of the undersigned owner(s) to make application for a Conditional Use Permit as set forth in the Town of Farmville Zoning Ordinance, as written.

 Date 8/15/24
Signature of Property Owner(s)

NOTE: THIS PERMIT APPLICATION IS NOT VALID UNLESS ALL PROPERTY OWNER(S) SIGNATURES ARE AFFIXED AND DATED.

APPLICATION FEE: \$500 APPLICATION FEE RECEIVED  DATE 8/16/2024
Clerk

CHECKS SHOULD BE MADE PAYABLE TO THE TOWN OF FARMVILLE.
(Fees are nonrefundable, regardless of whether permit application is approved.)



COMMUNITY DEVELOPMENT DEPARTMENT

Ashley Atkins-Austin, CZA
Director of Community Development

Phillip A. Moore, Building Official (Interim)

John Ramsay, Residential Code Inspector

**Michelle Watkins, CPT Administrative
Assistant II, Certified Permit Technician**

Date: September 25, 2024

Re: Case # CUP24-005 Notice of Public Hearing for a Conditional Use Permit for an accessory dwelling unit

Dear Property Owner,

You are receiving this letter because you own property next to a site that has applied for a conditional use permit as described below.

The Farmville Planning Commission will hold a public hearing on **Wednesday, October 16, 2024 at 7:00 PM** in the Council Chamber, located on the second floor of the Town Hall, 116 North Main Street, Farmville Virginia to receive public comment on the following item:

- **Case CUP24-005:** John & Kristen Kraus' request for a conditional use permit to allow an accessory dwelling unit per Town Code Section 29.22.a. The site is located at 106 Jay's Road on parcel number 0037A00(06)00-017. This property is zoned R-1 Low Density Residential.

The Farmville Planning Commission will consider the request following the public hearing. Any person(s) wishing to comment on the above matter should plan to attend this meeting or submit written comments. Please submit written comments to Michelle Watkins at mwatkins@farmvilleva.com or by mail to PO Drawer 368, Farmville, VA 23901, to arrive by 4:00 p.m. on Wednesday, October 16, 2024.

Note that the Town Council will hold a public hearing approximately 3 weeks later, and a separate notice will be sent to you.



Questions and comments regarding cases may be directed to the Department of Community Development, 116 North Main Street, PO Drawer 368, Farmville, Virginia, 23901 or by calling (434) 392-8465, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

It is the intent of the Town to comply with the Americans with Disabilities Act. Should you need special accommodations, please contact C. Scott Davis, LP.D., Town Manager, at (434) 392-5686, prior to the meeting.

Sincerely,

Ashley Atkins-Austin, CZA
Director of Community Development

Legend

-  Subject Site
-  Adjacent Land Owners

Case #: CUP24-005

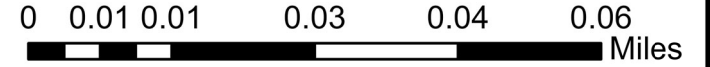
Accessory Dwelling Unit

Vicinity Map



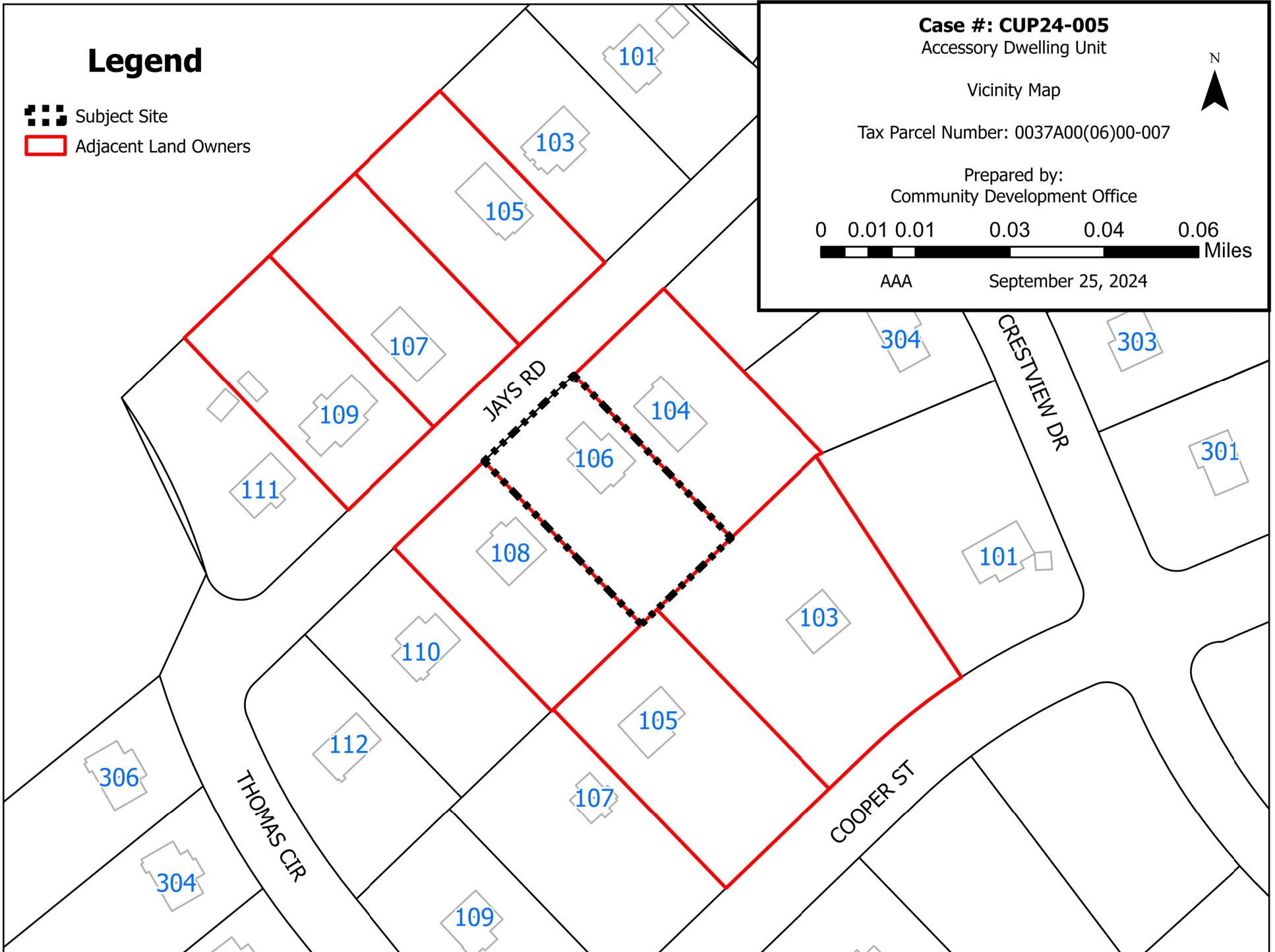
Tax Parcel Number: 0037A00(06)00-007

Prepared by:
Community Development Office





AAA

September 25, 2024



Legend

-  Subject Site
-  Adjacent Land Owners

Case #: CUP24-005

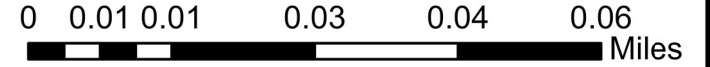
Accessory Dwelling Unit

Aerial Map



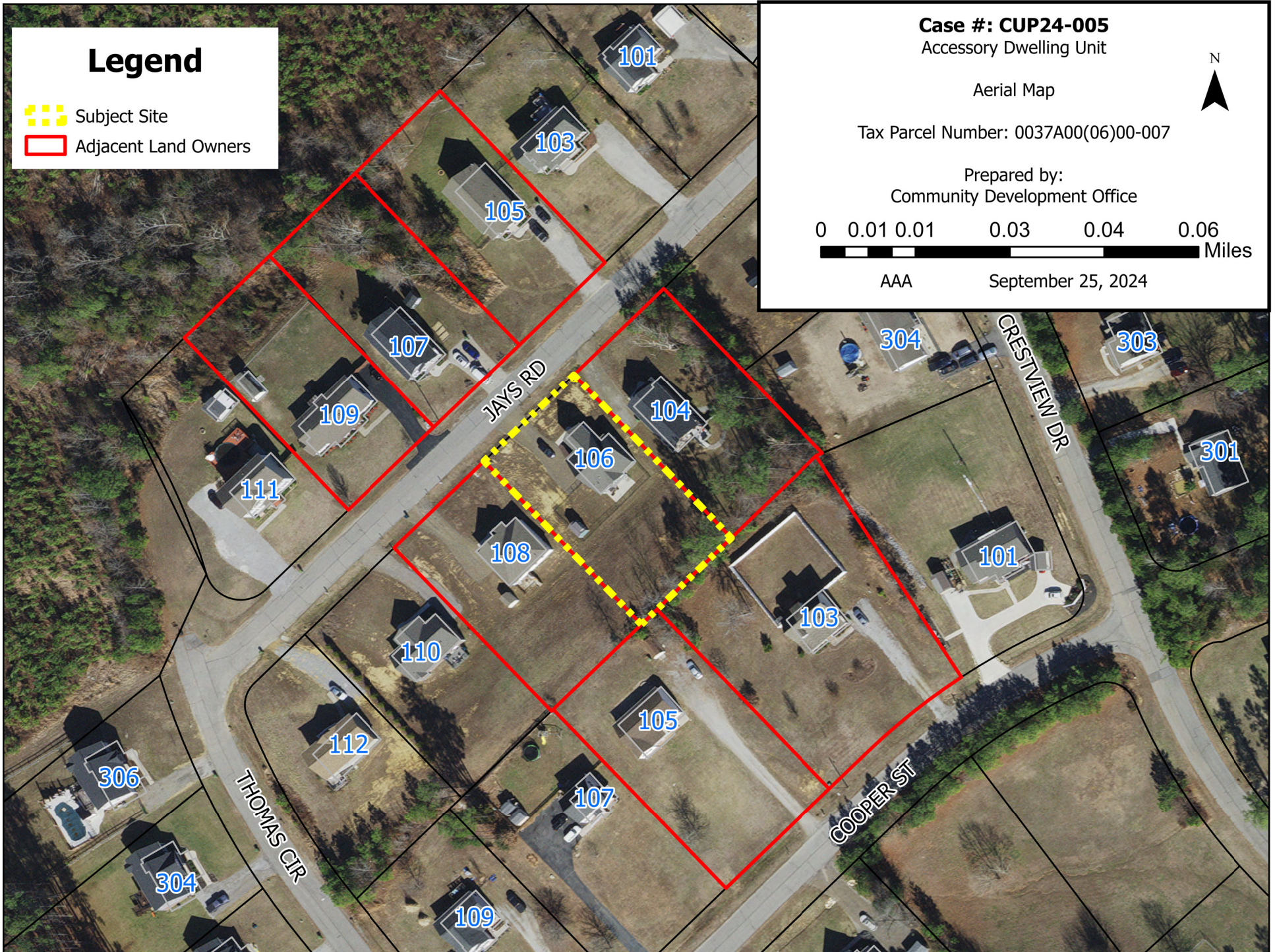
Tax Parcel Number: 0037A00(06)00-007

Prepared by:
Community Development Office



AAA

September 25, 2024





10/10/2024 03:52 PM



10/10/2024 03:51 PM



10/10/2024 03:51 PM

Fence

RECEIVED

AUG 07 2024

BY: _____

Concrete

13'

2'

11'

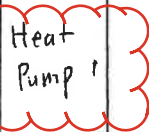
24'

15' setback

New Garage

44'

Ensure 30"x30" level working space is maintained on control side of heat pump (M1305)



Existing House House

38'

24'

Fence

15' setback

PROPERTY LINE

GENERAL NOTES:

- 1) No foundation plan provided
- 2) No electrical drawings provided or reviewed.
- 3) Manual J calculations to be provided for conditioned space prior to Rough Mechanical Inspection.
- 4) RDP stamped drawings for trusses and I-joists required to be on site at framing inspection

24'

BUILDING OFFICE PLAN REVIEW

Farmville, VA

APPROVED

APPROVED WITH CHANGES NOTED

REVISE AND RESUBMIT

REJECTED _____

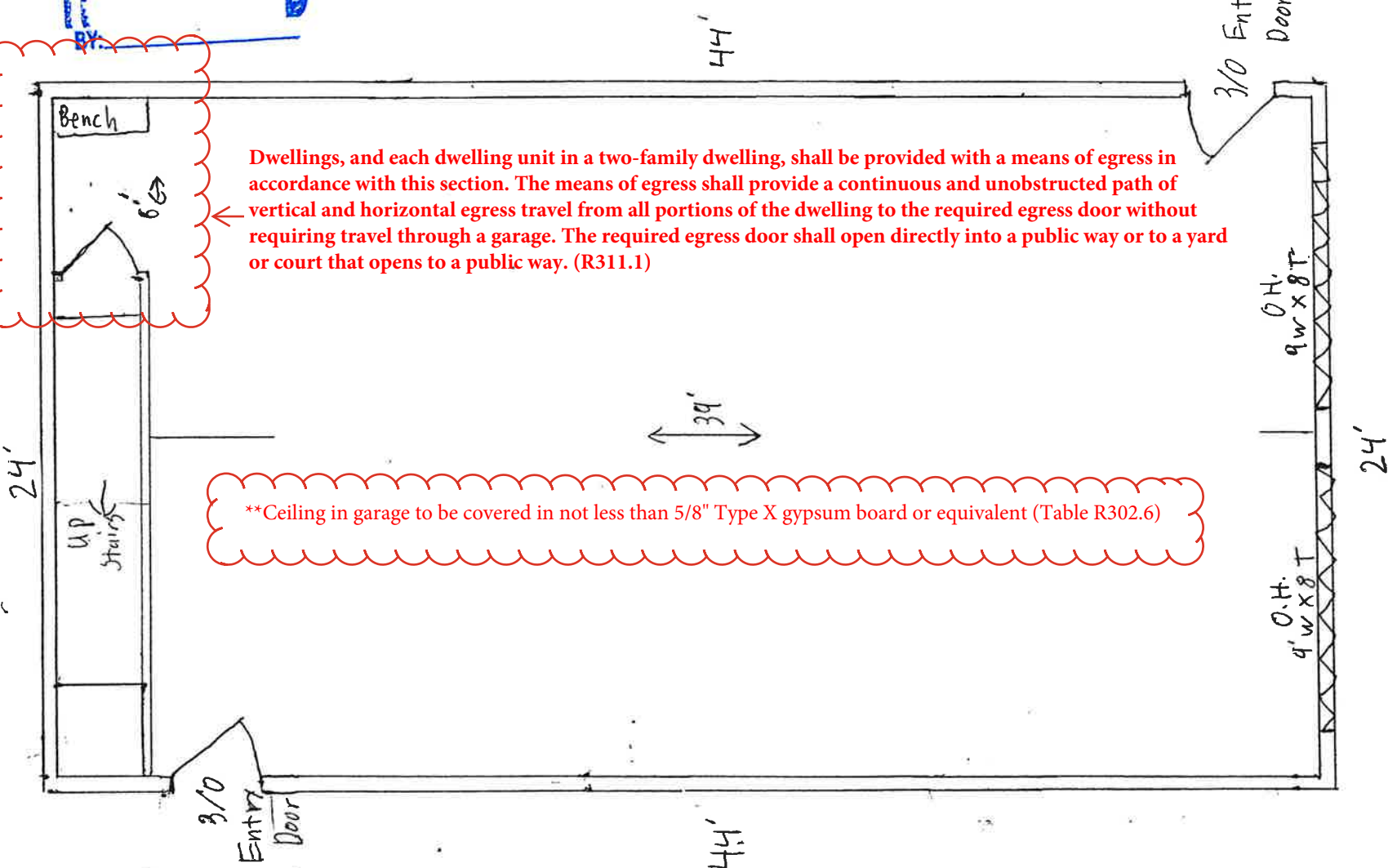
DATE: 9/11/2024

PERMIT #:

REVIEWER: JRCR

MUST MEET ALL REQUIREMENTS OF THE 2021 RESIDENTIAL CODE

RECEIVED
AUG 07 2024

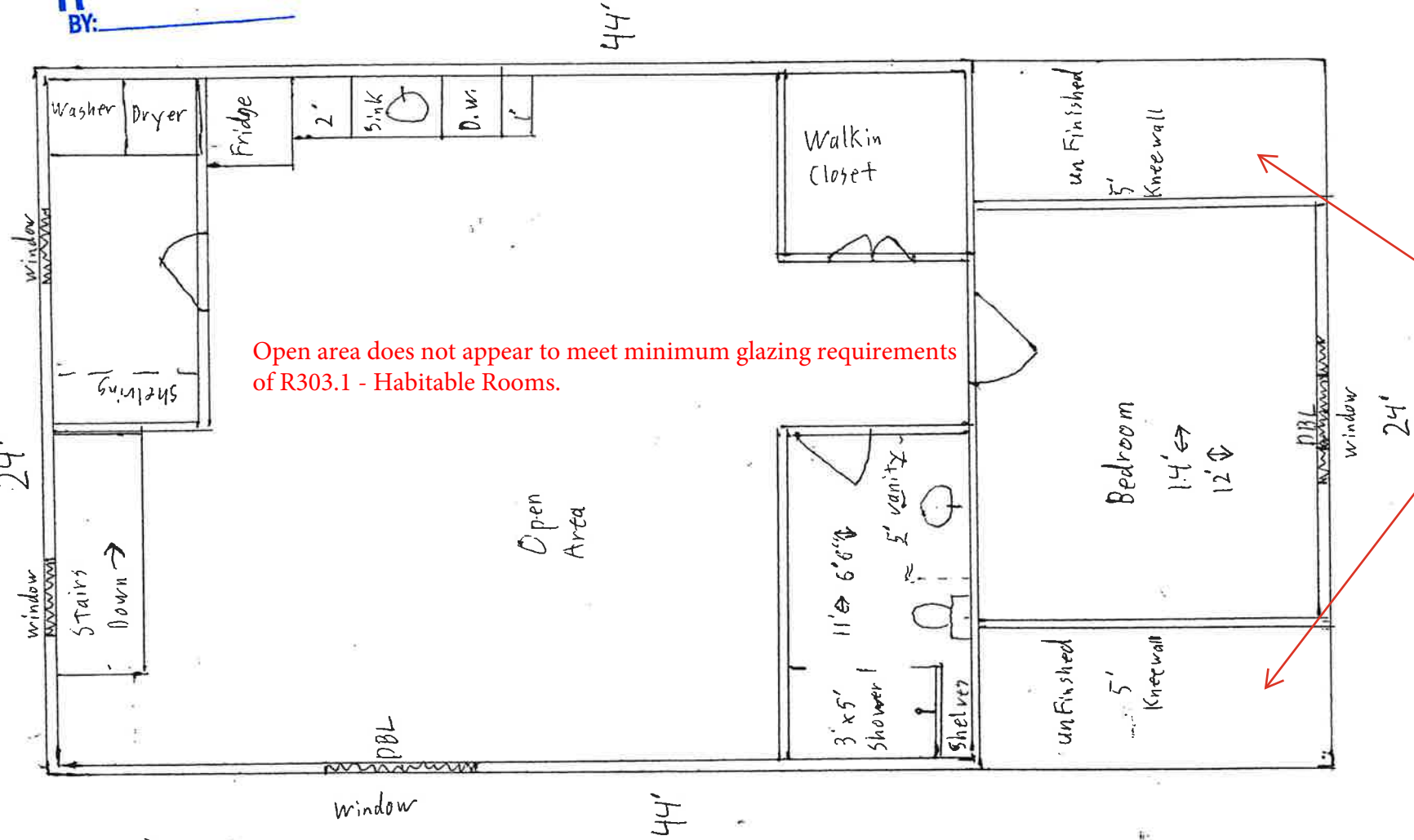


Dwellings, and each dwelling unit in a two-family dwelling, shall be provided with a means of egress in accordance with this section. The means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the dwelling to the required egress door without requiring travel through a garage. The required egress door shall open directly into a public way or to a yard or court that opens to a public way. (R311.1)

**Ceiling in garage to be covered in not less than 5/8" Type X gypsum board or equivalent (Table R302.6)

Garage
1st Floor

RECEIVED
AUG 07 2024
BY: _____



Open area does not appear to meet minimum glazing requirements of R303.1 - Habitable Rooms.

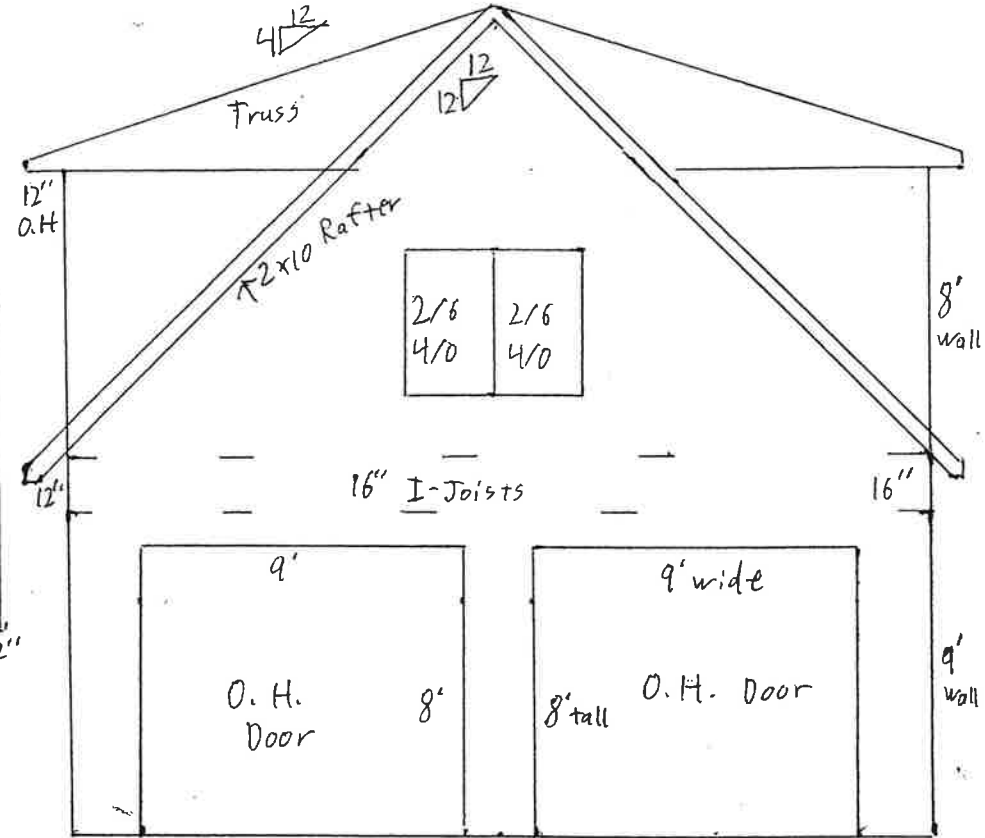
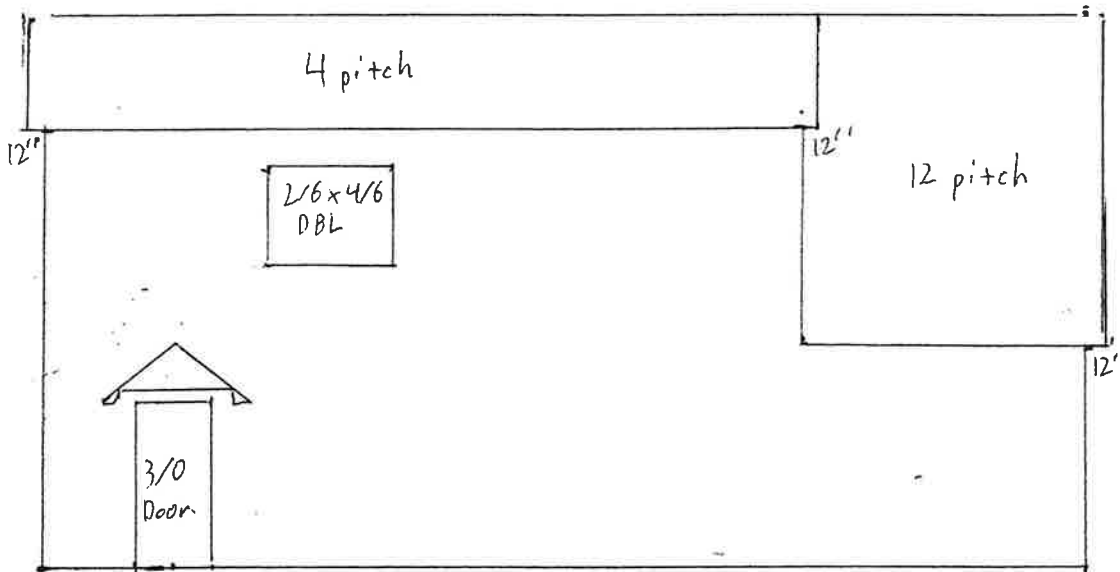
Access to attic areas may be required (R807)

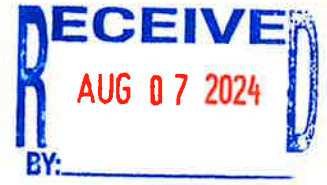
2nd Floor
Conditioned 936'

RECEIVED
AUG 07 2024
BY: _____

Front View

Left side





Specifications: 44'x24' garage with ⁹³⁶~~960~~ SF heated above

- Concrete footings with block and brick to grade
- Poured concrete garage floor
- 2x6 exterior walls with 7/16" sheathing, 9' in garage, 8' upstairs
- 2x4 interior wall, 3' wide staircase to upstairs
- 4 windows downstairs, 7 windows upstairs with allowance
- 2 entry doors into garage with allowance
- 2-9'Wx8'T Overhead doors with allowance
- Vinyl siding to match existing house
- Shingle roof to match existing house
- Vinyl soffit and aluminum Facia
- 5" Aluminum K gutters
- Breezeway with roof to connect to back of existing house
- 1/2 drywall with 2 coats paint on walls
- Painted casing, baseboard, and interior doors
- Flooring upstairs with allowance
- ~~Full~~ kitchen upstairs with allowance
- Full bathroom upstairs with fixture allowance
- CPVC drain lines with PEX supply lines
CPVC not approved for sanitary drainage (P3002)
- 2 ton heat pump with allowance
- Electrical to meet code with fixture allowance
- Insulation to meet code

Recorded and returned to:
Jill C. Dickerson, P.C.
117 North Main Street
Farmville, Virginia 23901

Portion of TM# 37(A)66

PREPARED BY JILL C. DICKERSON, P.C.

This DEDICATION AGREEMENT AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS dated this 20th day of March, 2008, by Farmville Investment Group, LLC, a Virginia corporation, Declarant and Dedicator.

1. Declarant and Dedicator is the owner of the real property described in the plat dated March 22, 2006, and recorded in Plat Cabinet A, at Slide 336 #6, located in the Town of Farmville, Prince Edward County, Virginia, and shown and described as Lots 1 through 20 known as Jesses Ridge I Subdivision.

2. It is further provided that all of the lots as shown on the aforesaid plat shall be subject to the following covenants, conditions and restrictions, which shall run with the land; said covenants, conditions, and restrictions being as follows:

A. The said Declarant and Dedicator, their heirs, devisees, assigns and successors in title, reserve the right to lay, construct, operate, repair, renew and replace electric power lines, telephone lines, television lines, telegraph lines, sanitary sewer lines and storm sewer lines, and lines for the transmission of electric energy, water, and/or gas lines, over, under and through the alleys, streets and other areas designated for storm and sanitary lines as shown on the aforesaid plat.

B. Only one dwelling, which must face towards the main or principal street on which located, shall be constructed on the lot hereby conveyed and no lot shall be subdivided.

C. No house trailer or modular structure or any building of a similar character, including cinder block faced structures, shall be placed upon and/or installed upon the aforesaid lot, either temporarily or permanently. No

house shall be constructed with asbestos siding as exterior finish.

D. The main or principal dwell on any and all lots shall contain at least 1350 square feet of finished living space, exclusive of all garages, porches, and breezeways and shall be planned, erected and used for occupancy by not more than one family.

E. No sign boards or advertising posters shall be permitted on the premises except for notices which may offer the property for sale or rent, and no swine, cattle or goats shall be kept and/or raised on the lot conveyed.

F. No mercantile or commercial business of any kind or description shall be conducted on the aforesaid property by any purchasers, tenants or successors in title, nor any noxious or offensive trade or activity be carried on, and this is to be construed to prohibit the operation of boarding houses, rooming houses and tourist homes.

G. There shall be no motor vehicles permitted on any lot without a valid state registration and state inspection, unless kept in a closed garage.

H. Easements for utilities are reserved over and across the areas as designated upon the said subdivision plat.

SIGNATURE TO FOLLOW ON THE NEXT PAGE

WITNESS the following signature and seal:

FARMVILLE INVESTMENT GROUP, LLC

By:

RH

Russell E. Harper, Managing Member

STATE OF VIRGINIA

COUNTY OF Henrico, to-wit;

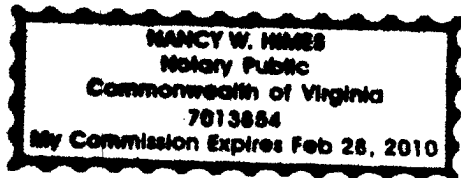
The foregoing instrument was duly acknowledged before me this 20th day of March, 2008, by Russell B. Harper, Managing Member, Farmville Investment Group, LLC.

Nancy W. Hines

Notary Public

My Commission Expires:

Feb. 28, 2010



Grantor's Tax: \$
Examined and Mailed/Delivered To:

Date: 3-21-08 Jill C. Dickerson

INSTRUMENT #200800750
RECORDED IN THE CLERK'S OFFICE OF
PRINCE EDWARD COUNTY ON
MARCH 21, 2008 AT 03:52PM

MACHELLE J. EPPES, CLERK
RECORDED BY: MPT



MEETING DATE: Wednesday, October 16, 2024 (Planning Commission)

ITEM NO.: 5

REQUEST: **CUP24-005**, John & Kristen Kraus' request for a conditional use permit to allow an accessory dwelling unit per Town Code Section 29.22.a. The site is located at 106 Jay's Road on parcel number 0037A00(06)00-017. This property is zoned R-1 Low Density Residential.

BACKGROUND: Written staff report and other supporting materials and verbal report by Ashley Atkins-Austin, Director of Community Development

RECOMMENDATION: That the Planning Commission recommend approval of CUP24-005 to the Town Council.

MOTION: _____

SECONDED: _____

Commissioner	Yes	No
O'Connor		
Weiss		
Fraley		
Davenport		
Patterson		
Crute		
Miller		



MEMORANDUM

To: C. Scott Davis, LPD, Town Manager
From: Ashley Atkins-Austin, CZA, Director of Community Development
Date: Thursday, October 3, 2024
Subject: Director's Monthly Report (September 2024), Department of Community Development

Statistics

Item	Amounts	Notes
Zoning Permits	10	
Building Permits	16	
	0	New single-family construction
	8	Trades (mechanical, electrical, plumbing)
	1	Other Structural (interior renovations)
	5	Other Structural (exterior improvements, decks, accessory buildings, porches, etc.)
	2	Signs
FAB Ridership	12,856 riders, 16,498 miles, 1219 service hours	
Fuel Sold at KVVX	49 sales Totaling \$14,317.84 2715.00 Gallons	546.20 gallons A V 2168.80 gallons Jet A
Arrivals/Departures at KVVX	See chart	Figures represent 7-day trailing averages only. South Boston (W78) also provided for comparison.

Items of interest

- The Staff participated in the following meetings and trainings in August:
 - Community Flood Preparedness Fund Round 5 (Austin)
 - VCU's Supervisors & Managers Bootcamp (Austin)
 - Virginia Association of Zoning Officials Annual Conference (Austin)
 - Local Building Officials Meeting (Ramsay, Watkins)
 - James Madison Building and Code Officials Association Regional Meeting (Ramsay, Watkins)

- Farmville Regional Airport (KFVX) updates:
 - Additional airport usage figures are attached. Flightaware.com provides 7-day trailing averages for free, and more specific data is available for purchase. For comparison, Staff includes the same data for William M. Tuck Airport (W78) in South Boston.
- The Planning Commission did not meet in the month of September 2024. No public hearings were scheduled or advertised.
- The Board of Zoning Appeals did not meet in the month of September 2024. No applications had been filed.

Staff Contacts | Department of Community Development

Ashley Austin	Director of Community Development	aaustin@farmvilleva.com	434-392-2114
Phillip Moore	Building Official	pmoore@farmvilleva.com	434-392-8465
John Ramsay	Residential Code Inspector	jramsay@farmvilleva.com	434-392-8465
Michelle Watkins	Administrative Assistant II / Certified Permit Technician	mwatkins@farmvilleva.com	434-392-8465

September 2024 Arrivals and Departures

Farmville Regional Airport KFXV

Date	Day	KFXV Arrivals & Departures * Farmville	KFXV Notes Farmville	W78 Arrivals & Departures * South Boston
8/1/2024	SUNDAY	4		7
8/2/2024	MONDAY	6		8
8/3/2024	TUESDAY	6		8
8/4/2024	WEDNESDAY	6		7
8/5/2024	THURSDAY	8		6
8/6/2024	FRIDAY	10		6
8/7/2024	SATURDAY	10		6
8/8/2024	SUNDAY	12		6
8/9/2024	MONDAY	10		6
8/10/2024	TUESDAY	10		6
8/11/2024	WEDNESDAY	12		6
8/12/2024	THURSDAY	12		8
8/13/2024	FRIDAY	10		7
8/14/2024	SATURDAY	12		7
8/15/2024	SUNDAY	10		8
8/16/2024	MONDAY	10		0
8/17/2024	TUESDAY	0		0
8/18/2024	WEDNESDAY	0		8
8/19/2024	THURSDAY	0		7
8/20/2024	FRIDAY	10		8
8/21/2024	SATURDAY	8		8
8/22/2024	SUNDAY	0		8
8/23/2024	MONDAY	0		8
8/24/2024	TUESDAY	0		0
8/25/2024	WEDNESDAY	6		6
8/26/2024	THURSDAY	6		0
8/27/2024	FRIDAY	0		0
8/28/2024	SATURDAY	6		6
8/29/2024	SUNDAY	6		6
8/30/2024	MONDAY	0		6

* Source: FlightAware.com- 7-day trailing averages