

***Campbell County Planning Commission  
Minutes  
October 24, 2022***

The regular meeting of the Campbell County Planning Commission was held on Monday, October 24, 2022, in the Board of Supervisors Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The following members were present:

George Bondurant  
K. William Kirk  
Tom Lawton  
John Thilking  
Megan Wright  
Steve Shockley, Board of Supervisors Representative

Members Absent:

Michael S. Condrey, Chairman  
Dean Monroe

Staff Members present:

Paul E. Harvey, Community Development Director/Assistant County Administrator  
Austin R. Mitchell, Zoning and Subdivision Administrator II/Deputy Director  
Theresa P. Phillips, Staff Secretary

// Vice-Chairman Kirk called the meeting to order with the invocation followed by the Pledge of Allegiance at 7:00 p.m.

// Vice-Chairman Kirk asked for corrections or comments on the minutes from the September 26, 2022 meeting. With none, Commissioner Thilking made the motion to approve the minutes from the September 26, 2022 meeting, Commissioner Bondurant seconded the motion.

// **PUBLIC HEARINGS FOR CONSIDERATION**

// **PL-22-165 (Rezoning – 5862 Colonial Highway)**

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated this request is to rezone 1.815 +/- acres from Residential – Multi Family to Residential – Manufactured Housing to allow for the placement of a second manufactured home. The applicant is seeking to rezone the parcel to Residential – Manufactured Housing in order to place a second manufactured home on the property. The existing manufactured home is a legal non-conforming structure. The applicant wishes to place the new manufactured home in a location where a manufactured home was removed more than two years ago. Since more than two years has passed, the removed manufactured home lost its non-conforming status and a rezoning is required. The proposed rezoning to

Residential – Manufactured Housing would also bring the existing manufactured home into compliance. The property would be considered a manufactured home park as defined in the Zoning Ordinance and the proposed manufactured home would meet the requirements for yard area and setbacks for a manufactured home park.

// Vice-Chairman Kirk opened the public hearing at 7:05 p.m., stating these public hearings would go before the Board of Supervisors at the December 6 meeting.

// Mr. C. Alvin Watts, 6927 Colonial Highway, stated he would like add an additional mobile home to the property. Mr. Watts also stated he had started this process prior to COVID and it has taken him over a year to have to property surveyed; now he would like to have the property rezoned.

// With no one present to speak in favor or opposition, Vice-Chairman Kirk closed the public hearing at 7:07 p.m.

// Vice-Chairman Kirk made the motion to recommend approval of PL-22-165 to rezone to rezone 1.815 +/- acres from Residential – Multi Family to Residential – Manufactured Housing to allow for the placement of a second manufactured home, stating good zoning. Commissioner Thilking seconded the motion.

The vote was: Aye: Bondurant, Kirk, Lawton, Thilking, and Wright  
Nay: None  
Absent: Condrey, Monroe

// **PL-22-166 (Special Use Permit – 366 Beech Tree Lane)**

// Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated this request is from Steve & Kimberly Wilson for a special use permit to use an existing single-family dwelling as a rooming house on property zoned Residential – Single Family. The applicants are the owners of the property and wish to rent out a portion of the existing single-family dwelling for overnight guests using a platform such as Airbnb. The basement of the dwelling would be used as a short-term rental. The basement consists of two bedrooms, a bathroom, living room, dining area, office area, and kitchenette. There is parking provide for guests and the basement has its own entry. This is the primary residence of the owner.

// Vice-Chairman Kirk opened the public hearing at 7:10 p.m.

// Mr. Steve Wilson, 366 Beech Tree Lane, stated he and his wife Kim, were new to Virginia and Mrs. Wilson works remotely from home and they would like to use the basement area of their dwelling for visiting family members or as a rental property.

// Commissioner Lawton inquired as to number of nights a month the area would be rented and the number of guests.

// Mr. Wilson responded they were anticipating no more than 14 over a 30 day period with a limit of four guests. The area has two bedroom and he has one parking space.

// With no one present to speak in favor or opposition, Vice-Chairman Kirk closed the public hearing at 7:14 p.m.

// Vice-Chairman Kirk made the motion to recommend approval of PL-22-166 for a special use permit to use an existing single-family dwelling as a rooming house on property zoned Residential – Single Family, with the condition of limiting the number of guest to four, stating good zoning. Commissioner Lawton seconded the motion.

The vote was: Aye: Bondurant, Kirk, Lawton, Thilking, and Wright  
Nay: None  
Absent: Condrey, Monroe

// **SUBDIVISION MATTERS FOR CONSIDERATION**

// Proposed is a 91-lot subdivision off Leesville Road, to be known as Blue Ridge Commons – Section 2, in the Sunburst Election District. The parcel is zoned Residential – Multi Family and is owned by Blue Ridge Commons LLC. The proposed subdivision is the second section of a townhouse development. The plat was distributed to the approval agents for comments. There are two new streets as part of the development. The street name currently shown will need to be changed for the final plat.

// Vice-Chairman Kirk made the motion to recommend approval of Blue Ridge Commons Section 2.

The vote was: Aye: Bondurant, Kirk, Lawton, Thilking, Wright  
Nay: None  
Absent: Condrey, Monroe

// **MATTERS FROM THE COMMUNITY DEVELOPMENT DIRECTOR/  
ASSISTANT COUNTY ADMINISTRATOR**

None

// **MATTERS FROM THE ZONING AND SUBDIVISION ADMINSTRATOR**

// The Fall Code Update will go to the Planning Commission as a public hearing at the December Planning Commission meeting.

Fall Code Update Summary-Zoning Ordinance are as follows (changes in bold):

Definition of “Group Home”:

*A residential facility in which no more than eight (8) individuals with mental illness, **intellectual disability**, or developmental disabilities reside, with one (1) or more resident or **nonresident** staff persons and for which the Department of Behavioral Health and Developmental Services is the licensing authority pursuant to the Code of Virginia. This Chapter for all purposes shall consider a group home as residential occupancy by a single family. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility. For the purposes of this Chapter, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in VA. CODE ANN. § 54.1-3401 (Cum. Supp. 2021).*

Definition of “Adult Foster Care”:

*A residential facility in which no more than eight (8) aged, infirm or disabled persons reside, with one or more resident counselors or other staff persons and for which the Department of Social Services is the licensing authority pursuant to the Code of Virginia. This chapter for all purposes shall consider adult foster care as residential occupancy by a single family. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility.*

Add “Adult foster care or group homes.” as a principal use permitted in the A-1 Agricultural zoning district.

Definition of “Recreational Vehicle or Recreational Camper”:

*A vehicle or structure which can be towed, hauled, or driven, designed and used as temporary living accommodations for recreational, camping or travel uses only. The terms shall include travel trailers, pick-up campers, motor homes, tent trailers, fifth-wheel campers, camper bodies or similar devices designed primarily for temporary overnight housing. **Continuous use for living or business purposes for 10 or more days shall be considered a violation of this chapter unless as exempted herein.***

// **MATTERS FROM THE PLANNING COMMISSION**

// Next scheduled meeting is December 5, 2022.

// Vice-Chairman Kirk reminded the Commissioners, at the December meeting, they will be electing the officers for 2023.

// Vice-Chairman Kirk adjourned the meeting at 7:23p.m.

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K. William Kirk, Vice-Chairman