

Department of Planning & Community Development



A meeting of the Franklin County Planning Commission was held on February 11, 2020 in the Board of Supervisors meeting room located in the Franklin County Government Center.

THOSE PRESENT:

Jim Colby- Gills Creek District
Debbie Crawford- Union Hall District
David Clements- Rocky Mount District
C.W. Doss, Jr.- Blue Ridge District
Sherrie Mitchell- Snow Creek District

THOSE ABSENT:

Earl Webb- Blackwater District
Angie McGhee- Boone District

OTHERS PRESENT:

Steven Sandy- Director of Planning & Community Development
Terry Harrington- Senior Planner
Hannah Powell- Clerk

The meeting was called to order by Vice-Chairman Colby at 6:00 p.m. The first order of business was the roll call. The next order of business was the approval of the minutes from the December 10, 2019 meeting. Vice-Chairman Colby asked of the Planning Commission if there were any comments or corrections to the minutes as written; there were none. Vice-Chairman Colby announced the minutes would stand as written.

Vice-Chairman Colby introduced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT - Application of George Coury and Patricia Coury, Applicants, and Poldark Properties, LLC, Owners, requesting a Special Use Permit with possible conditions, to allow for the short term tourist rental of a dwelling, located on an approximate 1.25 acre property. The property, currently zoned A-1, Agriculture, is located at 2729 Naff Road in the Boone District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0200002800. Short term tourist rental of a dwelling is a permitted use by Special Use Permit in A-1 Agriculture zoning districts. The property has a future land use designation of Conservation Areas/Steep Slopes (>25%).

Mr. Harrington began by explaining that the Coury's purchased the home in 2017 and completed renovations to the home that had been started by several previous owners. The renovated home was initially occupied by a member of the Coury family who resided in the home for approximately one year. Since that time the home has been available to rent.

Mr. Harrington went on to say that the Coury's have filed this special use permit (SUP) application in response to a notification from the Commissioner of Revenue office that short term rentals must register in A-1 zoning districts.

Mr. Harrington stated that approval of this special use permit request for short term rental will allow tourists, vacationers, etc. to legally stay on the property for periods of less than 30 days. The Coury property is zoned A-1 Agricultural. Per Section 25-179 of the County Code, short term tourist rentals, (for periods of less than 30 days), are permitted in A-1 zoning districts provided the Board of Supervisors issues a special use permit for the use.

Mr. Harrington concluded that the staff recommends that the Planning Commission consider and recommend approval of this special use permit request for a short term rental use of the existing residential structure. We believe the approval of this request is justified based upon the following factors:

- The proposed short term rental is in a low density area characterized by larger lots and few single family homes.
- Access to the short term rental will be from Naff Road. Rental occupants will not need to use Wades Gap Road that provides access to most of the land uses in this area, including the single family homes, the Brethren Church and the Naff Community Center.
- The proposed short term rental is a small structure (800 sq. ft., with two (2) bedrooms. If used in compliance with the Code, noised and traffic impacts should be limited.
- The property owners reside in the area and thus can more closely monitor the use of the property.

Mr. Harrington said that the recommendation of approval is with the following conditions:

1. The use of the property for short term rentals shall always comply with the performance standards for short term rentals contained in Section 25-138 of the Franklin County Code. The applicant/property owner shall also complete the Short Term Rental Certificate of Compliance Form prior to the structure being used for short term rental.
2. In accordance with Health Department regulations and procedures, the owner shall retain the services of a professional soil scientist to evaluate the design and capacity of the existing septic system ,and shall undertake any improvements necessary to ensure the septic system complies with department standards for the proposed use and expected demand. All necessary improvements shall be undertaken prior to the structure being used for short tern rental.
3. The Building Official and the Fire Marshall shall each inspect the short term rental dwelling for compliance with applicable codes prior to the structure being used for short term rental.

Mr. Harrington offered to answer any questions.

Vice-Chairman Colby asked if there were any questions for staff; there was not. Vice-Chairman Colby then opened the public hearing and asked if there was anyone present that would like to speak.

George and Kay Bristol stated that they lived across the road from the Coury property and that they supported the request.

There was no one else present that wanted to speak so Vice-Chairman Colby then closed the public hearing and the members had discussion among themselves.

Mrs. Mitchell made a motion to approve, stating I move to approve SPEC 01-20-16480, authorizing the short term rental of the existing residential structure located at 2729 Naff Road in the Boone district, finding that with the conditions recommended by the staff, the proposed use is consistent with the purpose and intent of the County's adopted comprehensive plan and good zoning practice and will not result in substantial detriment to the community. I therefore recommend approval of this SUP with the following conditions:

1. The use of the property for short term rentals shall always comply with the performance standards for short term rentals contained in Section 25-138 of the Franklin County Code. The applicant/property owner shall also complete the Short Term Rental Certificate of Compliance Form prior to the structure being used for short term rental.
2. In accordance with Health Department regulations and procedures, the owner shall retain the services of a professional soil scientist to evaluate the design and capacity of the existing septic system, and shall undertake any improvements necessary to ensure the septic system complies with department standards for the proposed use and expected demand. All necessary improvements shall be undertaken prior to the structure being used for short term rental.
3. The Building Official and the Fire Marshall shall each inspect the short term rental dwelling for compliance with applicable codes prior to the structure being used for short term rental.

Vice Chairman Colby announced the next item on the agenda as New Business: 2019 Annual Report.

Mr. Sandy informed the Planning Commission that they had been given a draft of the 2019 Annual Report. He asked that each member review the report and let staff know if they had any comments or changes before it was presented to the Board of Supervisors.

Vice-Chairman Colby stated that next item on the agenda was citizen comment and asked if there was anyone present that would like to speak on any topic; there was not.

With no other business, the meeting was adjourned at 6:56 p.m.

Hannah L. Powell, Clerk
Franklin County Planning Commission

02/28/20
Date

