

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR SCHEDULED MEETING ON TUESDAY, MAY 19, 2020, AT 1:30 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM LOCATED IN THE FRANKLIN COUNTY GOVERNMENT CENTER, 1255 FRANKLIN STREET, SUITE 104, ROCKY MOUNT, VIRGINIA.

THE MEETING WILL BE CONDUCTED IN COMPLIANCE WITH (ORDINANCE #02-04-2020) EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER

THERE WERE PRESENT: Mike Carter
Tommy Cundiff
Leland Mitchell
Ronald Mitchell
Lorie Smith
Tim Tatum

ABSENT: Ronnie Thompson

OTHERS PRESENT: Christopher Whitlow, County Administrator
Jim Guynn, Legal Counsel
Madeline L. Sefcik, Clerk

Chairman Mitchell, called the meeting to order.

Invocation was given by Supervisor Tim Tatum

Pledge of Allegiance was led by Supervisor Ronald Mitchell

CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, AND APRIL 21, 2020, BOARD OF SUPERVISORS MEETING AND MAY 4, 2020 BUDGET WORK SESSION MEETING MINUTES

<u>Authorization to Revise Budgetary Appropriations</u>					
To:	Franklin County Board of Supervisors				
From:	Brian J. Carter, Director of Finance				
Please be advised that on May 19, 2020, the Board of Supervisors of Franklin County authorizes by resolution, the following supplemental appropriations and transfers.					
<u>Department</u>	<u>Purpose</u>	<u>Account</u>		<u>Amount</u>	
FY 2019-20					
Sheriff	Drug Restitution	3102-	55412	\$23	
Sheriff	Video Visitation	3301-	57011	\$1,156	
Sheriff	Court Ordered Drug Test Reimbursement	3301-	55404	\$170	
Sheriff	Addiction Recovery Grant	3301-	53003	\$9,356	
Parks and Recreation/Aging	Donations	5311-	55412	\$2,645	
Library	Donations	7301-	55460	\$1,900	
				\$15,250	
Transfers Between Funds, Departments or Capital Accounts					(Decrease), Increase
Reassessment	Transfer from Capital to General Fund	1211-	53002	144,429	
Reassessment Reserve	Transfer from Capital to General Fund	30010047-	53002	(144,429)	
Total Transfers				\$0	

ADDITION TO VDOT SECONDARY ROAD MAINTENANCE SYSTEM

Allison Drive of Hansen Farms Subdivision has been constructed to meet the public service criteria of secondary street requirements to be accepted as part of the Secondary State Highway System.

A resolution from the Board of Supervisors is required by the VDOT to add Allison Drive (Route 900) into the secondary system of state highways, pursuant to Section 33.2-705, taking certain streets into secondary state highway system. Attached is a development sketch and VDOT Form AM 4.3, which is incorporated herein as part of the resolution.

Staff respectfully requests that the Board of Supervisors adopt by resolution for Allison Drive (Route 900) to be added to the secondary system of state highways.

§33.2-705 – Land Development Additions to Secondary Route

WHEREAS, the Hansen Farms Subdivision has been completed, and

WHEREAS, the streets of Hansen Farms meet the public service criteria of the Secondary Street Requirements; and

WHEREAS, the development sketch and VDOT Form AM 4.3, attached and incorporated herein as part of this resolution, define additions required in the Secondary System of State Highways as a result of construction; and

WHEREAS, certain segments identified on the incorporated Form AM 4.3 are ready to be accepted into the Secondary System of State Highways.

NOW THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the segments identified on the incorporated Form AM 4.3 to the Secondary System of State Highways, pursuant to §33.2-705 of the *Code of Virginia*, for which segments this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills, and drainage, and

BE IT FINALLY RESOLVED, a certified copy of this resolution be forwarded to the Virginia Department of Transportation.

(RESOLUTION #03-05-2020)

BE IT THEREFORE RESOLVED by the Board of Supervisors to approve the Consent Agenda as presented above.

MOTION BY: Lorie Smith
SECONDED BY: Tim Tatum
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

TODD DANIEL, RESIDENT ENGINEER – VDOT (VIA TELECONFERENCE)

Mr. Daniel presented the following.

MAINTENANCE

Maintenance Activities for Previous 30 Days:

- Ordinary maintenance – Pavement (pothole) repair, gravel road repair, right of way brush cutting operations (County wide), shoulder repairs (County wide), storm water culvert repairs and cleaning (County wide) and guardrail repairs.
- Route 869 (Turtle Hill Rd.)/Route 40 (Old Franklin Turnpike) – Intersection improvements on Route 869 (Turtle Hill Rd.) at Route 40 to include re-aligning and widening of the intersection. Pavement and pavement markings to be completed in upcoming weeks.
- Route 116 (Jubal Early Hwy.) – Pipe replacement. COMPLETED
- Primary and secondary mowing operations.

- Route 819 (Buckscape Rd.) – Pipe replacement. COMPLETED
- Patching operations in preparation for plant mix schedule.

Maintenance Activities for Next 60 Days:

- Ordinary Maintenance – Pavement (pothole) repair, gravel road repair, right of way brush cutting operations (County wide), shoulder repairs (County wide), storm water culvert repairs and cleaning county wide, guardrail repairs.
- Over the rail mowing to include primary and secondary routes.
- Route 647 (Kay Fork Rd.) – Preparation for pipe replacement for failed pipe; ongoing closure.
- Route 760 (Telegraph Rd.) – Pipe replacement. In progress.
- Route 678 (Northridge Rd.) – Slope repair to begin week of May 11th; one lane will be open to traffic.
- Route 640 (Six Mile Post Rd.) – Installation of headwalls for drainage structure to begin mid-June; one lane will be open to traffic.
- Route 618 (Muddy Fork Rd.) – Installation of headwalls for drainage structure to begin late May; one lane will be open to traffic.
- Route 1083 (Countrywood Rd.) – Pipe replacement to begin late June; one lane will be open to traffic.
- Route 740 (Algoma Rd.) – Pipe replacement to begin late June; one lane will be open to traffic.

Maintenance Activities for Next 60 Days (cont.):

- Route 714 (Washboard Rd.) – Preparation for pipe replacement.
- Route 723 (Lucy Wade Rd.) – Preparation for pipe replacement.
- Route 643 (Coles Creek Rd.) – Low water structure replacement tentatively to begin mid-June; road will be closed for approximately 5 weeks.
- Primary and secondary mowing operations.
- Route 122 (Booker T. Washington Hwy.) – paving operations from Route 616 (Scruggs Rd.) to 0.21 mi. north of Route 636 (Lost Mountain Rd.)
- Patching operations in preparation for plant mix schedule.

LAND DEVELOPMENT & PERMITS

- 121 Active permits to include: 54 utilities, 49 private entrances, 2 commercial entrances, 7 roadside memorials, 2 private utility permits, 5 maintenance of traffic permits and 2 locally administered permits. Of these, 8 were issued in April.
4 site plan reviews:
 - Enirtep – Site plan review for office building on Route 122.
 - Russell Wedding Venue – Review for wedding venue on Route 688 (Poteet Rd.)
 - WVWA – Review for utility installation on Route 919 (Grassy Hill Rd.)
 - WVWA – Review for utility installation on Route 220 between Route 983 (Shady Lane) and Route 220 Business.
 - Facebook Fiber Project – Intermittent flagging operations in the Callaway, Wirtz and Burnt Chimney area.
 - Fox Run Subdivision – Review subdivision for future state maintenance.
 - Penhook Pointe Subdivision – Review subdivision street for future state maintenance.
 - WVWA – Installation of sewer line along Route 220; lane closure to be installed on Route 220S near intersection of Route 635 (Bonbrook Mill Rd.).

CONSTRUCTION

Franklin County

- Route 122 (Booker T. Washington Hwy.) Bridge over Blackwater River – Construction underway. The traveling public can expect delays due to flagging operations throughout the life of the project. Project completion is planned for late Fall 2020.

Roanoke County – US220

- Route 220 Bridge over Back Creek – Bridge replacement to include increased width, 6-foot inside shoulder and 10-foot outside shoulder. The project includes grading to improve sight distance at the intersection of Route 657 (Crowell Gap Rd.) and Route 220. During construction, two narrowed traffic lanes are expected to remain open in both directions; nighttime hours may possibly include additional lane closures. Work began in Fall 2017 and is scheduled to be completed in July 2021.

- Route 220 southbound – Left turn lane construction in conjunction with the bridge construction at the crossover/intersection with Route 657 (Crowell Gap Rd.)

TRAFFIC STUDIES/SPECIAL REQUESTS

Requested Safety Studies:

- N/A

Completed Safety Studies:

- Route 9122 (Ben Franklin Middle School Rd.) – Recommend installation of 25mph speed limit.
- Review of various routes for sign compliance.

PROJECT STATUS

- Route 122 (Booker T. Washington Hwy.)/Route 636 (Hardy Rd.) – Original advertisement date delayed. Plan revision underway; plan revision to include a round-a-bout intersection improvement. Revised advertisement date of December 2020. (UPC 109287)
- Route 834/670 (Brooks Mill Rd./Burnt Chimney Rd.) – Construction of a roundabout at the intersection of Route 834 and Route 670; advertisement scheduled for February 2022. (UPC 111364)
- Route 718 (Colonial Turnpike) – Bridge replacement; project was advertised on January 28, 2020. Fixed completion date 12/1/2021.
- Route 641 (Callaway Rd.) – Superstructure replacement near intersection of Route 602; construction scheduled to begin June 1, 2020. One lane will be open to traffic during the construction.
- Ongoing discussions with Salem Location and Design and County Staff to refine the design concepts for Smart Scale applications for Route 220/613 (Naff Rd.) and Route 220/605 (Henry Rd.).

STEVEN SANDY, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

Steve Sandy addressed the following board items.

1. 2020 VDOT Smart Scale Applications-

2020 VDOT SMART SCALE PROJECT PRE-APPLICATIONS

- ▶ Intersection and roadway improvements at Naff Road (Route 613)/Route 220. (RVARC Submittal)
- ▶ Intersection and roadway improvements Iron Ridge Road (Route 775)/Route 220. (WPPDC Submittal)
- ▶ Intersection and roadway improvements Bonbrook Mill Road (Route 635)/Route 220.
- ▶ Intersection and roadway improvements Henry Road (Route 605)/Route 220.
- ▶ Intersection and roadway improvements Lakemount Road (Route 1235)/ Route 122.
- ▶ Intersection and roadway improvements Brooks Mill Road (Route 834)/Scruggs Road.
- ▶ Intersection and roadway improvements Harmony School Road (Route 634)/Route 122.

Route 220 at Naff Road—Project Sketch (Unsignalized Continuous Green T)
Franklin County

ARTERIAL
PROGRAM
August 1, 2018



1

No improvements to the acceleration lane or restricting the left turn movement northbound on Route 220.

2

Right turn lane southbound Route 220 onto Naff Road.

3

Possible improvements northbound Route 220 to address the curve before the intersection.

PROPOSED MODIFICATIONS-
NAFF ROAD



Right turn
on Route
220 south.

Possible
widening of
shoulders.

Pavement

PROPOSED MODIFICATIONS- HENRY ROAD

SMART Scale pre-applications are in pre-screening with VDOT to ensure the proposed projects meet the criteria for VTRANS (Virginia Transportation Plan). Once the projects have been pre-screened; the full applications can be submitted. The portal for submitting applications opens on June 1, 2020 and all full applications must be submitted to VDOT by August 3rd at 5:00 p.m. The following projects were submitted as pre-applications for Franklin County for this round of SMART Scale on April 15, 2020.

- Intersection and roadway improvements Naff Road (Route 613)/Route 220
 - Unsignalized Continuous Green T, with a right turn lane southbound on Route 220, extend acceleration lane northbound on Route 220, and a left and right turn lane on Naff Road
- Intersection and roadway improvements Iron Ridge Road (Route 775)/Route 220
 - R-Cut
- Intersection and roadway improvements Bonbrook Mill Road (Route 635)/Route 220
 - Unsignalized Continuous Green T with acceleration lane
- Intersection and roadway improvements Henry Road (Route 605)/Route 220

- Unsignalized Continuous Green T with acceleration lane northbound and realign and widen northbound left turn lane
- Intersection and roadway improvements Lakemount Road (Route 1235)/Route 122
 - Roundabout
- Intersection and roadway improvements Brooks Mill Road (Route 834)/Scruggs Road (Route 616)
 - Roundabout
- Intersection and roadway improvements Harmony School Road (Route 634)/Route 122
 - Roundabout

After further review by VDOT staff, changes are suggested for the projects as follows:

- Intersection and roadway improvements at Naff Road (Route 613)/Route 220
 - This project will change from an Unsignalized Continuous Green T to restricting the left turn movement from Naff Road to northbound on Route 220. All traffic would make a right turn onto southbound Route 220 and proceed to make a U-turn at the first crossover approximately 1500' to the south. The project would still include a right turn lane on Route 220 south onto Naff road.
 - Reasons identified for the change are the following:
 - Cost of the original proposed project estimated over \$10 million. The high cost of the project was identified as one reason the project did not score well enough for funding in the Third Round of SMART Scale. The new proposal has a cost estimate of approximately \$3.5 million.
 - A 12-hour traffic volume count was accomplished on March 8, 2018 from 6:00 a.m. to 6:45 p.m. and identified only 66 lefts from Naff Road to 220 Northbound
 - VDOT evaluated a truck and horse trailer combination vehicle and determined they can maneuver in the crossover and pavement without the need for additional improvements (See diagram attached titled "Naff Rd/Rte. 220")
 - By eliminating the left turn off of Naff Road onto Route 220 north this will reduce the conflict points (crashes) at this intersection
- Intersection and roadway improvements at Iron Ridge Road (Route 775)/Route 220
 - The project stays as an R-Cut with improvements to Iron Ridge Road/Route 220 intersection, the improvements to the crossover at Town and County Drive is proposed to be converted from a crossover to proposed southbound left turn only.
 - Reason for the improvement at Town and County Drive:
 - Traffic at the crossover at Town and County Drive will maneuver better with the improvements and being close to the loon. (See sketch attached titled "Rte. 220 and Iron Ridge")
- Intersection and roadway improvements at Bonbrook Mill Road (Route 635)/Route 220
 - This project stays as an Unsignalized Continuous Green T with acceleration lane southbound as submitted in the pre-application. County was supplied with a new proposed sketch. (See new sketch attached titled "Rte. 220 and Bonbrook Mill")
- Intersection and roadway improvements at Henry Road (Route 605)/Route 220
 - This project will change from an Unsignalized Continuous Green T with acceleration lane northbound. The revised proposal realigns and widens northbound left turn lane and realigns the curve on 220 Northbound.
 - Reason for the change of the project is the following:
 - Most of the crashes are due to the curve of the road; not the intersection and an Unsignalized Continuous Green T would not eliminate most of the crashes in this area. (See sketch attached titled "Rte. 220 and Rte. 605 Intersection")

In June or July after pre-screening of County SMART Scale projects, staff will be requesting resolutions of support for all SMART Scale projects to be submitted by the County, West Piedmont Planning District Commission, and Roanoke Alleghany Regional Commission.

Staff respectfully requests the Board of Supervisors to authorize staff to make changes to SMART Scale Pre-Applications as suggest by VDOT under the discussion phase of this executive summary.

A consensus was made to proceed with what is presented

SHORT TERM RENTAL USE-BY-RIGHT ZONING ORDINANCE DISCUSSION

Members of the Water's Edge community have asked that the County consider additional regulations concerning short-term rental.

The request is to eliminate all by-right use of short-term rentals in the zoned areas (currently allowed by-right in RPD and PCD zoning districts) and require a special use permit similar to the current requirement in Agriculture (A-1) zoning districts.

This change would require anyone wishing to have short-term rentals in the A-1, PCD and RPD zoned areas of Franklin County to obtain a special use permit.

This process requires a public hearing before both the Planning Commission and Board of Supervisors and notification of the adjacent property owners.

POSSIBLE ADDITIONAL ZONING REGULATIONS



Setback requirements- Create a minimum distance between structures (e.g., 200 feet)



Minimum lot size requirement- Create a minimum lot size requirement (e.g. 1 acre)

ADDITIONAL ZONING REGULATIONS

After a brief discussion the topic of Short-Term Rental Use-by- Right Zoning Ordinance Discussion was tabled until the June Regular scheduled Board Meeting with the understanding this item WILL be discussed in June.

BRIAN CARTER, DIRECTOR OF FINANCE

REF: 1. Monthly Report



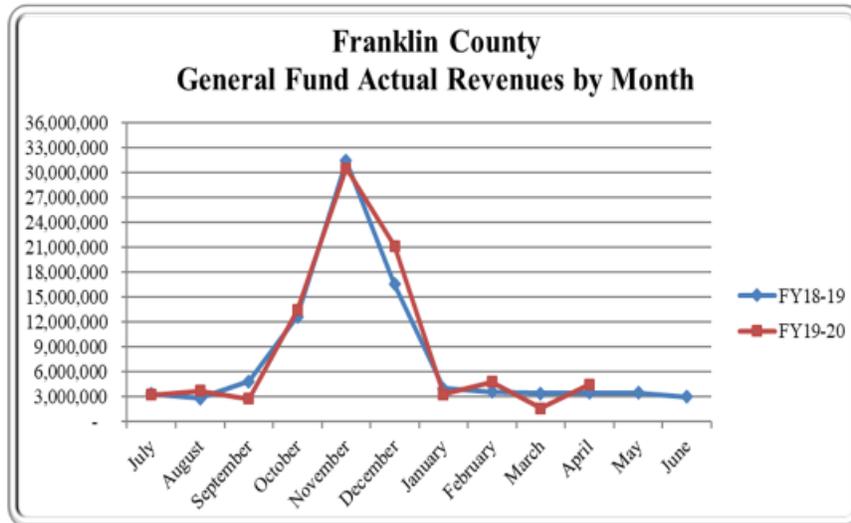
FRANKLIN COUNTY MONTHLY FINANCE REPORT

May 19, 2020



Franklin County
Cash Basis Revenue and Expenditure Summaries (Unaudited)
General Fund and School Fund Only
For the Month Ended April 30, 2020

REVENUES:	Budget and Appropriations Current Year	Actual Year to Date Revenues	Balance To Be Realized	Percent of Budget
General Property Taxes	55,095,914	55,730,542	1,634,628	103.0%
Other Local Taxes	12,220,752	10,711,727	(1,509,025)	87.7%
Permits, Fees and Licenses	395,241	394,115	(1,126)	99.7%
Fines and Forfeitures	43,499	34,810	(8,689)	80.0%
Revenue from the use of Money and Property	644,790	602,442	(42,348)	93.4%
Charges for Services	2,699,796	2,534,756	(165,030)	93.9%
Miscellaneous Revenue	880,944	640,618	(240,326)	72.7%
Recovered Costs	603,699	499,226	(104,473)	82.7%
Revenue from the Commonwealth	15,200,798	14,229,563	(971,235)	93.6%
Federal Government	3,636,872	2,681,413	(755,459)	79.2%
Total	91,422,295	89,259,213	(2,163,082)	97.6%
Fund Balance/Carryover Funds	-	-	-	
Transfers	3,261,591	(80,704)		
Total General Fund	94,683,886	89,178,508		
Schools				
Cafeteria, Misc, State, Federal	53,357,617	42,303,909	(11,053,708)	79.3%
Local Funding from County	34,365,178	28,904,351	(5,460,827)	84.1%
Total School Fund	87,722,795	71,208,260	(16,514,535)	81.2%
EXPENDITURES:				
	Budget and Appropriations Current Year	Actual Year to Date Expenditures	Balance Expended	Percent of Budget
General and Financial Administration	4,864,589	4,323,068	540,921	88.9%
Judicial Administration	3,005,327	2,317,689	687,638	77.1%
Public Safety (Sheriff, Corrections, Fire, EMS)	15,134,058	12,182,166	2,951,892	80.5%
Public Works	4,098,231	3,112,310	985,921	75.9%
Health and Welfare	14,443,762	12,751,617	1,692,145	88.3%
Parks, Recreation, Libraries, Community College	2,310,838	1,809,648	441,190	80.9%
Community Development	3,256,868	2,420,196	836,672	74.3%
Transfers to Schools, Capital, Debt	47,570,213	41,121,734	6,448,479	86.4%
Total General Fund	94,683,886	80,099,026	14,584,860	84.6%
School Fund	87,722,795	73,487,639	14,235,156	83.8%





	<u>FY17-18</u>	<u>FY18-19</u>	<u>FY19-20</u>	<u>18/19 to 19/20</u> <u>% Change</u>
Total Revenue Year to Date (July - Apr)	35,312,428	39,455,863	39,597,925	0.4%
Dollar Increase			142,062	
Percent of Budget	99.85%	99.96%	99.69%	





	FY17-18	FY18-19	FY19-20	18/19 to 19/20 % Change
Total Revenue Year to Date (July - Apr)	9,771,330	10,858,168	12,118,787	11.6%
Dollar Increase			1,260,619	
Percent of Budget	99.39%	102.02%	110.77%	

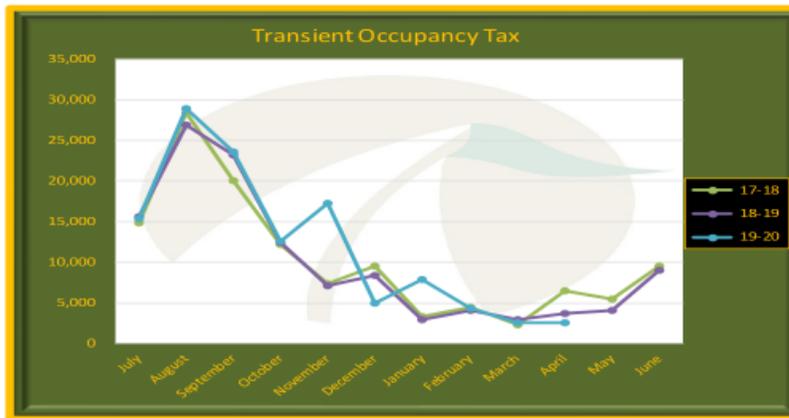


	FY17-18	FY18-19	FY19-20	18/19 to 19/20 % Change
Total Revenue Year to Date (July - Apr)	3,811,554	4,703,982	4,523,003	-3.8%
Dollar Increase			(180,979)	
*Revenue collections are at 89.8% of Budget				





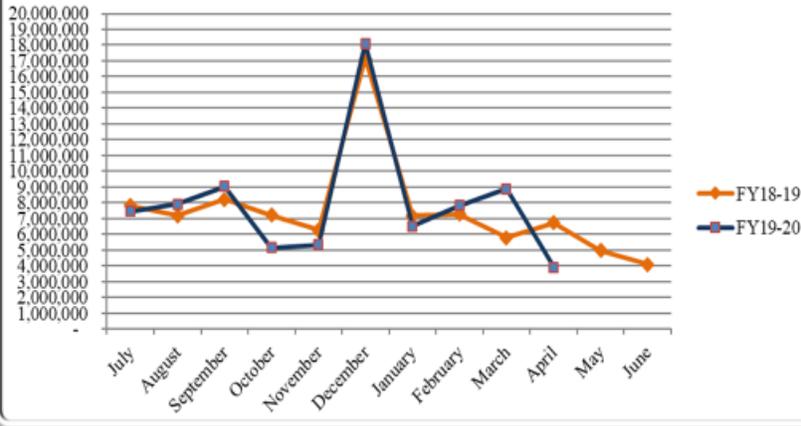
	<u>FY17-18</u>	<u>FY18-19</u>	<u>FY19-20</u>	<u>18/19 to 19/20</u>
Total Revenue Year to Date (July - Apr)	835,499	881,135	1,001,452	<u>% Change</u> 13.7%
Dollar Increase			120,317	



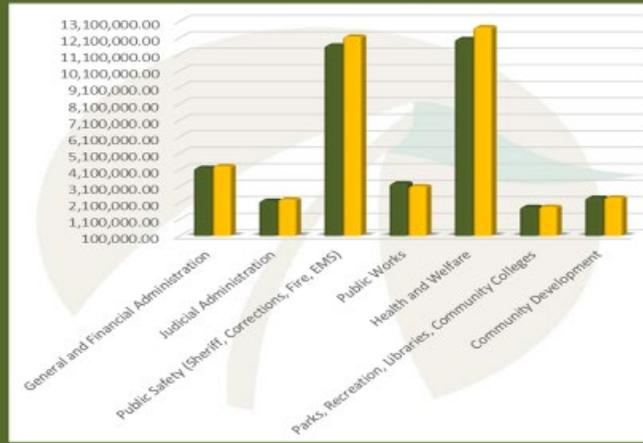
	<u>FY17-18</u>	<u>FY18-19</u>	<u>FY19-20</u>	<u>18/19 to 19/20</u>
Total Revenue Year to Date (July - Apr)	108,975	107,269	120,128	<u>% Change</u> 12.0%
Dollar Increase			12,859	

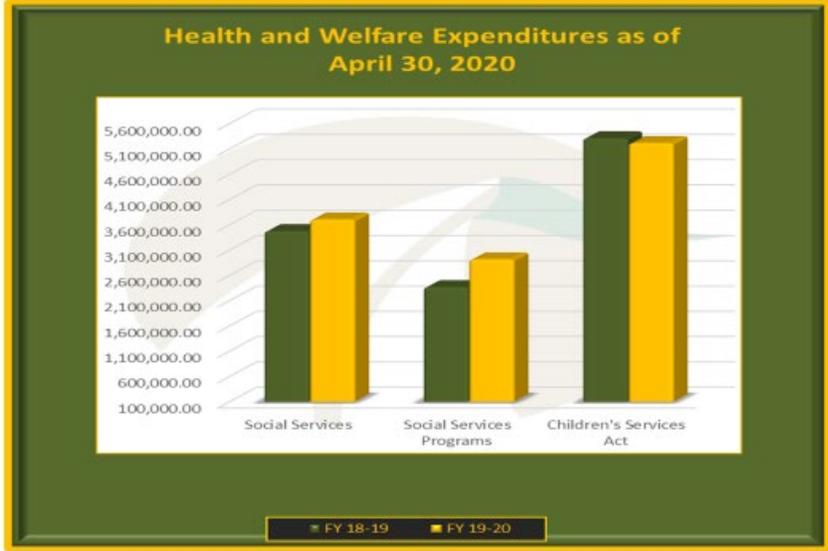


Franklin County General Fund Actual Expenditures by Month



Expenditures as of April 30, 2020





Fund Balance

Unassigned Fund Balance 6/30/19	\$23,704,454
Less:	
BOS Approved Rollovers	-\$1,421,851
Capital Project Reserve	-\$1,400,000
School Carryover Approved	\$0
 Policy Minimum 20% of GF Revenues	 <u>-\$18,780,531</u>
 Remaining Available	 <u><u>\$2,102,072</u></u>



Economic Update

- Real GDP declined 4.8% in the 1st Quarter of 2020 and is forecasted to decline 22.1% in the 2nd Quarter per Wells Fargo
 - Wells Fargo expecting economic rebound to begin in 3rd Qtr. 2020
 - Forecasted GDP decline of -3.9% in calendar 2020 and increase of 1.7% in 2021
 - Virginia April revenue collections
 - Individual Income taxes fell 0.4%
 - Sales taxes decreased 0.4%
 - Virginia budget relies heavily on income taxes (70%) and sales taxes (17%)
-

Economic Update (cont.)

- Anticipated impact to localities is unknown as the State revenue reforecast is anticipated in July or August
 - Current State estimates include \$1 billion losses in FY 2021 and FY 2022
 - Over 50% of County/School combined budget is funded with State and Federal funds
 - Local revenues will be impacted
 - May collections of April financial activity will provide best data yet on local tax revenue impact
-

MIKE THURMAN, DIRECTOR OF GENERAL PROPERTIES

REF: 1. Glade Hill Fire-EMS Station

Franklin County has been in the process of planning for the construction of a new Fire/EMS station in the Glade Hill area of the Union Hall district for several years. A site was selected and approximately 5.5 acres was purchased for this facility near the intersection of Turtle Hill Road (State Route 869) and Old Franklin Turnpike (State Route 40). County funding of \$2 million for the project was secured in 2017 and is supplemented with an additional \$1 million in a station construction account.

The Board appointed Supervisor Tommy Cundiff and Supervisor Tim Tatum to work with the Glade Hill Volunteer Fire Chief, Public Safety Director, and the General Properties Director on completing the preliminary design work.

The first phase of this work was completed and on June 18, 2019 a presentation was made to the Board of Supervisors recommending the basic design of an approximate 11,500 sq. ft. facility. The Board subsequently directed staff to complete preliminary site work which included identification and securing of an adequate water source (well) and septic area, as well as soil borings and some assurances from VDOT for site ingress / egress. Such work has now been completed, with VDOT giving preliminarily approval for ingress/egress onto Turtle Hill Road and a possible egress alternative onto Old Franklin Turnpike (Route 40 East) if a sight easement can be obtained. With the preliminary design work and preliminary site work assurances completed, the County will need to move to next steps in both securing a Special Use Permit for the property as well as finalizing a contract to complete final architectural & engineering documents. At its February 18, 2020 meeting, the Board of Supervisors approved staff to move forward with advertising and soliciting proposals for final Architectural and Engineering (A&E) Design for the planned Glade Hill Fire-EMS Station.

The RFP was advertised in keeping with County Procurement Guidelines and we were in receipt of three (3) proposals.

All responders were Virginia based companies and in addition to their basic services, they all submitted proposals based on the practice of incorporating a "3rd party" Fire Station Design expert which seems to be the norm for such projects.

Due to the COVID-19 virus situation, all three firms were interviewed via teleconference calls on April 17, 2020. Those taking part (on behalf of the County) were Chris Whitlow, County Administrator, Billy Ferguson, Director of Public Safety and Mike Thurman, General Properties.

The advertised RFP outlined a "Selection Criteria" section. Among other things, the selection process placed most emphasis on the firm's recent experience, knowledge, and familiarity in the construction of similar projects and the firm's demonstrated ability in construction incorporating the client's design preferences.

While all three firms seemed highly reputable with regard to professional standing, etc., the firm of Thompson-Litton clearly had the most recent experience with similar projects.

In taking all aspects of the selection process into account, it was the consensus of the interview group to recommend Thompson-Litton as the firm to design the Glade Hill Fire-EMS Station, create construction documents by which to bid the project, assist with the bidding process and provide construction oversight. While final construction costs estimates of project will not be known until final design is completed, based on prior experience with similar facilities, Thompson & Litton recently updated its estimate for the site development at \$730K, building construction at \$2.3 million and another \$500K for a construction price escalator and project contingency. Such costs combined with project engineering, testing, and inspections services at \$321,385, leaves the subsequent total project costs estimate at approximately \$3,990,700 (**Please see attached Preliminary Project Cost Estimate from Thompson & Litton).

It should be pointed out that (as a minimum) these estimates were based on:

- The desire to have "drive thru" bays
- The desire (if possible) to have access from both Turtle Hill Road and Old Franklin Turnpike
- No public water/sewer available.
- Fairly significant grading that must occur
- The need of at least "limited area sprinkler system" for sleeping quarters
- Current trends of construction costs increase (steel, HVAC, etc.)
- Regulations regarding E & S and Storm Water Management
- The design/construction of a facility to support 50 – 75 years of service
- Include Safety, Education and Training Features
- A somewhat "Prototype Facility" for future combined stations for fire and EMS services
- All functions/features identified in the "requirements document" established by the Franklin County Department of Public Safety
- Add alternates are estimated, yet not included in the project's total estimate

Staff respectfully requested the Board to submit an application for obtaining a Special Use Permit for the property and authorize the County Administrator, County Attorney and staff to negotiate and execute a contract with the firm of Thompson-Litton of Radford, Virginia for the purpose of providing finished construction documents and assistance with bidding and construction oversight of the

Glade Hill Fire/EMS Station for a contract amount not to exceed \$321,385. Such contract is contingent upon the County securing the Special Use Permit with the Planning Commission and Board holding the required public hearings on June 9th and 16th. Funding is budgeted and available in Capital Account #30230042-57026. Once final construction documents are completed, staff will bring back an updated, pre-construction final estimate prior to requesting the Board to authorize bidding for the construction of the project.

Supervisor R. Mitchell asked that the Glad Hill Volunteer firefighters and their Chief be included in the design and build of this project.

Supervisor Smith asked Mr. Whitlow, County Administrator, if this is the time to reevaluate the design and cost of this project. Supervisor Smith wants to know what vote or consensus needs to be taken to move forward with this project and potentially set a max limit of amount of money that will be spent on this project.

Supervisor Cundiff wants to move forward with this project.

Supervisor Smith states, this is one project that is very important, but we have others, we need to be good fiduciaries with the County's financials.

(RESOLUTION #04-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to the Board to submit an application for obtaining a Special Use Permit for the property and authorize the County Administrator, County Attorney and staff to negotiate and execute a contract with the firm of Thompson-Litton of Radford, Virginia for the purpose of providing finish construction documents and assistance with bidding and construction oversight of the Glade Hill Fire/EMS Station contract amount not to exceed \$321,385.

MOTION BY: Tommy Cundiff
SECONDED BY: Ronald Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

MIKE BURNETTE, DIRECTOR OF ECONOMIC DEVELOPMENT

Mike Burnette, Director of Economic Development Presented the following items:

1. Summit View Business Park Updates

The Franklin County Office of Economic Development continues work on a number of projects to increase the availability of jobs, attract new tax base, and raise the community's quality of life. The continued construction of the Summit View Business Park (SVBP) is a critical piece of this effort. Periodically, County staff will update the Board on this effort and receive feedback on necessary steps moving forward.

Staff will update the Board on the progress of various initiatives at the Summit View Business Park. This will include an update on current expected timelines of construction projects underway, as well as upcoming construction and design projects at the Summit View Business Park.

Staff respectfully requests that the Board hear updates on the current and upcoming projects at the Summit View Business Park.

General Update



SUMMIT VIEW BUSINESS PARK
OVERALL PLAN - JANUARY 2020



General Update

Stik-Pak

- Under Construction
- Estimated Completion: TBD



General Update

Think Outside.



ValleyStar Credit Union
Administrative Campus

- Under Construction
- Estimated Completion:
February 2021



General Update

Think Outside.

Walking Trails

- Open to the Public
- Commonwealth Parkway Sidewalk – ¼ mile
- Rotary Trail – ½ mile



General Update

Pavilion

- Pavilion and Parking Complete
- Not Yet Open to the Public
- Foothills Produce Auction Using



2. Summit View Business Park Athletic Field #1 Construction Contract Award

During the initial conceptual planning of the Summit View Business Park, the Board of Supervisors envisioned differentiating the new business park from so many others around the country by inserting quality of life features into the very fabric of the project. It was determined that constructing a recreational park and an event area in the heart of Summit View would help entice companies to the park that seek additional amenities and quality of life factors as part of their site selection process. This approach has already been successful as each of the three announced businesses at the park, especially Traditional Medicinals, have noted these amenities to be a positive factor in their location decisions. In addition to making the park more attractive to incoming businesses, the Board determined that incorporating such amenities would simultaneously be a major asset to the citizens of Franklin County that will also utilize such features. The recreation park at Summit View is the only such park serving the entire northern section of Franklin County. To date, the County has constructed a recreational pavilion for public use, an access road and parking to serve recreation park users and teamed with the Rocky Mount Rotary Club on the construction of a half-mile walking trail within the recreational area.

In September 2019, the Board of Supervisors approved going out for bid on construction of Athletic Field #1. This was done to construct the next phase on the proposed recreation area, alleviate scheduling pressure on existing fields throughout the County, open new recreational opportunities in football and lacrosse for the County's youth, and to remove and utilize approximately 15,000 cubic yards of excess dirt left over from the Pavilion project and stockpiled in two large mounds next to the recreation area parking lot. Because the excess dirt was the major component to be used in the construction of the athletic field, the construction bid due date was pushed back several times as the Pavilion contractor continued utilizing it to complete its project. Bids were finally received and opened on May 13, 2020 and were analyzed by the project engineer, Parker Design. There were two bidders. The low bidder was Bowman Excavating in the amount of \$142,650. This amount was below the County's budget of \$150,000 for this work. The other bid came in at \$198,337.50. The bid tabulation sheet and site plan are attached for the Board's information. The athletic field project funds were budgeted, appropriated and currently available from the second SVBP borrowing (line item # 30320235-57014).

Staff respectfully requested that the Board award a construction contract to Bowman Excavating in the amount of approximately \$142,650 to construct Athletic Field #1 at the Summit View Business Park Recreation Area and to authorize the County Administrator and County Attorney to execute any necessary documents accordingly.

Athletic Field #1



Athletic Field #1 Construction Contract

- 2 bidders:
 - Bowman Excavating = \$142,650
 - SitePro = \$198,337.50
 - BUDGETED AMOUNT = \$150,000
- Funds borrowed, appropriated, and available
- Removes and utilizes 15,000 cubic yards of soil currently in two stockpiles
- Provides new opportunities for football and lacrosse, helps take pressure off existing fields, and continues recreation area progress of great attractiveness to new businesses and new and existing residents
- Staff recommends award of construction contract to Bowman Excavating



Athletic Field #1

Think Outside.



Supervisor Smith asked a few questions regarding debt service and for clarification on the payments.

Supervisor R. Mitchell wanted to note Mr. Paul Chapman, Director of Parks and Recreation asked this year for an additional staff member to assist with maintenance of the fields within the Summit View Business Park. Mr. Chapman let the Board know they are functioning with the current staff they have but are thinly staffed.

Supervisor Carter asked Mr. Burnette, Director of Economic Development how much more money will be spent on the park this year. Conservatively he would like to see things scaled back. He noted twice a year tax collection is going to create a onetime influx of money.

Supervisor Smith wants to be sure we address ongoing expenses that will be created with these builds. She wants to represent her constituents.

(RESOLUTION #05-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to award a construction contract to Bowman Excavating in the amount of approximately \$142,650 to construct Athletic Field #1 at the Summit View Business Park Recreation Area and to authorize the County Administrator and County Attorney to execute any necessary documents accordingly.

MOTION BY: Tommy Cundiff
SECONDED BY: Tim Tatum
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, Tatum
NAYS: R. Mitchell, Smith
ABSENT: Thompson

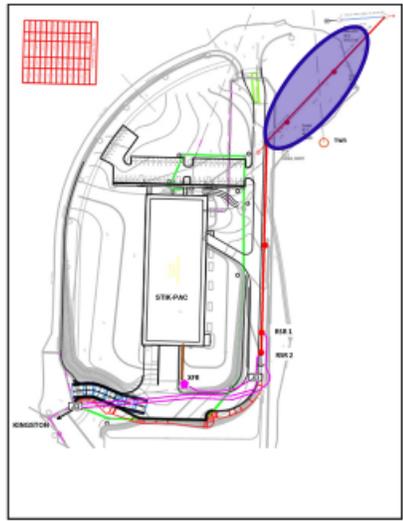
3. AEP Easement Public Hearing Request

The Franklin County Office of Economic Development continues to work on the extension of relevant and adequate utility infrastructure throughout the Summit View Business Park. Provision of utilities to the three announced businesses within SVBP is a top priority to fulfill the County's contractual obligations and ensure that all necessary utilities are in place to allow each business to open when ready.

To enable Stik-Pak to begin operations when their facility is complete, the County must work with Appalachian Electric Power (AEP) to install three-phase power from its current ending point to the Stik-Pak site. Additionally, this extension should be installed in a way that best sets the County up to extend power to the Traditional Medicinals site at a later date. The Board has previously provided a blanket easement to AEP along all roads within the park to do underground electric extensions to serve customers. As the Stik-Pak extension has moved through design, it was found that an overhead line on the back side of the Stik-Pak site would be much more economical while not affecting the overall aesthetics of the park. This new overhead line would run from the current terminus of the existing overhead three-phase line near the Commonwealth Parkway-Virginia Way intersection along the back of the Stik-Pak site and then go underground to a terminus along another side of Stik-Pak. This underground section meets the requirements of the Covenants of the park and will make the future extension to Traditional Medicinals more economical. To install the overhead line extension to serve Stik-Pak, a forty-foot (40') wide easement is needed by AEP. Prior to transferring such an easement, the Board must hold a public hearing to hear comments for the public. Staff is requesting that the Board schedule a public hearing on the easement transfer to AEP at its June 16, 2020 meeting.

Staff respectfully requested that the Board schedule a public hearing for June 16, 2020 regarding the transfer of a forty-foot wide easement to AEP at the Summit View Business Park to serve the Stik-Pak site.

Think Outside.



AEP Easement

AEP Easement for Stik-Pak Line

- Need to schedule public hearing for consideration of transfer of 40' wide easement to AEP for running of three-phase overhead power from existing overhead line to Stik-Pak site



Think Outside.



AEP Easement

(RESOLUTION #06-05-2020)

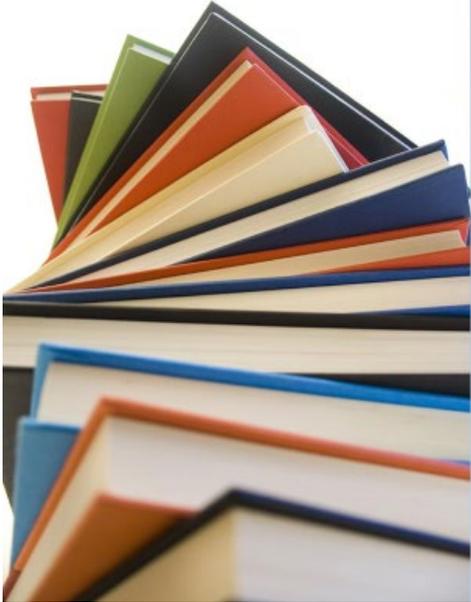
BE IT THEREFORE RESOLVED, by the Board of Supervisors to schedule a public hearing for June 16, 2020 regarding the transfer of a forty-foot wide easement to AEP at the Summit View Business Park to serve the Stik-Pak site.

MOTION BY: Ronnie Thompson
 SECONDED BY: Tim Tatum
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
 ABSENT: Thompson

DR. CHURCH, SUPERINTENDENT OF FRANKLIN COUNTY PUBLIC SCHOOLS

REF. 1. Modified Proposed School System Budget

Dr. Church, Superintendent, presented the below PowerPoint of the school's modified budget.



Franklin County Public Schools

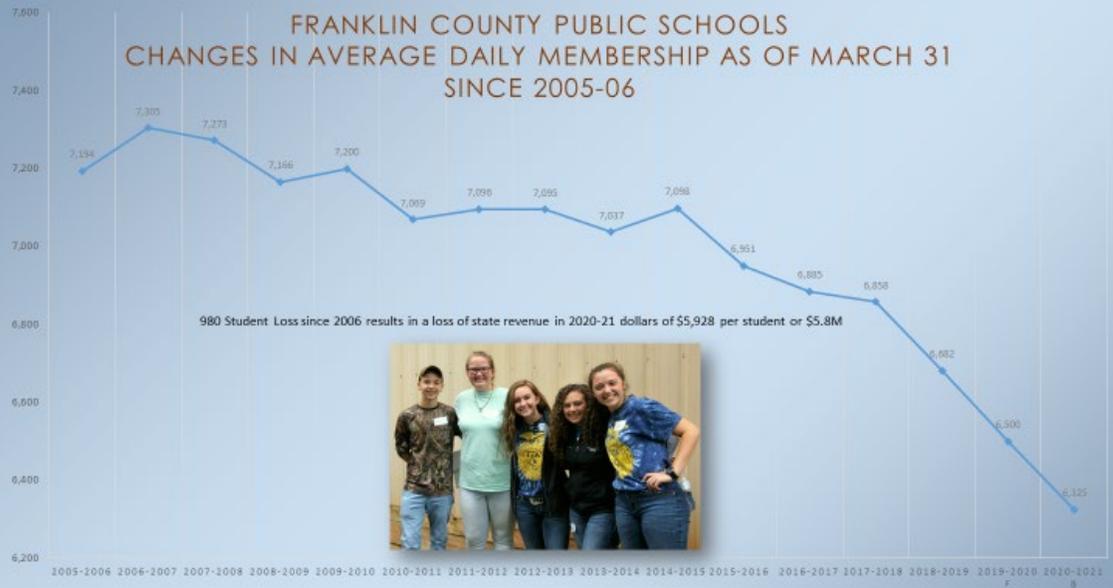
2020-21

Franklin County Public Schools
Amended Budget Presentation
May 18, 2020

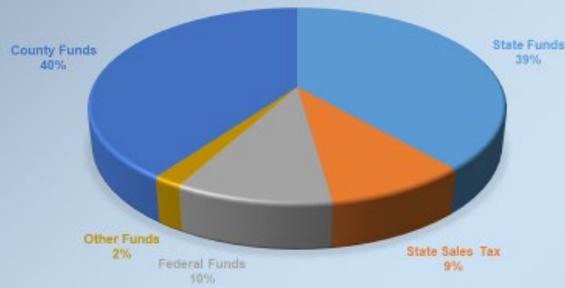
Budget Summary

- No Compensation Increase for employees
- No new budget initiatives funded
- Includes all state revenue reductions for unallotted funds from the General Assembly reconvened session on April 22, 2020
- Returns state guidance counselor ratios to 2019-20 levels
- Keeps ADM at budgeted amount, 201 students below year end 2019-20
- No health insurance increase
- Level County Funding with addition of CSA Reserve
- CIP funding level with 2019-20 appropriation
- Regional Special Education Program Revenue Reduction as planned previously

- No Dental Plan Increase
- Minimal change in the division's composite index .3954 to .3953
- Changes VRS employer contribution rate for teachers from 15.68% to 16.62%
- May change if unallotted funds are restored at the state level
- Budget includes CARES Act Federal Funding
- Status Quo funding year

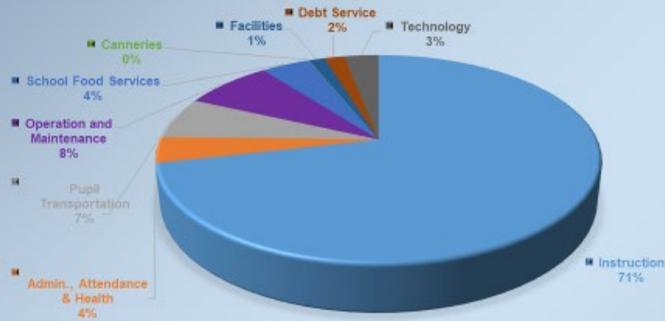


PROJECTED REVENUES



Budget Category	Budget		Difference
	2019-20	2020-21	
State Funds	\$33,890,166	\$34,262,623	\$372,457
State Sales Tax	\$9,003,039	\$8,225,481	-\$777,558
Federal Funds	\$7,621,802	\$9,129,854	\$1,508,052
Other Funds	\$2,841,110	\$1,702,920	-\$1,138,190
County Funds	\$35,245,178	\$35,637,672	\$392,494
TOTAL	\$88,601,295	\$88,958,550	\$357,255

PROJECTED EXPENDITURES



Budget Category	Budget		Difference
	2019-20	2020-21	
Instruction	\$63,122,943	\$63,502,141	\$379,198
Admin., Attendance & Health	\$3,581,169	\$3,590,544	\$9,375
Pupil Transportation	\$5,735,250	\$5,735,250	\$0
Operation and Maintenance	\$6,883,764	\$6,883,764	\$0
School Food Services	\$3,747,385	\$3,747,385	\$0
Canneries	\$53,346	\$53,346	(\$0)
Facilities	\$1,220,000	\$1,220,000	\$0
Debt Service	\$1,597,572	\$1,561,154	(\$36,418)
Technology	\$2,659,866	\$2,664,966	\$5,100
TOTAL	\$88,601,295	\$88,958,550	\$357,255

School Budget Initiatives(not funded)

Step Increase	\$1,454,692
Coordinator of Professional Learning and Innovation	\$85,000
1 secondary Science and Math Teacher	\$135,000
School Bus Leasing Proposal	\$125,000
Update and replace the In-ground Lifts in Bus Garage	\$40,000
1 SPED for SLC	\$67,500
1 TRT(due to Coordinator of Professional Learning)	\$106,850
Job Placement Apprenticeship Coordinator	\$67,500
Alternative setting-K-5 Rise Program and blending SLC and Choices (no facility costs)	\$198,000
Secondary Guidance Position	\$67,500
Begin market value adjustment of classified personnel salary scales	\$100,000
Coaching Stipend recommendation	\$100,978
Increase allotment of funds for pest control	\$40,000
Offer Bus Aides Benefits	\$50,000
Masters or Journeyman's license stipend	\$5,000
1 Science teacher-BFMS	\$67,500
Pay for a full 3rd personal day	\$9,000
Add 2 personal days to benefit package for bus drivers and bus aides	\$30,000
Increase LPN Salary Scale	\$225,000
Stipend -health office assistance	\$1,000
Increase Technician and Network Engineer Salary Scales	\$45,823
1 Network/Systems Engineer	\$47,950
Parking lot upgrade-more spaces needed for larger meetings-gravel	\$1,500
Family Liaison-1 per building 4.5 FTE	\$221,454
More Parking -Santitas in CIP, amount for Henry Elementary shown	\$3,007
Secure entrances-2/2019 Controlled access study-with inflation factor	\$263,173
improve instructional space	\$150,000
Change 11 and 12 month elementary secretary from Scale C to Scale D	\$34,340
Increase salary for 10 month secretaries-move from Scale B to Scale C	\$41,275
Salary adjustment to be competitive with Technician Wages	\$30,500
2 Elementary STEM Teachers	\$110,000
Early Learning Center	\$90
ELL Translator	\$50,000
Special Education Routing Coordinator	\$47,250
Content Development	\$10,000
Employee Assistance Program (no cost to implement)	\$0
Sheriff's request for two additional SROs(estimated)	\$86,700
School Server Replacement	\$150,000
Fully fund Bus Replacement Program	\$780,000
Automobile Replacement Program	\$80,000
Mechanics salary adjustment	\$7,536
Traffic control Additional Staffing	\$27,000

Capital Maintenance Projects 2020-21

- Various Schools, Asbestos Removal, Tile Replacement, Plumbing Upgrades, and Electrical Upgrades - \$277,000
- Bus Replacement Purchase - \$340,000
- HVAC Controller Upgrades in 7 Schools - \$160,000
- Install Air Conditioning at Rocky Mount Cafeteria - \$443,000



Supervisor Smith asked if the school system received COVID-19 relief money and how this was allocated. She also expressed her gratitude to the school system and the school board.

Supervisor R. Mitchell asked if there is anything the County Board or the School Board can do to encourage students to enroll into the school system. He asked if school safety was a factor in students returning to campus. Dr. Church said he thinks the safety issue has to do with COVID. He would like to note if there is any money “leftover” from the school allocation from the County he would like that money to be used to catch up on capital projects.

As with the County, the School System has revised revenue projections for the remainder of the current FY 19-20. In addition, the School System has revised estimates and revenue projections for next FY 20-21. The initial proposed School Budget has been modified accordingly.

The largest impact in the current year School budget is the anticipated reduction of State sales tax. The Schools are estimating a total revenue loss of \$752,868 due to the reduction of State funding and food service revenue. Offsetting expenditure reductions due to the closure of County school facilities will result in a potential net savings of \$309,501. The situation is fluid and can change

constantly between now and when final numbers are calculated for FY 2020 by the end of September 2020.

The School budget was presented to the Board of Supervisors at their meeting on March 17, 2020. The Schools have proposed a modified budget based on reduced revenue projections caused by the economic impact of COVID-19. The proposed school budget increases by a total \$355,755 or 0.4% from the current fiscal year original budget. The Schools are anticipating a reduction of nearly \$2.4 million in State funds along with local County reductions from the original proposed budget on March 17. The State reduction is offset some by CARES Act funding of \$1,492,694. Total revenue reductions for operations are projected to be \$1,889,082. There is a concern that State sales tax will face additional reductions. The attached School budget proposal outlines the uses of funds and proposed reductions. Essentially no employee raises, or step increases are proposed. The ADM is still projected at 6,325; however, there is concern that this will drop further when Schools return in the Fall. A drop in ADM will further exacerbate any funding cuts the State passes on to local school systems. There are many unknowns on the State portion of school funding as the Governor is expected to reforecast revenues in the Summer. Actual State funding for FY 2021 may not be known for several months.

Chairman Mitchell asked Dr. Church how to respond to those students who are suffering from not having enough Broadband to students. Dr. Church responded by saying they have put school "hotspots" on the campuses and hopes for more money from the Commonwealth in the future.

Supervisor Tatum asked where the operational savings from the closed schools is being used. Dr. Church let the Board know yes, there has been some savings, but this is met with a decrease in lottery and sales tax.

Supervisor Carter asked if there was any reason to wait to adopt the school budget. Dr. Church said this would help with contracts of staff.

(RESOLUTION #07-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the modified Franklin County School Board Budget as presented today.

MOTION BY: Mike Carter
SECONDED BY: Ronald Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

Roll call vote was taken

**DR. CHURCH, SUPERINTENDENT OF FRANKLIN COUNTY PUBLIC SCHOOLS
AND SHERIFF OVERTON**

Dr. Church, Superintendent of Franklin County Public Schools and Sheriff Overton presented the following items.

1. School Resource Officers Grant

Sheriff Overton explained currently, School Resource Officers (SRO) are stationed at both the Middle and High Schools. Historically, there were two SRO positions from the Franklin County Sheriff's Office (FCSO) assigned to the Franklin County Public Schools (FCPS). One SRO was assigned to the middle school and one SRO assigned to the high school. The FCPS have funded the two SRO positions since FY 2012 by reimbursing the County \$86,658 annually. This funding has not been increased since FY 2012. A current SRO with benefits could cost up to \$60,000 (\$120,000 for two SRO's). The County has supplemented the difference in cost.

Per request by FCSO last year, the Board of Supervisors approved a grant application with the Virginia Department of Criminal Justice Services, whereby the FCSO was awarded a grant in FY 2020 to assist with funding two additional school resource officers (SRO's) at the high school. As listed below from the minutes of the March 5th, 2019 Board of Supervisors meeting, the Board approved the grant application with the understanding that the Sheriff's Office would fund the local grant match of approximately \$55,000 through the existing Sheriff's Office budget with no additional funding requested from the Board. The County match was accomplished through the provision of a vehicle assigned to each SRO.

(RESOLUTION #08-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to support the Sheriff's Department initiative and approve the request to apply for the grant funding for up to two deputies to be located on the County's School campuses as school resource officers. It is understood no local funding is required with the Sheriff's Office providing the in-kind match, whereby any future budgetary requirements, should state not continue the grant, be funded from within the Sheriff's Office budget.

MOTION BY: Tim Tatum

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Camicia, Cundiff, Carter, Tatum & Brubaker

To continue state funding from the Virginia Department of Criminal Justice Services, an application to renew the grant funding has been submitted. If awarded, such grant continuance will fund the SRO positions again for FY 2021 with the same local match requirement. Assuming the SRO grants are awarded again for FY 2021, the FCSO has shared they will not be able to use a vehicle assignment to meet the local match for the grant. While the attached memo references the cost to maintain the local match as \$44,000 per year, the grant application local match is \$55,356 per year (\$27,678 for each grant) which will need to be funded in order to proceed with the grant funded SRO positions for FY 2021. As requested in the attached memo from Superintendent Mark Church and Sheriff Overton, the FCPS and the FCSO are requesting the County to begin funding the required local match. It is not clear if the local match will have an annual increase or if, or just how long, the Virginia Department of Criminal Justice Services may continue to offer the SRO grants.

The FSCO and FCPS respectfully requests that the Board of Supervisors approve to begin funding of up to \$55,356 of the local match for the SRO grants for FY 2021. If approved, a recurring, budgeted line item would need to be identified somewhere within the County's future budget to cover any annual ongoing or future local match expenses / costs.

(RESOLUTION #09-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the school resource officer funding of up to \$55,356 of the local match for the SRO grants for FY 2021 as a reoccurring budgeting line item.

MOTION BY: Ronald Mitchell

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum

ABSENT: Thompson

Supervisor Smith asked if this is a grant that the County receives annually. The answer was yes for the first two years. At that point we will need to reevaluate these positions and wait to see if the County receives additional grant funding for this program. Supervisor Smith asked if the School would agree to cover 50% of these costs. Dr. Church said that would be a School Board decision.

2. COPsync Program

COPsync is a threat alert and notification system that immediately notifies law enforcement of a threat/emergency, offers live communication with faculty and emergency responders, provides access to building floor plans, activation of alerts from a computer or mobile device, mapping of building location, and improves law enforcement response time. The Franklin County Sheriff's Office (FCSO) secured a private donation approximately 3 years ago to fund the Cop Sync software purchase and implementation with the Franklin County Public Schools (FCPS). As the Cop Sync private donation did not require County funding, any associated hardware and software costs have not been a part of annual budget requests from the Sheriff's office.

As shared on the attached communication from School Superintendent Dr. Mark Church and Sheriff Overton, the COPsync program contract has expired. The COPsync software name has changed to Campus Safe. As noted in the memo, staff with the FCSO and FCPS have reviewed other software options and determined that Campus Safe is still the best option. As also shared in the

memo, continuing the contract with Campus Safe was the lowest cost option of the alternatives reviewed and detailed in the attached memo. The annual cost would be \$15,000. It is not clear if such annual maintenance funding will have an annual escalation price increase or if there are other terms (i.e. expiration, upgrades, etc.). Funding is not currently identified in the current or next years' Sheriff's Department or School budgets.

The FSCO and FCPS are requesting the Board of Supervisors to approve and appropriate funding of \$15,000 to begin annually funding the COPsync - Campus Safe software program. If approved, a recurring, budgeted line item would need to be identified somewhere within the County's budget to cover any annual ongoing or future upgrade expenses / costs.

Supervisor Smith asked the Superintendent and the Sheriff if any discussion on cost sharing has been spoken about.

Supervisor Cundiff asked if it made sense to table this until July when we know the funding amount that will be provided to the County from the State Revenues.

Supervisor R. Mitchell wants Captain Young and Major Sigmon to compile an amount of people who were killed during school shootings around the country in the first 5 minutes (the amount of time taken for the Sheriff's Department to respond to an incident).

Supervisor Smith noted we will have to plan for this amount of money if we are going to fund this item.

(RESOLUTION #10-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table the item of the COPsync program to wait until July to bring this topic to the Board for discussion.

MOTION BY: Ronald Mitchell
SECONDED BY: Tim Tatum
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

SHERIFF OVERTON

Sheriff Overton presented the following request.

1. Courthouse Security Fees

The Office of the Sheriff, County of Franklin is a full-service law enforcement agency with jail, court security, and law enforcement responsibilities. The Franklin County Sheriff's Office is charged with courthouse and courtroom security at the Franklin County courthouse. The Franklin County Court system has one Circuit court, one General District court, and two Juvenile and Domestic Relations courts. Due to the increase in cases being heard, the second J&D court was opened in 2015. These courts operate Monday through Friday and have seen an increase in cases and business in the courthouse over the last few years.

In 2015, the Franklin County courthouse underwent several renovations; to include limiting access by providing one entry point. This entry point is staffed with Franklin County Sheriff's Office deputies that screen individuals entering the courthouse. This screening is completed through several means to include; staff, metal detectors, handheld wands and other equipment. Bailiffs provide security to the courtroom, judge and citizens as well as transport prisoners to and from the Franklin County jail. The Sheriff's Office utilizes full time and part-time deputies to assist in the security of the courthouse. Part-time deputies are paid an hourly rate.

The Franklin County Sheriff's Office incurs costs to staff and keep the courthouse and courtrooms safe and secure. There are challenges in maintaining staffing of part-time deputies that are Law Enforcement certified. The hourly rate for these part-time deputies is \$15.45 per hour. Similar positions in surrounding jurisdictions have significantly higher pay rates for these positions, making it more appealing to go to those areas for employment. The Franklin County Sheriff's Office has not seen an increase in the part-time salaries line item (2107 51003) for several years. Not only is there an employee cost, but there are equipment costs as well. Metal detectors and the x-ray machine require yearly maintenance and calibrations. There will also be a significant cost when the time comes to replace that equipment at end of life.

The importance and significance of courthouse security is demonstrated under Code of Virginia 53.1-120. The Franklin County code adopted this code in Chapter 1, Section 1-17. - Provision local courthouse security. This code section assesses a ten dollar (\$10) charge as part of the costs in each criminal or traffic case in Franklin County General District, Juvenile and Domestic, or Circuit Courts in which the defendant is convicted. The assessment shall be collected by the clerk of the court, remitted to the treasurer and held by the treasurer subject to appropriation by the governing body to the Sheriff's Office for the funding of courthouse security.

Governor Northam recently signed Senate Bill 149 into law and will go into effect July 1, 2020. This bill allows localities to increase Courthouse and Courtrooms security fees from \$10 to \$20. Increasing the courthouse security fee to \$20 is estimated to add approximately \$50,000 in new revenue to the County budget. Prior to a fee increase, a public hearing is required to amend the current County Code Chapter 1, Section 1-17. - Provision local courthouse security.

The Office of the Sheriff respectfully requests that the Board of Supervisors to schedule a public hearing at the upcoming June 16th meeting to consider amending County Code Chapter 1, Section 1-17 to increase the Courthouse security fee to \$20.00. If Code amendment is approved following such public hearing, the Office of the Sheriff requests such new revenue from the fee increase be designated into the Office of the Sheriff budget for part-time salaries and other expenses in Courthouse/courtroom security to include equipment maintenance and replacement.

(RESOLUTION #11-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to schedule a public hearing at the upcoming June 16th meeting to consider amending County Code Chapter 1, Section 1-17 to increase the Courthouse security fee to \$20.00

MOTION BY: Tim Tatum
SECONDED BY: Ronald Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

CHRISTOPHER WHITLOW, COUNTY ADMINISTRATOR

Christopher Whitlow Presented the following items to the Board.

1. Modified Proposed FY20-21 Budget



**“Modified” Proposed
Franklin County
2020-2021 Budget**

May 19, 2020



Projecting FY 21 During COVID

- Anticipated Declines
 - Real estate collection ratio decline of 97% to 95.7%
 - Personal property reduction of once anticipated new growth
 - Sales tax revenue reduction of 15%
 - Meals tax revenue reduction of 25%
 - Lodging tax revenue reduction of 50%
 - Interest Income reduction of 10%
 - Total Loss of Once Projected Local Revenue Increase (\$2,666,657)
- Any new revenue absorbed by those revenue losses
- Modified Projection Discretionary Revenue \$458K or 0.65%

Revenue projections as of late April 2020 and subject to change due to volatile market conditions

2



Projecting FY 21 During COVID

- Over 50% of the County's budget is funded by State and Federal funds
- Virginia Secretary of Finance projecting \$1 billion loss in revenue in both fiscal year 2021 and 2022
 - State funding reductions are likely coming as with prior recession
 - County & School state revenue budget impact is unknown at this time
- General Assembly to convene Special Session this summer
- Proposed FY 21 Budget presented on March 17 now in "strategic pause" until local and state revenue picture becomes more clear
- "Modified" FY 21 Budget now the course

3



Modified FY 21 Budget

- ❑ Almost all new spending has been subtracted from the FY 2021 budget proposed on March 17
- ❑ Hiring freeze implemented and elimination of all non-essential spending effective March 19
- ❑ Proposed discretionary revenue has dropped from \$3.1 million to \$458K (loss of \$2.6 million)
- ❑ Budget Subtractions
 - ❑ 3% COLA for employees - \$664K
 - ❑ \$900K new funding to Schools
 - ❑ \$200K new County CIP funding and \$200K new School CIP funding
 - ❑ New Positions - \$300K
 - ❑ Additional reductions to operating budgets of approximately \$1 million

4



FY 21 Budget Cuts Summary

- ❑ Pre-COVID Budget Requests Cuts **-\$3.4 million**
 - ❑ \$2.2 million operational requests
 - ❑ \$1.2 million capital requests
 - ❑ Post-COVID Budget Reductions **-\$3 million**
 - ❑ \$2.6 million operational & capital reductions
 - Additional Positions, Capital, Schools, COLA, etc.
 - ❑ \$400,000 additional line item reductions
 - Maintenance, Service Contracts, Utilities, Supplies, Travel, Training, Marketing, Professional Services, etc.
- TOTAL -\$6.4 million**

5



Modified Local Funding FY 20-21 - FCPS



- Level Funding Operations \$32,390,187
- Level funding Capital \$1,220,000
 - \$880,000 Capital
 - \$340,000 Bus Replacement
- Special Education (CSA Private Day) \$428,914

6



Modified FY 21 Budget

- Maintenance Strategic Pause Budget with No Tax Rate adjustments
- Absorbs significant revenue losses of approximately \$2.7 million
- Essentially all new spending has been subtracted from the FY 2021 budget.
- Proposed “modified” \$145,953,329 FY 20-21 Budget

7



Additional FY 21 Budget Possibilities

- ❑ General Assembly will reconvene this summer to address revised Commonwealth of Virginia budget projections
- ❑ Adopted Budgets are Fluid and can be Amended as needed
 - ❑ FY 21 Budget once adopted will be continually re-assessed
 - ❑ Improving revenue picture late summer, fall or winter could allow flexibility to add back funding for prior budget initiatives
 - ❑ Declining revenue picture would require further budget reductions
 - ❑ Significant revenue decline would necessitate core service discussions and associated operation level reductions and / or service eliminations

8



FY 21 Discretionary Limitations

Description	Proposed FY 2021 Budget
Total General Fund Modified Budget	\$92,313,982
Less:	
Personnel	(24,719,801)
Transfers to Other Funds	(43,654,534)
VRS and Health Insurance Increase	(457,073)
Public Safety Department Non-Personnel	(2,142,881)
Sheriff's Office Non-Personnel	(1,020,378)
WVRJ and Juvenile Detention	(2,966,931)
Social Services Programs	(2,915,636)
Children's Services Act	(6,322,961)
WWWA Debt Service	(672,816)
Contributions to Other Organizations/Membership Dues	(1,053,729)
Property and Liability Insurance	(566,813)
Reassessment Reserve	(130,000)
Remaining Discretionary Budget	\$5,690,429



Modified FY 21 Budget Next Steps

- ❑ Budget & Tax Rate Public Hearings (May 26th)
- ❑ Adopt School Budget – (tentative May 26th)
- ❑ Budget Adoption (tentative June 2nd)
- ❑ Summer & Quarterly Reviews

10



Appreciation to County Staff for Assistance in the
Development of This Budget

11

Following the presentation Mr. Whitlow ensured this budget will be addressed again at a later meeting.

Mr. Whitlow reminded the Board of the upcoming May 26th Budget Public Hearings and addressed a Citizen's petition on the Glade Hill Land Company and readdressing this Special Use Permit. After brief discussion Supervisor Cundiff's opinion is to take no action on this item.

OTHER MATTERS BY SUPERVISORS

Supervisor Smith would like to ask the Board if they would like to host a work session with our local farmers and agricultural entities (consulting with Supervisor Tatum is also needed as he had some great ideas of who to invite) and address their difficulties maybe sometimes in this summer. *A consensus of agreement was reached to host this meeting*

Supervisor Mitchell asked if a skid-unit can be purchased July 1, 2020 if the Budget is approved. This was answered in the affirmative.

(RESOLUTION #12-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to take \$50,000 out of the contingency fund and give each of the volunteer fire stations in Franklin County \$5,000 to help them recover from the COVID-19 crisis they have experienced.

MOTION BY: Ronald Mitchell
SECONDED BY: Lorie Smith
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

Motion withdrawn.

Chairman Mitchell recessed the meeting for dinner.

Chairman Mitchell called the meeting back to order.

1. The Franklin County Board of Supervisors will hold a public hearing to consider proposed amendment to **(Chapter 20: Article I, Section 20-4 – Procedure for refund of taxes erroneously paid and Article VI – Bank Franchise Tax, Sections 20-111, 20-112, 20-113, 20-115).**

*Public Hearing was opened
No public comment was received
Public Hearing was closed*

(RESOLUTION #13-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table the above item to a later date.

MOTION BY: Lorie Smith
SECONDED BY: Tim Tatum
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

Mr. Carter, Director of Finance explained the County received a memorandum from the State Department of Taxation dated February 27, 2020. The memorandum included a copy of a letter from the State Tax Commissioner, Craig Burns, dated October 1, 2019. The memo and letter are attached. Essentially, the memo and letter alerted County staff that Branch Banking & Trust Company (BB&T) filed for a refund of the bank franchise taxes assessed and paid in tax years 2012, 2013, and 2014. Mr. Burns approved a modified refund amount and directed the State portion of the refund to be remitted to BB&T. The letter also directed the localities in which BB&T has a branch to issue refunds, plus interest. While the County bank franchise tax is a local tax, there was some concern as to the authority of Mr. Burns to require a refund. However, the County does not have a tax refund process in County Code to justify withholding payment, and a small notification was placed in BB&T's 2015 tax filing that an appeal had been filed for the 2012-2014 tax years with the State. A public hearing will be held this evening to address the shortfalls in the County Code. BB&T is willing to forego the interest and is only requesting the actual taxes paid be refunded. At this time, staff, and the County Attorney, believe payment is due to BB&T in the amount of \$58,295 as calculated by the Department of Taxation for the County's portion of a refund of bank franchise taxes to BB&T for tax years 2012, 2013, and 2014.

(RESOLUTION #14-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the bank franchise tax refund to BB&T in the amount of \$58,295 for tax years 2012, 2013, and 2014.

MOTION BY: Tommy Cundiff
SECONDED BY: Tim Tatum
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

Roll call vote was taken

2. **PETITION to AMEND FRANKLIN COUNTY CODE – The Franklin County Board of Supervisors** proposal to amend Section 5.5, Community Development, of the Franklin County Code, by adding Article IV, Short Term Rentals, 5.5-70 entitled, Short Term Rental Registry. This amendment shall require all operators of short-term rentals of a dwelling in the Franklin County to register the use of such property annually with the County and pay an annual registration fee of \$200 by July 1st each year. The failure of a property owner to register annually and pay the required annual fee are subject to a fine of \$500. Section 5.5-72 entitled, Short Term Rentals, also provides uniform regulations governing short-term rentals including limits on occupancy levels, safety provisions, parking and noise standards.

Mr. Sandy, Director of Planning and Community Develop gave the below presentation.

CASE # A-05-20-001

PETITION to AMEND FRANKLIN COUNTY CODE – The Franklin County Board of Supervisors proposal to amend Section 5.5, Community Development, of the Franklin County Code, by adding Article IV, Short Term Rentals, 5.5-70 entitled, Short Term Rental Registry. This amendment shall require all operators of short-term rentals of a dwelling in the Franklin County to register the use of such property annually with the County and pay an annual registration fee of \$200 by July 1st each year. The failure of a property owner to register annually and pay the required annual fee are subject to a fine of \$500. Section 5.5-72 entitled, Short Term Rentals, also provides uniform regulations governing short-term rentals including limits on occupancy levels, safety provisions, parking and noise standards.

SHORT TERM RENTAL REGISTRY

Staff has created a draft county code amendment to create a countywide short-term rental registry. The new registry requirement is proposed to be added to Chapter 5.5, Community Development, of the Franklin County Code.



This registry will require providers to register annually and pay an annual registration fee. This registration fee will be used to offset costs of hiring a 3rd party to assist the County in monitoring, compliance, enforcement and providing electronic platform for registry and fee collection.



This registry allows for a \$500 fine for providers who fail to register their short-term rental.

SAFETY OF SHORT-TERM RENTALS

- Staff currently recommends that the current smoke detector and fire extinguisher requirements be enhanced to require a smoke detector in each sleeping area and require a specific fire extinguisher be mounted on the wall as well as providing an evacuation plan in the dwelling.
- Staff would recommend that an annual inspection be performed on each short-term rental on an annual basis by a representative of the county Public Safety or local fire department. This inspection can also ensure each listed bedroom has required smoke detector and egress.
- There is a possibility to adopt the property maintenance provisions of VA Uniform Statewide Building Code (USBC) however, this has additional implications with structures and property throughout the county as well as staffing concerns.



STAFF RECOMMENDATION

Planning staff respectfully requests that the Board of Supervisors approve the amendments to Chapter 5.5 creating short term rental registry and safety regulations.

*Public Hearing was opened
No public comment was received
Public Hearing was closed*

ORDINANCE # 15-05-2020

PETITION TO AMEND FRANKLIN COUNTY CODE – THE FRANKLIN COUNTY BOARD OF SUPERVISORS PROPOSAL TO AMEND SECTION 5.5, COMMUNITY DEVELOPMENT, OF THE FRANKLIN COUNTY CODE, BY ADDING ARTICLE IV, SHORT TERM RENTALS, 5.5-70 ENTITLED, SHORT TERM RENTAL REGISTRY. THIS AMENDMENT SHALL REQUIRE ALL OPERATORS OF SHORT-TERM RENTALS OF A DWELLING IN THE FRANKLIN COUNTY TO REGISTER THE USE OF SUCH PROPERTY ANNUALLY WITH THE COUNTY AND PAY AN ANNUAL REGISTRATION FEE OF \$200 BY JULY 1ST EACH YEAR. THE FAILURE OF A PROPERTY OWNER TO REGISTER ANNUALLY AND PAY THE REQUIRED ANNUAL FEE ARE SUBJECT TO A FINE OF \$500. SECTION 5.5-72 ENTITLED, SHORT TERM RENTALS, ALSO PROVIDES UNIFORM REGULATIONS GOVERNING

SHORT-TERM RENTALS INCLUDING LIMITS ON OCCUPANCY LEVELS, SAFETY PROVISIONS, PARKING AND NOISE STANDARDS.

WHEREAS, the Franklin County Board of Supervisors did propose to amend Section 5.5 of the County Code by adding Sections 5.5-70 and 5.5-72 pertaining to short term rental registry and uniform regulations, and

WHEREAS, after due legal notice as required by Section 15.5-2204-2205 of the Code of Virginia of 1950, as amended, the Board of Supervisors did hold a public hearing on May 19, 2020 at which time all parties in interest were given an opportunity to be heard, and

WHEREAS, after holding a public hearing, the Board of Supervisors has APPROVED of this amendment to the County Code after finding that public necessity, health, safety, convenience, and general welfare would be achieved by this amendment as follows:

Chapter 5.5 - Community Development

Article IV– SHORT TERM RENTALS

Sec. 5.5-70. Short-Term Rental Registry.

Operator. The proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

Short-term rental. The provisions of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

- a) **This division shall establish a Short-Term Rental Registry and require operators within Franklin County to register their rental annually. The registration shall require the operator to complete a Short-Term Rental Application through electronic means or on forms provided by Franklin County that entails the following:**
 1. **Provide the name of the operator for the address**
 2. **Provide the property owner name and physical address(es) of the property being rented.**
 3. **The initial registration is due on or before July 1, 2020. Renew registration on or before July 1st of each calendar year thereafter.**
 4. **Provide registration fee annually of \$200.00 on or before July 1st each year.**
- b) **To qualify as exempt from registering under this ordinance, an operator must be:**
 1. **Licensed by the Real Estate Board or be a property owner who is represented by a real estate licensee;**
 2. **Registered pursuant to the Virginia Real Estate Time-Share Act (§ 55-360 et seq.);**
 3. **Licensed or registered with the Department of Health, related to the provision of room or space for lodging; or**
 4. **Licensed or registered with Franklin County, related to the rental or management of real property.**
- c) **Operator shall present evidence of such other licensing or registration to the Office of Planning and Community Development to qualify for exemption.**
- d) **Should such registration or licensing cease, the operator shall forthwith submit an application and register on the County's Short-Term Rental Registry.**

- e) If an operator who is required to register under this ordinance fails to do so while offering such lodging for rent, or rents such lodging:
1. S/he shall be subject to a fine of \$500 per violation; or
 2. S/he shall be prohibited from continuing to offer any property for short-term rental, unless and until the operator pays the fine(s) and registers subject property.
- f) Upon multiple violations on more than three occasions of applicable state and local laws, ordinances, and regulations, as they relate to the short-term rental on a specific property, an operator may be prohibited from registering and offering that property for a period of two (2) years.
- g) The requirements of this division do not supersede the requirements found in Chapter 25, Zoning or other requirements of the Franklin County Code or Code of Virginia, as amended. State Law reference — Enabling legislation, Code of Virginia, § 15.2-983.

Sec. 5.5-72. Short Term Rentals

The following general regulations apply to all short-term tourist rental of residential dwellings:

- (a) The use of the dwelling unit for short-term rentals shall be primarily for residential purposes related to tourism or vacationing.
- (b) There shall be no change in the outside appearance of the dwelling or premises, or other visible evidence of the conduct of such short-term rentals.
- (c) There shall be no more than two (2) adults per bedroom occupying the dwelling at any one time. An adult, for the purpose of this regulation, is any person over the age of three (3). The number of bedrooms in dwellings relying upon septic tanks and drainfields for sewage disposal shall be determined by reference to health department permits specifying the number of bedrooms for which the supporting system was designed. A notice shall be clearly posted in the dwelling indicating approved occupancy of the dwelling.
- (d) All vehicles of tenants shall be parked in driveways or parking areas designed and built to be parking areas. In the case of multifamily dwellings, all vehicles must be parked in spaces specifically reserved for the dwelling unit being rented.
- (e) All boats of tenants shall be parked on the lot on which the dwelling is located. In the case of multifamily dwellings boats must be parked in areas specifically reserved for the dwelling unit being rented.
- (f) Noise generated off the lot or off the premises shall be in no greater volume or pitch than normally expected in a residential neighborhood.
- (g) A type 2A-10BC fire extinguisher shall be mounted on the wall in common area or kitchen on each floor in the dwelling. Smoke detectors must be installed and functioning properly in every living area and bedroom within the dwelling. Each bedroom shall comply with building code requirements for egress. An evacuation plan shall be provided in the home and clearly visible to renters.
- (h) The owner of a dwelling used for short term rental shall give the county written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards. An annual inspection shall be performed by the County.

WHEREAS, the Board of Supervisors in adopting this ordinance expressly adopts, ratifies, and affirms the action stated above.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Franklin County, Virginia, that it hereby APPROVES to amend Section 5.5 of the County Code by adding Sections 5.5-70 and 5.5-72 pertaining to short term rental registry and uniform regulations, and

BE IT FURTHER ORDAINED, that a copy of this ordinance be transmitted to the Zoning Administrator to reflect this change in the official zoning records of Franklin County and to the Commissioner of Revenue to reflect this change in the real estate records of Franklin County.

This ordinance shall take effect upon adoption.

ADOPTED, on the motion of Lorie Smith and seconded by Ronald Mitchell upon the following recorded vote.

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum

ABSENT: Thompson

Roll call vote was taken

- 3. APPLICATION for SPECIAL USE PERMIT-** Application of John Mathena, Applicant, and South Lake Motor Sports, LLC, Owners, requesting to amend condition #4 attached to an existing Special Use Permit that was granted by the Board of Supervisors on January 15, 2019. Specifically the applicant is requesting to (1) substitute a single welded wire fence for the approved split rail fence with wire mesh, and (2) to substitute Eastern Red Cedar trees with a height of two (2) feet to four (4) feet, for the previously approved six (6) foot tall Green Giant Arborvitae. The Eastern Red Cedar's would be planted in a single row twenty (20) feet on center along the property boundaries that already have existing mature vegetation. Eastern Red Cedars with a height of three (3) feet to five (5) feet would be planted in a staggered double row twenty (20) feet on center along the north/northwest property lines adjacent to Hampton Drive. The property is approximately 14.25 acres, currently zoned A-1, Agricultural, and B-2, General Business, and located at 2000 Old Salem School Road in the Union Hall District of Franklin County and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0520010302. The property has a future land use designation of Low Density Residential.

Mr. Sandy, Director of Planning and Community Development presented the below:

CASE # 02-20-16531

APPLICATION for SPECIAL USE PERMIT- Application of John Mathena, Applicant, and South Lake Motor Sports, LLC, Owners, requesting to amend condition #4 attached to an existing Special Use Permit that was granted by the Board of Supervisors on January 15, 2019. Specifically the applicant is requesting to (1) substitute a single welded wire fence for the approved split rail fence with wire mesh, and (2) to substitute Eastern Red Cedar trees with a height of two (2) feet to four (4) feet, for the previously approved six (6) foot tall Green Giant Arborvitae. The Eastern Red Cedar's would be planted in a single row twenty (20) feet on center along the property boundaries that already have existing mature vegetation. Eastern Red Cedars with a height of three (3) feet to five (5) feet would be planted in a staggered double row twenty (20) feet on center along the north/northwest property lines adjacent to Hampton Drive.

On February 19, 2019, the Board of Supervisors approved a special use permit request of Southlake Motorsports LLC to allow for a RV campground and tourist and resort facilities development on an approximate 14.25 acre parcel currently zoned A-1 Agriculture.



The approval of the SUP was subject to the compliance with twelve (12) conditions contained in Resolution 04-02-2019.

BACKGROUND

BACKGROUND



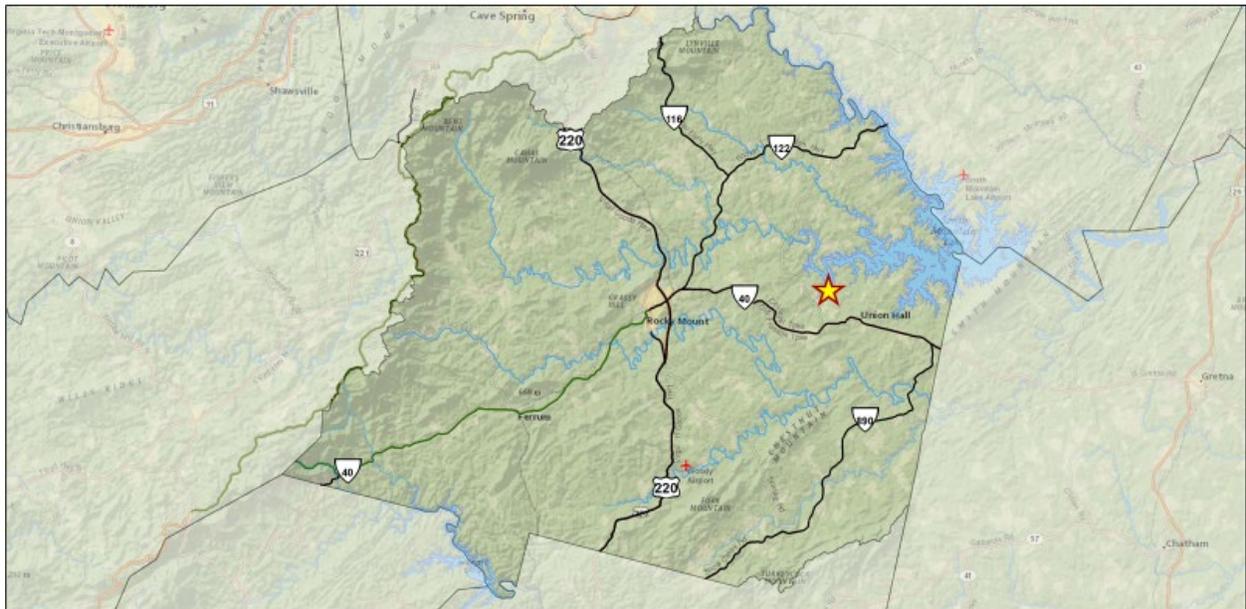
These conditions were attached by the Commission and Board of Supervisors to attempt to mitigate any negative impacts and address concerns raised by adjoining property owners during the public hearing process.



The applicant has requested a modification of the SUP conditions as they relate to the required evergreen buffer and the required split rail fence with wire mesh.



The reason for the requested change is cost and availability of the trees and the cost of the split rail fence.



Subject Property Location

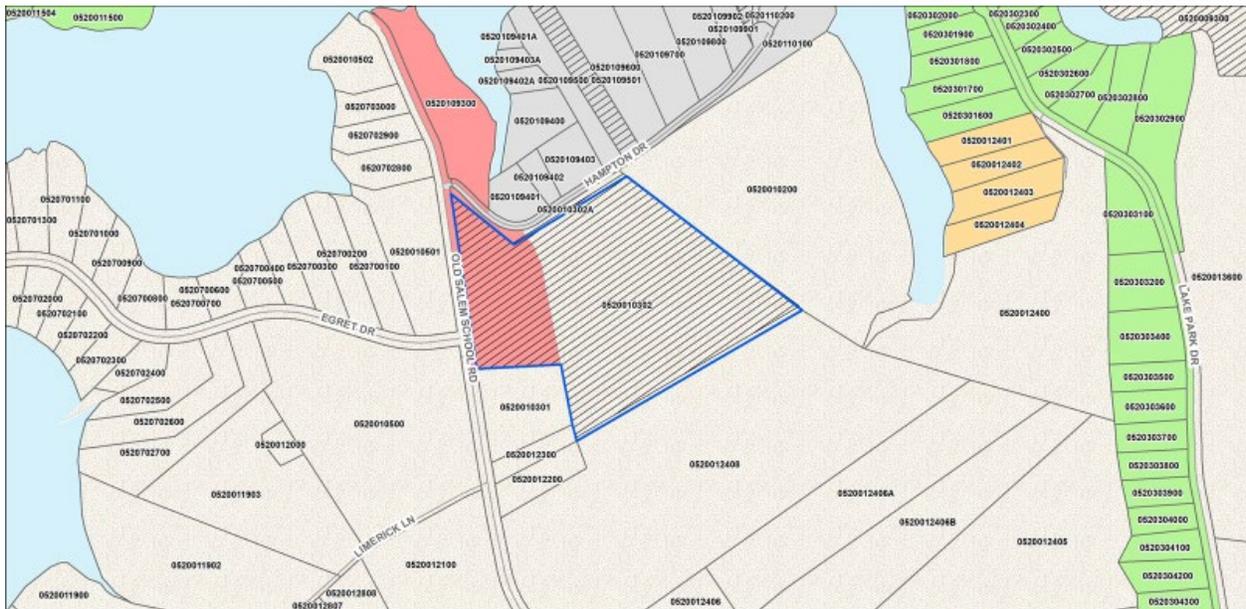


Tax Map # 0520010302
SPEC-02-20-16531
John Mathena



Franklin Co GIS
Date: 3/16/2020

The data herein provided herein was compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein are intended to be accurate but are provided for reference purposes only. These data may vary from actual conditions on the ground. No guarantee, expressed or implied, is made regarding the accuracy, currency, reliability, completeness, or validity. These data are provided for informational purposes only. Franklin County is not responsible for any errors or omissions.



- Parcel
- Special Use Permit
- Zoning Classifications**
- R1 - Residential Suburban Subdivision
- R2 - Residential Suburban Subdivision
- R2C1 - Residential Combined Subdivision
- A1 - Agricultural
- UW - Under Water
- B2 - Limited Business District

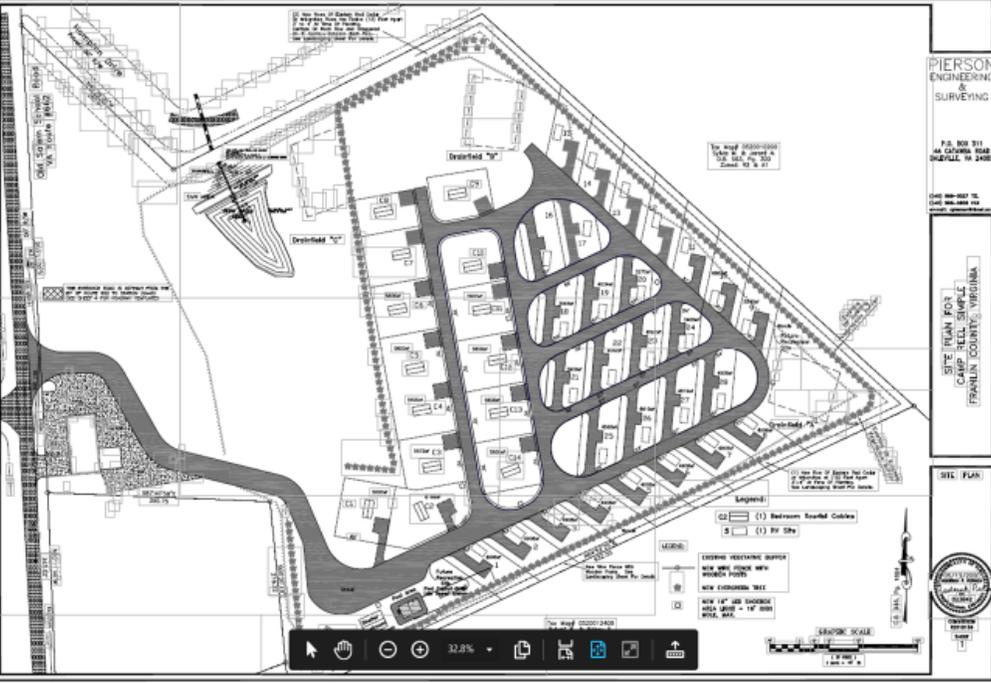


Tax Map # 0520010302
SPEC-02-20-16531
John Mathena



Franklin Co GIS
Date: 3/16/2020

The data herein provided herein was compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein are intended to be accurate but are provided for reference purposes only. These data may vary from actual conditions on the ground. No guarantee, expressed or implied, is made regarding the accuracy, currency, reliability, completeness, or validity. These data are provided for informational purposes only. Franklin County is not responsible for any errors or omissions.



GENERAL NOTES

1. The contractor shall be responsible for all utility locates prior to any excavation or construction.
2. The contractor shall be responsible for all utility locates prior to any excavation or construction.
3. The contractor shall be responsible for all utility locates prior to any excavation or construction.
4. The contractor shall be responsible for all utility locates prior to any excavation or construction.

SOIL PREPARATION (COMPOUND)

1. The contractor shall be responsible for all utility locates prior to any excavation or construction.
2. The contractor shall be responsible for all utility locates prior to any excavation or construction.
3. The contractor shall be responsible for all utility locates prior to any excavation or construction.
4. The contractor shall be responsible for all utility locates prior to any excavation or construction.

ASTORON PLANTS

1. The contractor shall be responsible for all utility locates prior to any excavation or construction.
2. The contractor shall be responsible for all utility locates prior to any excavation or construction.
3. The contractor shall be responsible for all utility locates prior to any excavation or construction.
4. The contractor shall be responsible for all utility locates prior to any excavation or construction.

Fence Detail
N.T.S.

Arboretum Tree Or Eastern Red Cedar
Minimum Height of 3' to 4' at Time of Planting

Double Row Evergreen Buffer Layout Detail
N.T.S.

LANDSCAPE MATERIALS

Item	Description	Quantity
1
2

PIERSON ENGINEERING & SURVEYING

1000 Main Street, S.E.
1000 Main Street, S.E.
1000 Main Street, S.E.

SITE PLAN FOR
CAMP REEL SIMPLE
FRANKLIN COUNTY, VIRGINIA

LANDSCAPE DETAILS & NOTES AND LIGHTING DETAILS



Attachment A – February 7, 2019

South Lake Motor Sports, LLC SUP - Proposed fencing type described in condition #4



PROPOSED FENCING

STAFF ANALYSIS

- The main change resulting from the change in the SUP conditions is that the landscape buffer would be less effective for the first 3-4 years of the RV parks operation.
- As the buffer vegetation matured, the screening differences between the Arborvitae species and Eastern Red Cedar species would become less pronounced.
- Forty-two (42) residents of the surrounding neighborhood have submitted a petition opposing the modification of the approved SUP conditions.

RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission finds that the modification of the perimeter evergreen buffer and fencing conditions adopted as condition #4 on Resolution 04-02-2019 to be consistent with the purpose and intent of the Comprehensive Plan and good zoning practice and will not be of substantial detriment to the community. Therefore, they recommend approval of the SUP request, by a vote of 5-1-1-0, with condition #4 as follows:

4) A wire fence with wooden posts similar to that depicted in Attachment A shall be installed along the common property line with tax parcels 0520012408 and 0520010200. The fence shall be extended from the property corner with tax parcel 0520010200 to the boundary line along Hampton Drive and then extended for 100 linear feet along the boundary of Hampton Drive. The fencing and entire boundary line along Hampton Drive shall include signs stating "No Trespassing (or No Campers) Beyond This Point" and shall be placed along the fencing every fifty (50) linear feet. An existing vegetative buffer consisting of a minimum width of twenty (20) feet shall be maintained around the entire perimeter of the parcel (except for roads, utility easements, etc).

In addition to the existing vegetation, a new evergreen buffer shall be established along the perimeter of the campground area to provide a visual buffer from adjoining properties. The established buffer shall consist of Green Giant Arborvitae or Eastern Red Cedar trees with a minimum height of 3- 4 feet at the time of planting. This evergreen buffer shall consist of a single row of trees spaced 10 feet apart except along Hampton Drive. Along Hampton Drive, the evergreen buffer shall consist of a double row of trees to the drain field area, and then a single row shall go perpendicular to Hampton Drive behind the cabins. The vegetative buffer shall be maintained by the property owner for the entire period that the use approved by this special use permit is conducted. This buffer and fencing shall be in place prior to the campground opening. A new site plan confirming the vegetative buffer and fencing, along with a photo of the proposed fencing, shall be provided.

COMMISSION RECOMMENDATION

- Modifies fencing from split rail with wire to wire fence with wood posts.
- Allows option of Eastern Red Cedars in addition to Green Giant Arborvitae.
- Reduces required height of trees at time of planting from 6' to 3-4'.
- Reduces double row buffer requirement along northern and eastern property lines to a single row.
- Modifies buffer requirement along Hampton Drive to maintain double row along Hampton Drive and add single row along perimeter of cabins.

Public Hearing was opened

Mr. Russell Seneff spoke to the Board and voiced his support of this project because people who visit Franklin County need to have a place to stay.

The following was submitted electronically:

Wendy Ralph-

Re: Public Hearing — Camp Reel Simple SUP Amendment

I request that the Letter of Opposition to the Campground SUP amendment, dated 4/1/2020, be read aloud and the accompanying pictures shown during Public comment at the public hearing to be held May 19, 2020. I also request that the document be made part of the public record and entered into the minutes for the meeting. Thank you.

TO: Members of the Franklin County Planning Commission

DATE: April 1, 2020

SUBJECT: REQUEST FOR AMENDMENT TO CONDITIONS FOR SUP FOR CAMP REEL SIMPLE

This letter is to express our **opposition** to the request to amend the approved conditions for the Special Use Permit for Camp Reel Simple. We would like to point out that the application to amend the conditions submitted by the applicant shows that the zoning on the 14.25 acre parcel where the Campground is to be located includes R-2 zoned property. That is incorrect—there is no R-2 zoning on that parcel of land and the application should be corrected to reflect that.

First of all, we are very disturbed about the timing of this request for amending the SUP. The applicant has known about the conditions since they were adopted by the Board in February of 2019. Yet, they have waited a year to express any concern about a hardship with compliance. It was not and never has been our intent to create a financial hardship for the applicant. We had valid, well researched reasons for the conditions that we fought so hard to have adopted and those reasons have not changed.

Special Use Permits are discretionary legislative actions authorized by the Code of Virginia. Conditions can be attached to a special use permit to mitigate against the impact of the proposed SUP on the surrounding property so that it is **no more intrusive than a use of right**. Therefore, the FC Zoning Code requires a special use permit for campgrounds to mitigate the impact on surrounding property. It is not a use allowed by right. The Special Use Permit was approved based on these conditions and by amending them, you negate the basis for the approval of the Campground. Not to mention the trust of the citizens who have relied on these conditions to insure that their property and their way of life would not be adversely impacted by the operation of the Campground.

We would now like to address each item included in the proposed amendments and why we strongly **oppose** their approval.

A. Substitution of 2 foot to 4 foot Eastern Red Cedar for 6 foot Arborvitae

The condition concerning the Arborvitae trees as approved by the Board on February 19, 2019 reads as follows. *"In addition to the existing vegetation, a NEW evergreen buffer shall be established along the perimeter of the CAMPGROUND area to provide a VISUAL buffer from ADJOINING PROPERTIES. The established buffer shall consist of Green Giant, or equivalent, Arborvitae trees with a minimum height of six (6) feet AT TIME OF PLANTING. This evergreen buffer shall consist of two staggered rows of trees planted twelve (12) feet on center with the rows planted eight (8) feet apart. The vegetative buffer shall be maintained by the property owner for the entire period that the use approved by this special permit is conducted. This buffer and fencing shall be in place PRIOR TO THE CAMPGROUND OPENING."* In fact, the motion recommending approval by the Planning Commission on January 8, 2019 included the same two staggered rows of Arborvitae trees. The applicant would have had sufficient time before the case went to the Board of Supervisors to determine the cost of the trees; however, no objection was raised at that time.

We do not feel the Eastern Red Cedar is an "equivalent substitution" or would qualify as an "adequate visual buffer" as required in the conditions because:

- The ERC is a SLOW GROWING tree and a 2 foot tree would take 5 years to even reach 4 feet in height (stated by Nursery Owner/Landscape Designer). This would not provide an adequate

visual buffer as required by the SUP. Therefore, it doesn't matter what the industry standard size is (as stated by the applicant) of 2' to 4' at time of planting.

- The Landscape Designer also stated the Green Giant arborvitae should be as available as the ERC in this area.
- The ERC is native to the area and can be found in most woods, open fields, and roadside areas. It is described as invasive, and therefore, needs to be properly managed.
- The ERC does not provide denseness all the way to the bottom of the tree. There is a question as to how much of the trunk will show versus the green branches. (Stated by a Horticulturist and Landscape Designer). The bark is reddish brown and, fibrous, and peels off in narrow strips. As it ages it loses its lower branches and becomes more tree-like. Again, this does not make it an adequate visual buffer.
- The applicant has not presented any supporting information or provided any proof that the Eastern Red Cedar would be an adequate substitute for the 6 foot Green Giant Arborvitae.

B. Reducing the Trees Along the Areas That Have an "Existing Mature Vegetative Buffer"

The approved condition concerning the existing buffer as approved by the Board on February 19, 2019 reads as follows: "An existing vegetative buffer consisting of a minimum width of twenty (20) feet shall be maintained around the entire perimeter of the PARCEL." (We understand that to mean no existing trees within that 20 feet are to be removed).

- The applicant submitted a copy of the site plan for the campground with hand drawn notations showing the area where the new evergreen buffer would be reduced. A significant number of new evergreen trees have been covered with an "X", meaning they would not be planted. The handwritten note calls for "2 foot to 4 foot Eastern Red Cedar to be planted in a single row 20 foot on center along property boundaries that already have an "existing mature vegetated buffer". This is a substantial reduction in the size and number of trees. This would completely eliminate a VISUAL BUFFER at time of planting and for many years to come, if ever.
- We believe there is very little area surrounding the campground parcel that would qualify as "existing mature vegetative buffer". It is mostly scrubby pine and would not provide the evergreen visual buffer as required in the SUP. Refer to Exhibit A (Hampton Drive), Exhibit B (Ball property) and Exhibit C (Armstrong property) which show pictures of the "existing vegetative buffer". Exhibit A picture is the view from Hampton Drive near the intersection of Old Salem School Rd (Rt.662). From that vantage point, any existing vegetative buffer would be well below the line of sight and provide no visual buffer for Hampton Drive. Exhibit B was taken from the Ball's property line which adjoins the Campground parcel to the South. And it makes up a significant portion of the area where the applicant is proposing to reduce the number of new evergreen buffer trees. It shows the property line identified by the pink flagging tape which clearly proves there is no "existing mature vegetative buffer" on the campground parcel (where school buses are located). Exhibits B2 and B3 show the same property line adjacent to the Ball property. The boats shown are on the campground property, again showing there is no "existing mature vegetative buffer". Exhibits C1 and C2 provide a view of the campground parcel, this time, from the Armstrong property which also adjoins the campground to the East. Assuming the property line is close to the clearing, again there is no "existing mature vegetative buffer" on the campground parcel alone.
- Where a "mature vegetative buffer" may exist, a good portion is on land owned by one or more of these adjacent property owners and, therefore, would not be available or qualify for use as an existing buffer by the applicant. This is especially true if the adjacent property owner wanted to remove their trees for any reason.

LETTER IN OPPOSITION (Cont'd)

REQUEST FOR AMENDMENT TO CONDITIONS FOR SUP FOR CAMP REEL SIMPLE

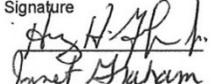
Printed Name	Signature	Address
<u>Roger Pevduc</u>	<u>Roger Pevduc</u>	<u>335 Hampton Dr. Union Hall, Va 24176</u>
<u>Wendy Ralph</u>	<u>Wendy Ralph</u>	<u>265 Hampton Dr. Union Hall, Va 24176</u>
<u>Kendrick W. Ralph Jr</u>	<u>KWR</u>	<u>265 Hampton Dr. Union Hall, VA 24176</u>
<u>Byrd W. Long</u>	<u>Byrd W. Long</u>	<u>2055 Old Salem School Rd. Union Hall, VA 24176</u>
<u>Kim Long</u>	<u>Kim Long</u>	<u>2055 Old Salem School Rd Union Hall, VA 24176</u>
<u>Cathy McDonald</u>	<u>Cathy McDonald</u>	<u>2153 Old Salem School Rd Union Hall VA 24176</u>
<u>Robert McDonald</u>	<u>Robert McDonald</u>	<u>2153 Old Salem School Rd Union Hall VA 24176</u>

LETTER IN OPPOSITION (Cont'd)

REQUEST FOR AMENDMENT TO CONDITIONS FOR SUP FOR CAMP REEL SIMPLE

Printed Name	Signature	Address
<u>William C. Pace</u>	<u>William C. Pace</u>	<u>85 Hampton Dr Union Hall VA 24176</u>
<u>Patty Pace</u>	<u>Patty Pace</u>	<u>" " " " " "</u>

LETTER IN OPPOSITION (Cont'd)
 REQUEST FOR AMENDMENT TO CONDITIONS FOR SUP FOR CAMP REEL SIMPLE

Printed Name	Signature	Address
<u>Henry H. Graham Jr</u>		<u>2199 OLD Salem School Rd, Union Hall, VA 24</u>
<u>Janet Graham</u>		<u>2199 OLD Salem School Rd, Union Hall, VA 24</u>

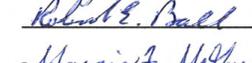
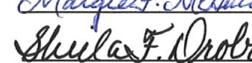
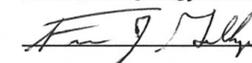
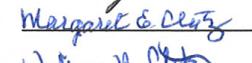
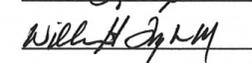
C. Substitute of Welded Wire Fence for Split Rail Fence

The approved condition concerning the split rail fence as approved by the Board on February 19, 2019 reads as follows: "A split-rail (2 rail) fence with wire mesh similar to that depicted in Attachment A dated February 7, 2019 shall be installed along the common property line with tax parcels 0520012408 and 0520010200....." Let us begin by clarifying that the applicant offered the Split Rail Fence with the wire mesh similar to that depicted in Attachment A, dated February 7, 2019—that did not come from the neighbors. The whole purpose of the fence and the specific parameters of the fence was to provide a barrier between the campground and the adjacent properties to prevent trespassing and provide security for the adjacent residents.

There is no description of what will be used to replace the split-rail fence. There are no pictures to show what the proposed fence will look like. What type of structure will be used to attach the welded wire together? How can we be assured it will be an attractive structure of substantial quality and strength to prevent trespassing and provide the security that was promised to the adjacent property owners when the Special Use Permit for the Campground was approved?

Once again, we as citizens, have in good faith relied on the action of the Planning Commission and Board of Supervisors to put in place the necessary framework to protect our investment in our properties as well as our peaceful way of life. The legislative process should not allow the applicant to gain approval based on certain conditions, and then be able to arbitrarily revise those conditions based exclusively on a request—a request that, at best, does not provide the information to perform a comprehensive review. Please prove to us that we can rely on the action taken by our governing bodies by **denying** this request for amendment to the conditions which provided the basis for the approval of the Special Use Permit for Camp Reel Simple.

Respectfully,

Printed Name	Signature	Address
<u>Nancy S. Ball</u>		<u>1812 OLD SALEM SCHOOL ROAD</u>
<u>ROBERT E. BALL</u>		<u>1812 OLD SALEM SCHOOL RD.</u>
<u>Margie F. McGuire</u>		<u>195 Hampton Dr, Union Hall, Va. 24176</u>
<u>Sheila F. Drobot</u>		<u>235 Hampton Dr, Union Hall, Va. 24176</u>
<u>Francis J. Golligorsky</u>		<u>235 Hampton Dr, Union Hall, VA 24167</u>
<u>MARGARET E. CLUTZ</u>		<u>2143 OLD SALEM SCHOOL, UNION HALL, VA 24176</u>
<u>WILLIAM H. CLUTZ</u>		<u>2143 OLD SALEM SCHOOL, UNION HALL, VA 24176</u>
<u>Gale Taylor</u>		<u>275 Hampton Dr, Union Hall, VA 24176</u>
<u>William H Taylor III</u>		<u>275 Hampton Dr, Union Hall, VA 24176</u>

Printed Name	Signature	Address
Linda Firebaugh	Linda Firebaugh	70 Egret Dr. Union Hall
PATSY BEOWN	Patsy Beown	185 Egret Dr. Union Hall
Linda Threlkel	Linda Threlkel	185 Egret Dr. Union Hall
DM Threlkel	DM THRELKEL	185 EGRET DR. UNION HALL
_____	_____	_____
_____	_____	_____
Di Jarrard	Di Jarrard	259 Egret DR. Union Hall VA
William Timmins	William Timmins	130 Egret Dr. Union Hall VA.
Susan Timmins	Susan Timmins	130 EGRET DR. UNION HALL, VA

Printed Name	Signature	Address
SCOTT HILLYARD	_____	285 EGRET DRIVE, UNION HALL
BRENDA C. HILLYARD	Brenda C. Hillyard	285 EGRET DRIVE, UNION HALL
Dennis Massengill	Dennis Massengill	190 Egret Dr. Union Hall, VA
Donna Massengill	Donna Massengill	190 Egret Dr. Union Hall, VA
Colton Massengill	Colton Massengill	190 Egret Dr Union Hall, VA

Printed Name	Signature	Address
Kelly Kuykenell	_____	225 Egret Drive Union Hall VA
Stephanie Alphin	Stephanie Alphin	270 Egret Drive
Robert Alphin	Robert Alphin	11

Printed Name	Signature	Address
John Veith	John Veith	Lot 27, Egret Drive
Janet Veith	Janet Veith	Lot 27, Egret Drive

Printed Name	Signature	Address
Michael Lemnios	Michael Lemnios	343 Egret Dr
Christine Lemnios	Christine Lemnios	343 Egret Drive

Printed Name	Signature	Address
Melissa Boer	Melissa Boer	318 Egret Dr. Union Hall, VA 24176

Printed Name	Signature	Address
DAVID A BOOR	David A Boor	318 Egret DRIVE Union Hall, VA 24176

Printed Name	Signature	Address
Mary McGross	Mary McGross	340 Egret Dr. Union Hall, VA
GARY P GROSS	Gary P Gross	340 EGRET DR UNION HALL, VA 24176

Exhibits: A; B1, 2 & 3; C1 & 2

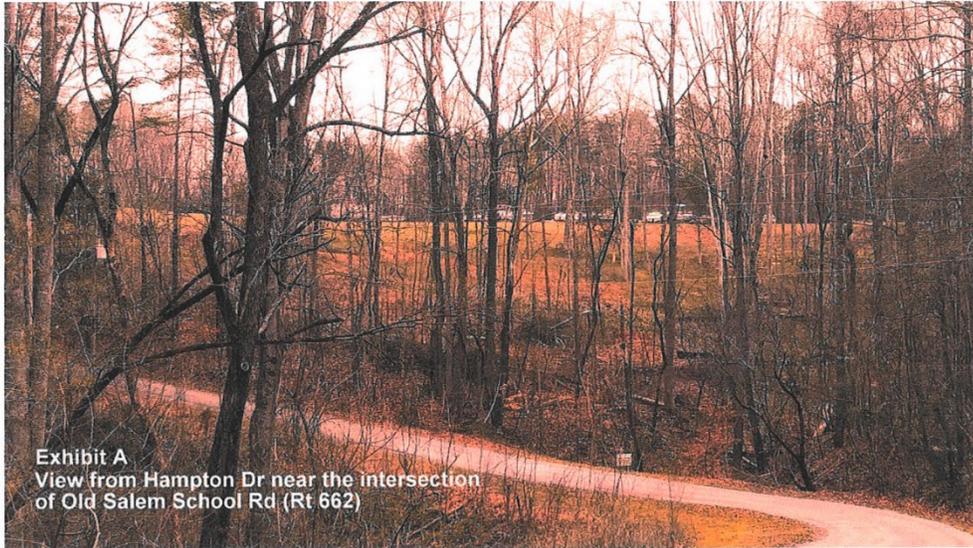


Exhibit A
View from Hampton Dr near the intersection
of Old Salem School Rd (Rt 662)



Exhibit B1
Ball's property line, pink flagging tape,
next to campground

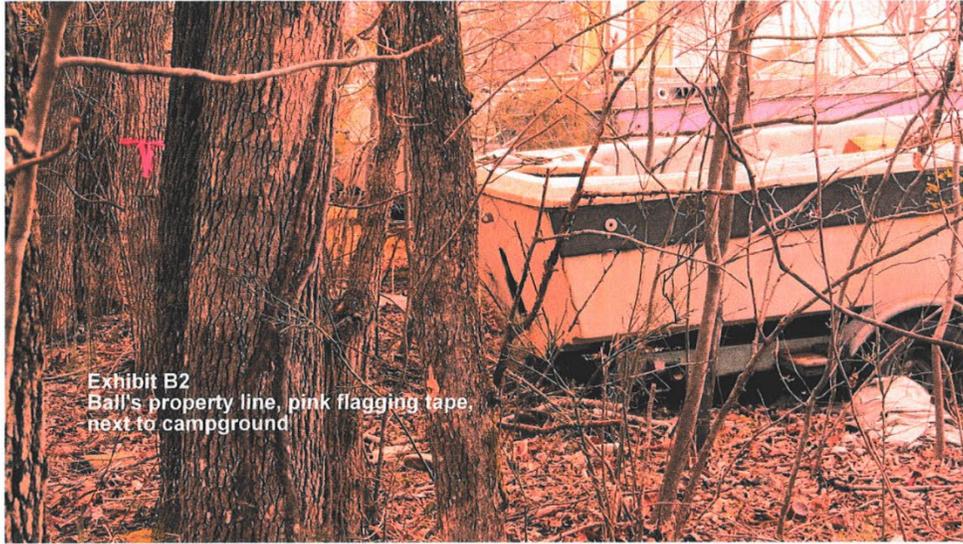


Exhibit B2
Ball's property line, pink flagging tape,
next to campground

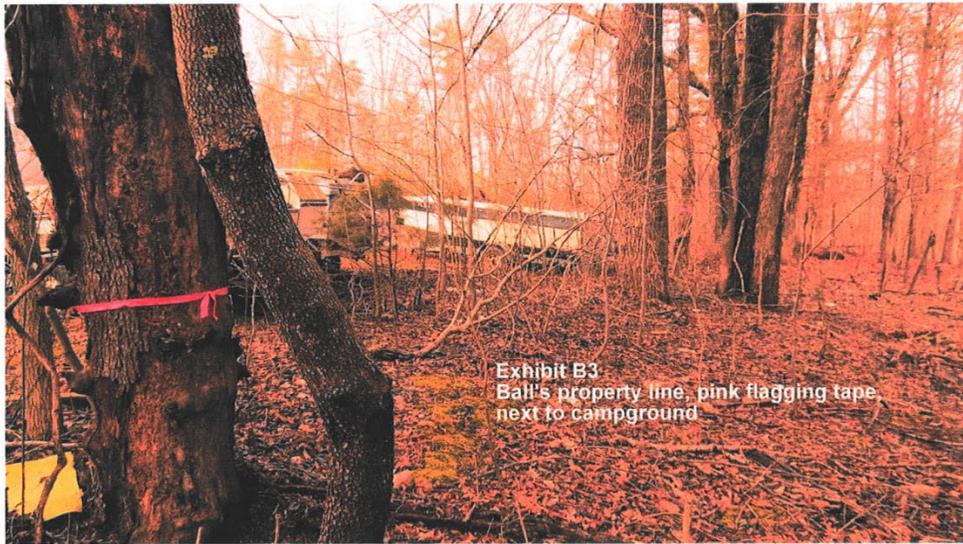
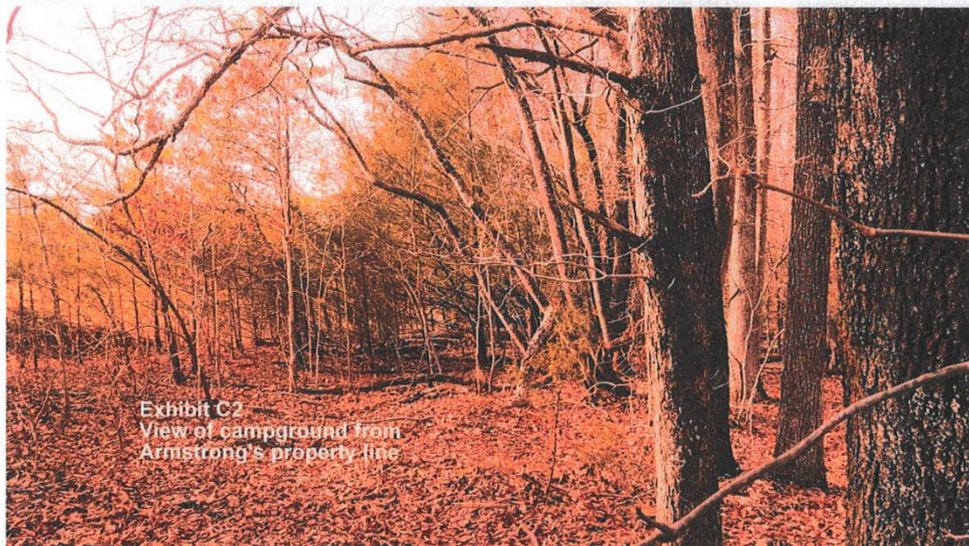
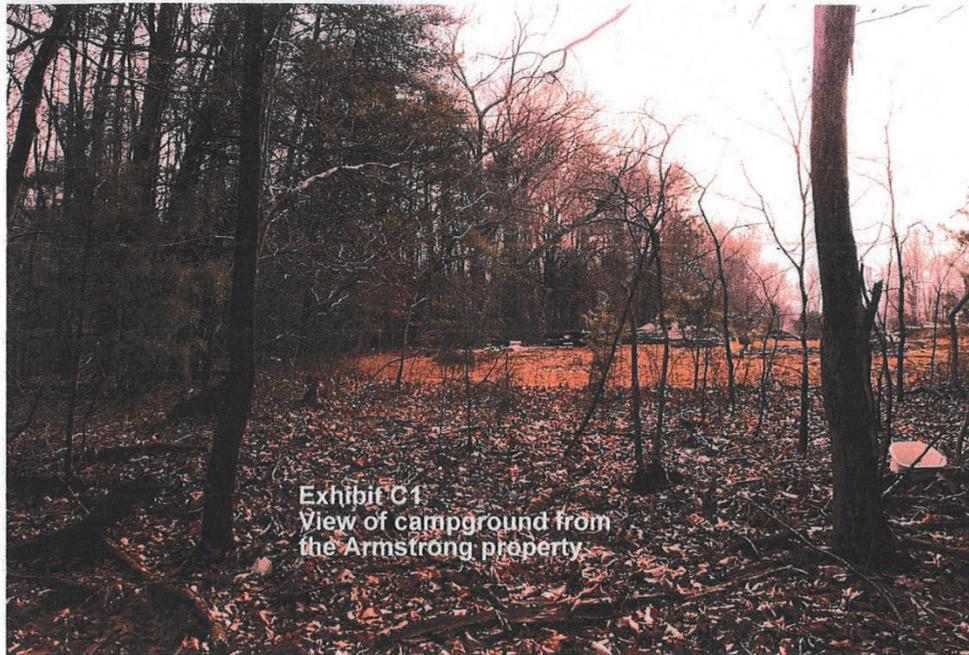


Exhibit B3
Ball's property line, pink flagging tape,
next to campground



Public Hearing was closed

Supervisor Tatum believes this campground would be a great addition to the County. He supports this and would support the planning commission recommendation or Mr. Mathena's request.

Supervisor Smith does not have a problem with the fencing but would like to keep the trees in place as a buffer.

Supervisor Carter does not have a problem with the trees or the fence, he is trying to help a local businessperson.

(RESOLUTION #16-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table this item until the June 16th, 2020 Board Meeting.

MOTION BY: Tommy Cundiff
SECONDED BY: No Second
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum

NAYS: Carter
ABSENT: Thompson

- APPLICATION for SPECIAL USE PERMIT** – Application of Boyd K. Temple and LeAnn L. Temple, Applicants and Owners, requesting a Special Use Permit with possible conditions, to allow for the short-term tourist rental of a dwelling, located on an approximate 3.29-acre property. The property, currently zoned A-1, Agriculture, is located at 601 Strawberry Banks Drive in the Gills Creek District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0320005800. Short term tourist rentals of a dwelling are a permitted use by Special Use Permit in A-1 Agriculture zoning districts and subject to the supplemental regulations found in Section 25-138 of the Franklin County Code. The property has a future land use designation of Low Density Residential.

Mr. Sandy, Director of Planning and Community Development presented the below:

CASE # 02-
20-16509

APPLICATION for SPECIAL USE PERMIT – Application of Boyd K. Temple and LeAnn L. Temple, Applicants and Owners, requesting a Special Use Permit with possible conditions, to allow for the short term tourist rental of a dwelling, located on an approximate 3.29 acre property. The property, currently zoned A-1, Agriculture, is located at 601 Strawberry Banks Drive in the Gills Creek District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0320005800. Short term tourist rentals of a dwelling is a permitted use by Special Use Permit in A-1 Agriculture zoning districts and subject to the supplemental regulations found in Section 25-138 of the Franklin County Code. The property has a future land use designation of Low Density Residential.

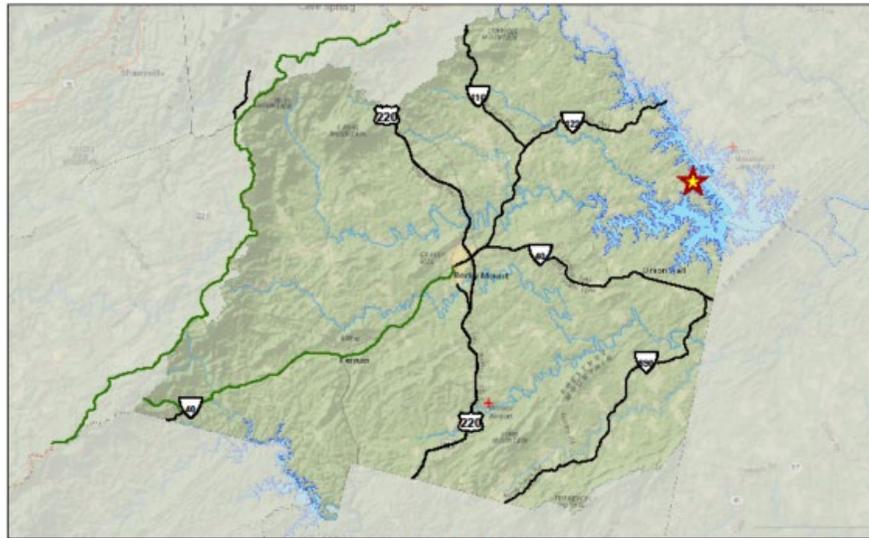
The Temples are the owners of a 3.285 acre waterfront lot on Strawberry Banks Drive in the Gills Creek District. Strawberry Banks Drive is a state maintained road with a R/W width of 50 feet.

There is one single family home on this parcel. County Tax records list the home as a one bedroom 1536 square foot single story home with basement.

There is also a large garage (+1600) sq. ft. on the property. Use of the garage as a component of the short term rental request is not requested by the applicant.

The site has both wooded and open space areas. Approximately one-third of the site is wooded, with the wooded areas being closest to the lake. The house is located within the wooded area, close to the lake.

BACKGROUND

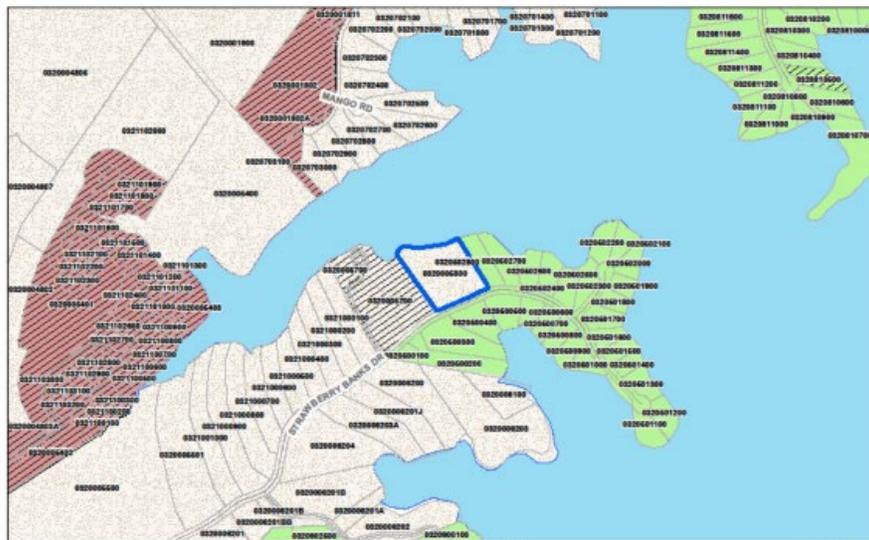


Tax Map # 0320005800
 SPEC-02-20-16509
 Boyd & LeAnn Temple

0 2.5 5 10 15 20 Miles

Date: 2/27/2020

Franklin Co GIS



Legend

- Subject Parcel
- Parcels
- Special Use Permit
- Swim Min Lake

Zoning Classifications

- A1 - Agriculture
- R1 - Residential Suburban Subdivision
- RPD - Residential Planned Unit Development

Tax Map # 0320005800
 SPEC-02-20-16509
 Boyd & LeAnn Temple

0 250 500 1,000 FT

Date: 2/27/2020

Franklin Co GIS



- Legend**
- Subject Property
 - Tax Parcels
 - Low Density Residential

Tax Map # 0320005800
 SPEC-02-20-16509
 Boyd & LeAnn Temple



Date: 2/27/2020



Franklin Co GIS



- Legend**
- Subject Parcel
 - Tax Parcels
- 2017 Pictometry Imagery

Tax Map # 0320005800
 SPEC-02-20-16509
 Boyd & LeAnn Temple



Date: 2/27/2020



Franklin Co GIS



The staff expects minimal community impacts from the use of this house for short term rental.



The one bedroom design of this house will limit the legal short term occupancy of the house to two adults.



The 3.285 acre lot size and the wooded setting of the house will minimize noise impacts on adjacent properties.



The closest residence on adjacent property is approximately 250 feet from the Temple home.



There were six (6) public comments received during the advertised public hearing.

STAFF ANALYSIS

RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission recommends approval of this special use permit request, by a vote of 6-1-1-0, with the following four (4) conditions:

- 1) This special use permit authorizing the short term rental dwelling on tax parcel # 0320005800 shall only apply to the existing dwelling on the property. No future dwelling on the property shall be used for short term rental unless this special use permit shall be revised by the Board of Supervisors after review and recommendation of the Planning Commission.
- 2) The owner shall always comply with the supplementary regulations for short term rentals found in Section 25-138 of the Franklin County Code

RECOMMENDATION OF THE PLANNING COMMISSION

- 3) The County Building Official and Fire Marshall shall inspect the proposed short term rental use within 30 days of the approval of the special use permit for the short term rental. No short term rental of the property shall be authorized until these inspections take place, and the property is found to be compliant with the applicable county building and fire codes.
- 4) Prior to using the property as a short term rental use, a certified professional engineer shall evaluate the existing septic system serving the house and provide the county with a report that certifies that the system is functioning properly and can meet the demands of a two bedroom home.

Public Hearing was opened

Mr. William Richardson of Strawberry Banks Drive spoke on behalf of Spinnaker Run. He and others in the neighborhood are opposing this item.

Mr. Russell Seneff is all for short term rentals and he thinks people should be able to do what they want with their own property.

Mr. Hitzermann of Mango Road as the President of Montego Bay Community is in opposition of the proposed short-term rental.

The following was submitted electronically:

Thom Hubard-

I am Writing this in favor of allowing short term rentals in Franklin County, Bedford County allows them and it can be beneficial to the community and county. Boyd Temple has a property at 601 Strawberry Banks Dr., and he is applying for a special use permit to allow for short term rentals. This property is well suited for this, it is not close to any of the neighbors and close to a trailer park that has a high density of activity. I'm in favor of approval of this request.

Thanks,

Thom Hubard

Rick Ries-

To whom it may concern,

I would like to voice my opinion on short term rentals. I for one think Franklin County should accept short term rentals all through Franklin County it would attract tourism and create tax revenue. There are several of mobile homes that are short term rentals and there should not be a difference than allowing waterfront homes to rent their homes.

Kara Ferguson-

I am okay with short term rentals on SML.

Bobby Whitlock-

I believe short term rentals should be allowed in Franklin County. I have been to the home on Strawberry Banks Drive and feel the house and dock are far enough from neighboring properties that this use would not adversely affect the other properties. A short term rental will also help bring more tourism to Smith Mountain Lake and Franklin County in general.

Public Hearing was closed

Supervisor Smith wanted to thank the Temples for their neighborly actions and the way they have kept up the property.

Supervisor Cundiff asked some clarifying questions about the zoning.

Supervisor Tatum let the Board know he usually supports short-term rentals and he had read all the emails pertaining to this request. He does not see how this will hurt property values. He also noted he thinks there is a zoning issue the County needs to look into concerning this issue.

Supervisor Carter also noted he is struggling with this item.

(RESOLUTION #17-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to deny the presented special use permit application (SPEC-02-20-16509) submitted by Boyd and LeAnn Temple.

MOTION BY: Lorie Smith
SECONDED BY: Ronald Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: R. Mitchell, Smith, Tatum
NAYS: Cundiff, Carter, L. Mitchell
ABSENT: Thompson

Roll call vote was taken

(RESOLUTION #18-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table to this item to the June 16, 2020 Board of Supervisors meeting.

MOTION BY: Mike Carter
SECONDED BY: Tim Tatum
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, Tatum
NAYS: R. Mitchell, Smith
ABSENT: Thompson

5. **APPLICATION for REZONE-** Application of Bowman Excavating, Inc, Applicants, and Brent E. Bowman and Cora Mae Bowman, Owners, requesting to rezone a property from A-1, Agricultural, to B-2, General Business, for the purpose of having a contractor's office and shop from which their business would operate. The property is approximately 9.64 acres, currently zoned A-1, Agricultural, and located at 540 Ikenberry Road in the Blackwater District of Franklin County, and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0430002401D. The property has a future land use designation of Low Density Residential and Agriculture, Forestry/Rural Residential.

Mr. Sandy, Director of Planning and Community Development presented the below:

CASE # 02-20-16528

APPLICATION for REZONE- Application of Bowman Excavating, Inc, Applicants, and Brent E. Bowman and Cora Mae Bowman, Owners, requesting to rezone a property from A-1, Agricultural, to B-2, General Business, for the purpose of having a contractor's office and shop from which their business would operate. The property is approximately 9.64 acres, currently zoned A-1, Agricultural, and located at 540 Ikenberry Road in the Blackwater District of Franklin County, and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0430002401D. The property has a future land use designation of Low Density Residential and Agriculture, Forestry/Rural Residential.

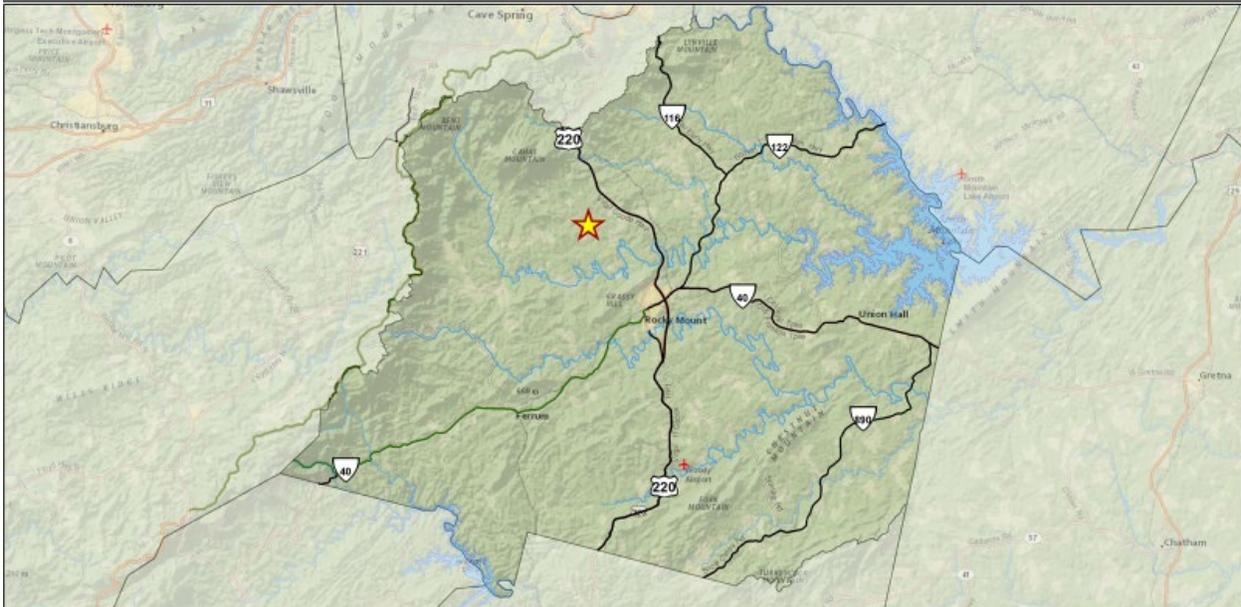
BACKGROUND

Bowman Excavating Inc. owns and operates an excavating company on property owned by the Bowman family on Ikenberry Road. The property is zoned A-1 Agriculture.

The company has been operating from this location for many years and now has a need to expand and improve their facilities. Contractor's offices and facilities are not a permitted use in A-1 zoning districts but are permitted by right in B-2 districts.

BACKGROUND

- This rezoning request has been submitted to rezone 9.65 acres to B-2. Initial (Phase 1) improvements to the property will be a new office structure and parking area. Phase II improvement will include an expanded shop facility and minor increases in the gravel parking areas.



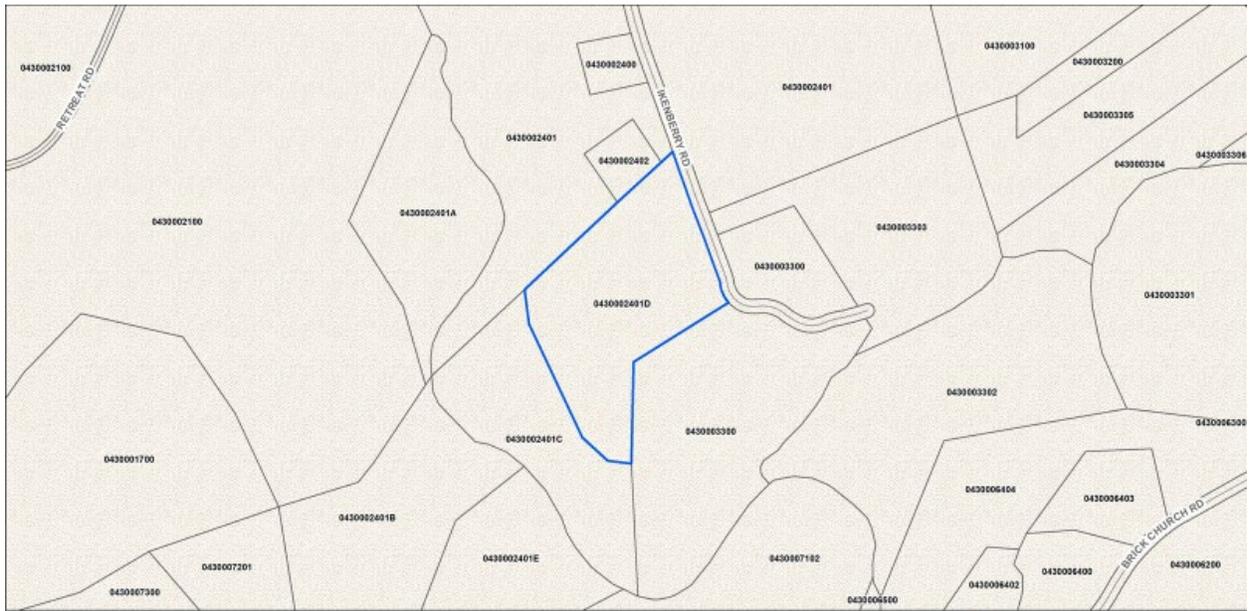
 Subject Property Location



Tax Map #0430002401D
REZO-02-20-16528
Bowman Excavating


Franklin Co GIS
Date: 3/16/2020

The data herein provided herein was compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein was prepared for the purpose of providing information to the public. These GIS data are to be used only as a reference for a single service, legal description, or related use. Franklin Co. does not warrant, represent or defend in any manner the accuracy, currency, reliability, or validity. These data are provided "as is" and Franklin County shall not be responsible for their interpretation and use.



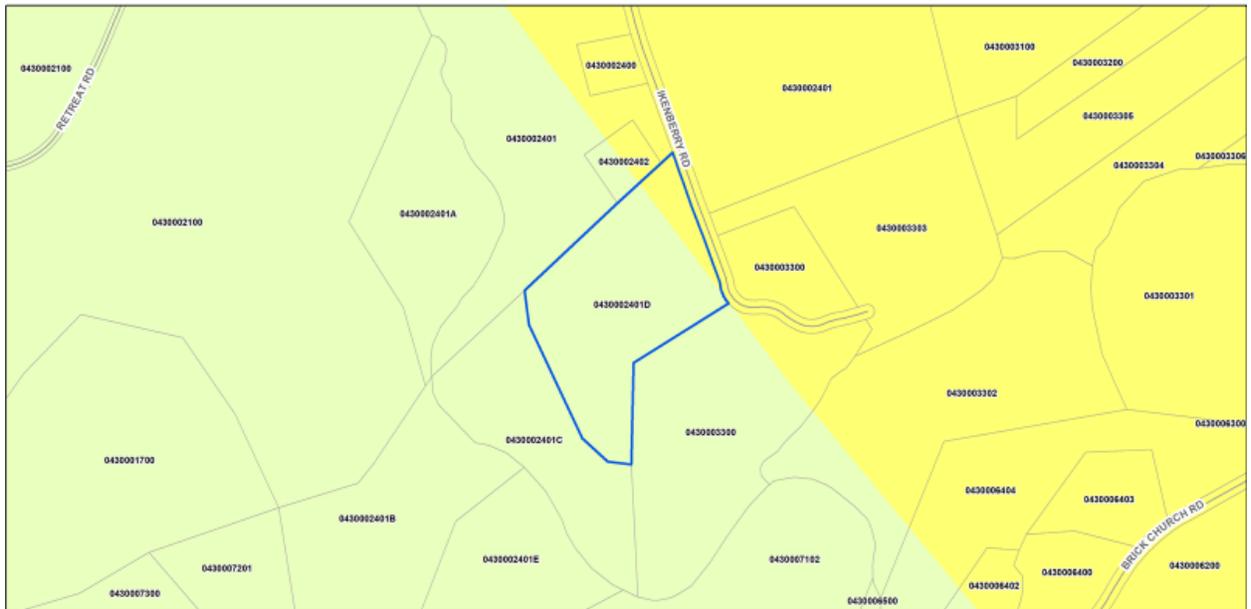
Parcels
 Special Use Permit
 A1 - Agricultural



Tax Map #043002401D
REZO-02-20-16528
Bowman Excavating



The data shown provided herein were compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein are intended to be used for informational purposes only. These GIS data are not to be used as a substitute for a legal survey, legal description, or otherwise. The information is provided as is without warranty, express or implied. These data are provided as a service of Franklin County and employees shall be held responsible for their appropriate use.



Legend
 Subject Parcel
 Low Density Residential
 Agriculture Forestry/Rural Residential



Tax Map #043002401D
REZO-02-20-16528
Bowman Excavating



The data shown provided herein were compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein are intended to be used for informational purposes only. These GIS data are not to be used as a substitute for a legal survey, legal description, or otherwise. The information is provided as is without warranty, express or implied. These data are provided as a service of Franklin County and employees shall be held responsible for their appropriate use.



Legend

- Subject Parcel
 - Parcels
- 2017 Pictometry Imagery



Tax Map #0430002401D
 REZO-02-20-16528
 Bowman Excavating

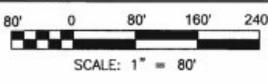

 Franklin Co GIS
 Date: 3/16/2020

The data herein provided herein were compiled from various sources using a geographic information system (GIS) for the primary use of Franklin County. The user acknowledges and understands that the data herein are provided for informational purposes only. These data are not to be used as a substitute for a professional engineering, architectural, planning, or other professional services. The user acknowledges and understands that the user is responsible for verifying the accuracy, completeness, or reliability. These data are provided as a service to Franklin County and its employees and are not to be used for any other purpose.



**Concept Drawing for
 Bowman Excavating - New Office**

- General Notes**
1. Owner/Developer: Brent Bowman
 540 Ikenberry Rd
 Boones Mill Va, 24065
 2. Proposed use: Office and Shop for Excavating Company
 3. Site acreage: 9.65 acres
 4. Topography is based on aerial mapping by Bowman Excavating
 5. There is no proposed site lighting
 6. There is no proposed signage
 7. The new office will be accessed from an existing driveway



Drawn By:
 Devin Bowman

Date: 2/21/20

Scale: 1" = 80'

Sheet: EX-A

STAFF ANALYSIS



Phase I improvements (office building for three existing employees and small parking lot) will not have any impacts on adjacent or surrounding properties.



The location and size of the Phase II shop expansion similarly should not have an impact on the area.



Property owner has submitted proffered conditions to limit future use of the Business, B-2, zoned property.



The request generally conforms to the policies contained in the County's adopted comprehensive plan and is compatible with the relatively small scale of the existing Bowman Excavating facilities.



There were no public comments received during the advertised public hearing.

RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission recommends
APPROVAL of this A-1 to B-2 rezoning request, by a
vote of 6-0-1-0, with the proffered conditions
offered by the property owners.

Public Hearing was opened

No public comment was received

Public Hearing was closed

(ORDINANCE # 19-05-2020)

APPLICATION OF BOWMAN EXCAVATING INC., APPLICANTS, AND BRENT AND CORA BOWMAN, OWNERS, REQUESTING TO REZONE PROPERTY FROM A-1, AGRICULTURAL, TO B-2, GENERAL BUSINESS, ON AN APPROXIMATE 9.65 ACRE PARCEL, LOCATED AT 522 IKENBERRY ROAD IN THE BLACKWATER DISTRICT OF FRANKLIN COUNTY AND FURTHER IDENTIFIED AS TAX MAP/PARCEL # 0430002401D (CASE # 02-20-16528)

WHEREAS, Bowman Excavating Inc. did file an application requesting to rezone tax parcel #430002401D from A-1, Agricultural, to B-2, General Business, and

WHEREAS, the subject parcel consists of 9.65 acres identified in the Franklin County Real Estate Records as Tax Map # 0430002401D, and located at 522 Ikenberry Road in the Blackwater District, and

WHEREAS, the property owners have offered proffered conditions to limit the use of the property to contractor's facilities, and

WHEREAS, after due legal notice as required by Section 15.2-2204/2205 of the Code of Virginia of 1950, as amended, the Planning Commission and Board of Supervisors did hold public hearings on May 12, 2020 and May 19, 2020, respectively, at which time all parties in interest were given an opportunity to be heard, and

WHEREAS, after holding the public hearing the Planning Commission has recommended APPROVAL of the rezoning request, and

WHEREAS, the Board of Supervisors finds that the request is consistent with the purpose and intent of the Franklin County Comprehensive Plan and good zoning practice and will not be a substantial detriment to the community.

NOW, THEREFORE BE IT ORDAINED, by the Board of Supervisors of Franklin County, Virginia that it hereby APPROVES the rezoning of 9.65 acres identified as tax parcel # 0430002401D from A-1, Agricultural, to B-2, General Business, with the following proffered condition as offered by the property owners:

- 1) Use of Tax Parcel 0430002401D, consisting of 9.65 acres, shall be limited to contractors' offices and facilities and continue to be used for agriculture in the production of hay or other crops and shall generally be developed as shown on the Concept Drawing for Bowman Excavating- New Office, Drawn by Devin Bowman and dated 2/21/20. If this proffer is accepted, we expect no requirement from Franklin County that will affect the existing use or appearance of this property,

BE IT FURTHER ORDAINED, that a copy of this ordinance be transmitted to the Zoning Administrator to reflect this change on the official zoning map of Franklin County and to the Commissioner of the Revenue to reflect this change in the real estate records of Franklin County.

This ordinance shall take effect upon adoption.

ADOPTED, on the motion of Ronald Mitchell and seconded by Tommy Cundiff upon the following recorded vote:

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum

ABSENT: Thompson

Roll call vote was taken

6. **APPLICATION for SPECIAL USE PERMIT** – Application of Smith Mountain Lake Volunteer Fire & Rescue Department, Applicants and Owners, requesting to amend condition #1 of an existing Special Use Permit that was granted by the Board of Supervisors on June 1, 2017 to allow the proposed optional storage building to be increased in size from 2,500 square feet to a maximum of 5,000 square feet. The property is approximately 6.13 acres, currently zoned R-1, Residential Suburban Subdivision District, and located at the end of Oak Grove Drive in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0150007301. The property has a future land use designation of Low Density Residential

Mr. Sandy, Director of Planning and Community Development presented the below:

CASE # 02-20-16543

APPLICATION for SPECIAL USE PERMIT – Application of Smith Mountain Lake Volunteer Fire & Rescue Department, Applicants and Owners, requesting to amend condition #1 of an existing Special Use Permit that was granted by the Board of Supervisors on June 1, 2017 to allow the proposed optional storage building to be increased in size from 2,500 square feet to a maximum of 5,000 square feet. The property is approximately 6.13 acres, currently zoned R-1, Residential Suburban Subdivision District, and located at the end of Oak Grove Drive in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0150007301. The property has a future land use designation of Low Density Residential

On May 16, 2017 the Board of Supervisors approved a special use permit request submitted on behalf of the SMLVFR. The approved permit authorized the development of an emergency services facility on a 6.134 acre parcel of land located off Oak Grove Drive in the Gills Creek district.



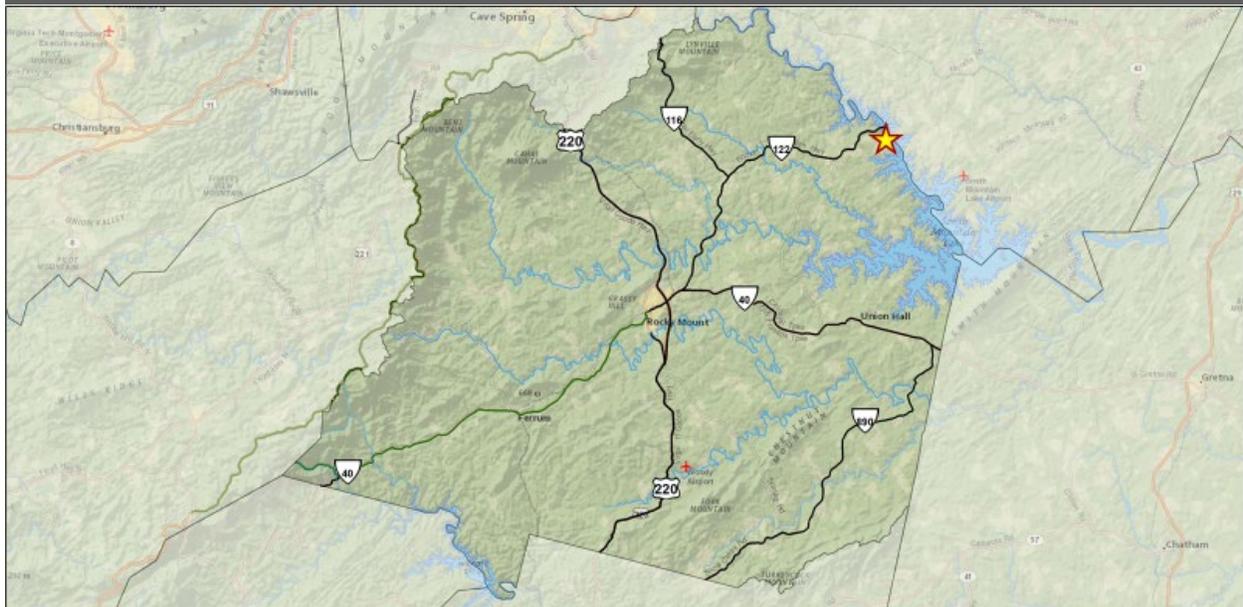
The proposed buildings in the approved emergency services facility consist of a main building on the eastern portion of the property near the lake, and a smaller storage building on the western side of the property.

BACKGROUND

BACKGROUND

Five conditions were attached to the SUP approval granted in May of 2017. These five conditions are contained in the BOS resolution approving the SUP on May 17, 2017.

Subsequent to the approval of the SUP, the staff and applicant discerned that there was an inconsistency between the approving resolution which limited the size of the smaller storage building to 2500 sq. ft. and the approved Exhibit A which limited the size of the smaller building to 4000 sq. ft.



 Subject Property Location



Tax Map # 0150007301
SPEC-02-20-16543
SML Volunteer Fire & Rescue


Franklin Co GIS
Date: 3/16/2020

The data herein provided herein was compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein was prepared by the Franklin Co GIS and is to be used only as a reference for a specific purpose. No guarantee, expressed or implied, is made regarding the accuracy, currency, reliability, or usability. These data are provided "as is" and Franklin County shall not be held responsible for their interpretation and use.



- Parcels
 Special Use Permit
 A1 - Agricultural
 R1 - Residential Suburban Subdivision
 LW - Under Water



Tax Map # 0150007301
 SPEC-02-20-16543
 SML Volunteer Fire & Rescue



Franklin Co GIS
 Date: 3/16/2020

The data shown provided herein were compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The user provided herein are intended to be used for the purposes for which they were intended. These GIS data are not to be used as a substitute for a legal survey, legal description, or otherwise. The user assumes all government, assessment or liability in making supporting their accuracy, currency, reliability, completeness, or suitability. These data are provided as is and neither Franklin County nor its employees shall be held responsible for their appropriate use.



- Subject Parcel
 Parcels
 Low Density Residential



Tax Map # 0150007301
 SPEC-02-20-16543
 SML Volunteer Fire & Rescue



Franklin Co GIS
 Date: 3/16/2020

The data shown provided herein were compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The user provided herein are intended to be used for the purposes for which they were intended. These GIS data are not to be used as a substitute for a legal survey, legal description, or otherwise. The user assumes all government, assessment or liability in making supporting their accuracy, currency, reliability, completeness, or suitability. These data are provided as is and neither Franklin County nor its employees shall be held responsible for their appropriate use.

Based upon the most current facility needs assessment, as undertaken by the SMLVFR, the applicant is requesting that the conditions attached to the SUP for this emergency facility be modified to allow this storage building to contain up to 5,000 sq. ft of storage.

No other modifications of the previously approved conditions or master plan are requested.

This change is not expected to generate any significant impacts except increase the allowable size of the storage building.

There were no public comments received at the advertised public hearing.

STAFF ANALYSIS

RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission recommends approval of modifying Condition # 1 as contained in the resolution approving the SUP for the SMLVFR emergency services facility, by a vote of 6-0-1-0. Condition #1 shall be modified as follows:

- Substantial Conformity. The SUP authorizes the use of the property for an Emergency Services Facility. The property shall be developed in substantial conformity with the conceptual plan entitled Smith Mountain Lake Volunteer Fire and Rescue, Proposed Master Plan, dated November 8, 2016, and schematic layout dated April 11, 2017 prepared by Craighead and Associates, Architects. However, the size of the station structure and the storage building depicted on the conceptual plan shall not exceed 5,000 sq. ft. and 2,500 sq. ft. respectively in total area. maximum size of the proposed main building and the proposed storage building shall each not exceed 5,000 sq. ft.

Mr. Harrington, President of Smith Mountain Lake Volunteer Fire & Rescue, spoke to the Board and explained they need storage space and this change to the plan would allow them to meet their immediate needs.

*Public Hearing was opened
No public comment was received
Public Hearing was closed*

RESOLUTION # 20-05-2020

APPLICATION OF SMITH MOUNTAIN LAKE FIRE AND RESCUE DEPARTMENT, APPLICANTS AND OWNERS, REQUESTING TO AMEND CONDITION #1 OF AN EXISTING SPECIAL USE PERMIT, ON AN APPROXIMATE 6.13 ACRE PARCEL, CURRENTLY ZONED R-1, RESIDENTIAL SUBURBAN SUBDIVISION, LOCATED AT THE END OF OAK GROVE DRIVE IN THE GILLS CREEK DISTRICT OF FRANKLIN COUNTY AND FURTHER IDENTIFIED AS TAX MAP/PARCEL # 0150007301 (CASE # 02-20-16543).

WHEREAS, Smith Mountain Lake Fire and Rescue Department did file an application requesting to amend condition #1 of an existing special use permit on an approximate 6.13 acre parcel, and

WHEREAS, the property is currently zoned R-1, Residential Suburban Subdivision, and located in the Gills Creek District of Franklin County, and

WHEREAS, after due legal notice as required by Section 15.2-2204/2205 of the Code of Virginia of 1950, as amended, the Planning Commission and Board of Supervisors did hold public hearings on May 12, 2020 and May 19, 2020, respectively, at which time, all parties in interest were given an opportunity to be heard, and

WHEREAS, after full consideration the Franklin County Planning Commission recommended APPROVAL of the amendment to condition #1 of the existing special use permit with the following five (5) conditions:

1. Substantial Conformity. The SUP authorizes the use of the property for an emergency services facility. The property shall be developed in substantial conformity with the Smith Mountain Lake Volunteer Fire and Rescue Proposed Master Plan, dated November 8, 2016, and schematic layout dated April 11, 2017 prepared by Craighead and Associates, Architects. However, the maximum size of the proposed main building and the proposed storage building shall each not exceed 5,000 sq. ft.
2. Buffering. The use of Emergency Services Facility shall require the maintenance of an existing wooded buffer along the lake boundary as shown on the Master Plan referenced in Condition #1. In addition, two acres of the property are to remain undeveloped and maintained with existing vegetation.
3. Compliance with State Regulations
 - a. The existing entrance on Oak Grove Drive (Rt 1230) shall be improved to meet VDOT standards and requirements prior to any use authorized by this SUP in accordance with VDOT's letter of December 22, 2016.
 - b. No gasoline or oil products shall be stored on the subject property without the approval of Virginia DEQ, Fire Marshall or Franklin County Building Official.
 - c. Each phase of development shall have an approved development plan detailing all land disturbing activities and storm water management
4. No RV or tent camping shall be allowed on the subject property.
5. The property shall contain no land based fire suppression services provided by SMLVFR unless approved by the Franklin County Director of Public Safety.

WHEREAS, after full consideration the Franklin County Board of Supervisors determined that the requested amendment is consistent with the purpose and intent of the County's Comprehensive Plan and good zoning practice and will not be a substantial detriment to the community and APPROVED the request with the five (5) conditions recommended by the Planning Commission as contained in this Resolution.

THEREFORE, BE IT RESOLVED, that a copy of this Resolution be transmitted to the Clerk of the Planning Commission, the Franklin County Commissioner of Revenue and the Franklin County Zoning Administrator and that the Clerk be directed to reflect this action to APPROVE the amendment in the records of Franklin County.

On the motion by Ronald Mitchell to APPROVE the request and seconded by Tim Tatum, said motion was approved by the following recorded vote:

VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

Roll call vote was taken

7. **APPLICATION for SPECIAL USE PERMIT** – Application of Mohammad Alkhawaja, Applicant, and Kawaja Corporation, Owners, requesting a Special Use Permit with possible conditions, to allow for rental of moving equipment, located on an approximate 1.68 acre property. The property, currently zoned B-1, Limited Business, is located at 445 Doe Run Road in the Snow Creek District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0720034301. The Zoning Administrator has determined that the rental of moving equipment is a permitted use by issuance of a Special Use Permit in B-1, Limited Business, zoning districts. The property has a future land use designation of Low Density Residential.

Mr. Sandy, Director of Planning and Community Development presented the below:

CASE # 02-20-16529

APPLICATION for SPECIAL USE PERMIT – Application of Mohammad Alkhawaja, Applicant, and Kawaja Corporation, Owners, requesting a Special Use Permit with possible conditions, to allow for rental of moving equipment, located on an approximate 1.68 acre property. The property, currently zoned B-1, Limited Business, is located at 445 Doe Run Road in the Snow Creek District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0720034301. The Zoning Administrator has determined that the rental of moving equipment is a permitted use by issuance of a Special Use Permit in B-1, Limited Business, zoning districts. The property has a future land use designation of Low Density Residential.

BACKGROUND

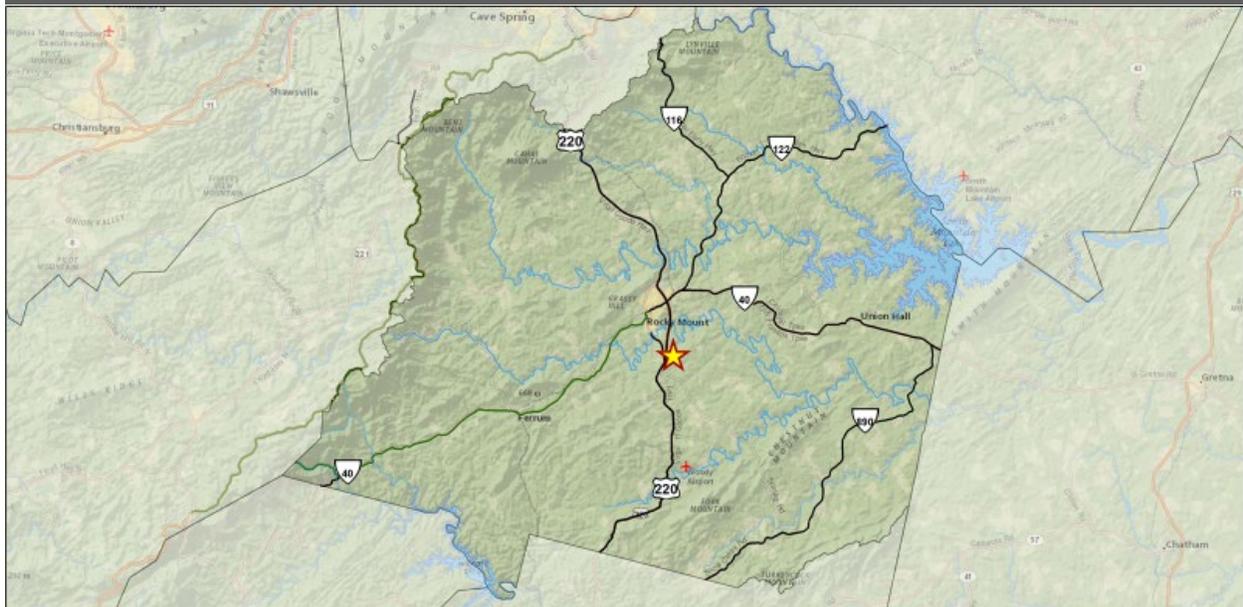
- The property is currently used as a convenience store with gas sales with an apartment on the lower level of the convenience store.
- The applicant is proposing to display all the rental trucks and trailers on the paved portion of the lot along the Tripple Creek Road side of the property.
- Land uses in the general area are primarily residential with several small commercial businesses located near this intersection.

BACKGROUND

In December of 2019, this property was previously considered for a SUP that would allow the sale of used vehicles on the property.

Several people spoke at the public hearing for this SUP request. Speakers opposed to the SUP request cited concerns of traffic, trash and noise.

The Commission recommended approval of the request to the BOS. The Board denied the request for used vehicle sales at their meeting on December 17, 2019 by a vote of 7-0.



 Subject Property Location



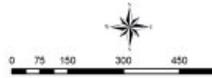
Tax Map # 0720034301
SPEC-02-20-16529
Mohammad Alkhawaja


Franklin Co GIS
Date: 3/16/2020

The data herein provided herein was compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein was prepared by the Franklin Co GIS and is to be used only as a reference for a single service, legal description, or related use. Franklin Co GIS does not guarantee, represent or warrant the accuracy, reliability, or timeliness of the data. Franklin County is not responsible for their independent use.



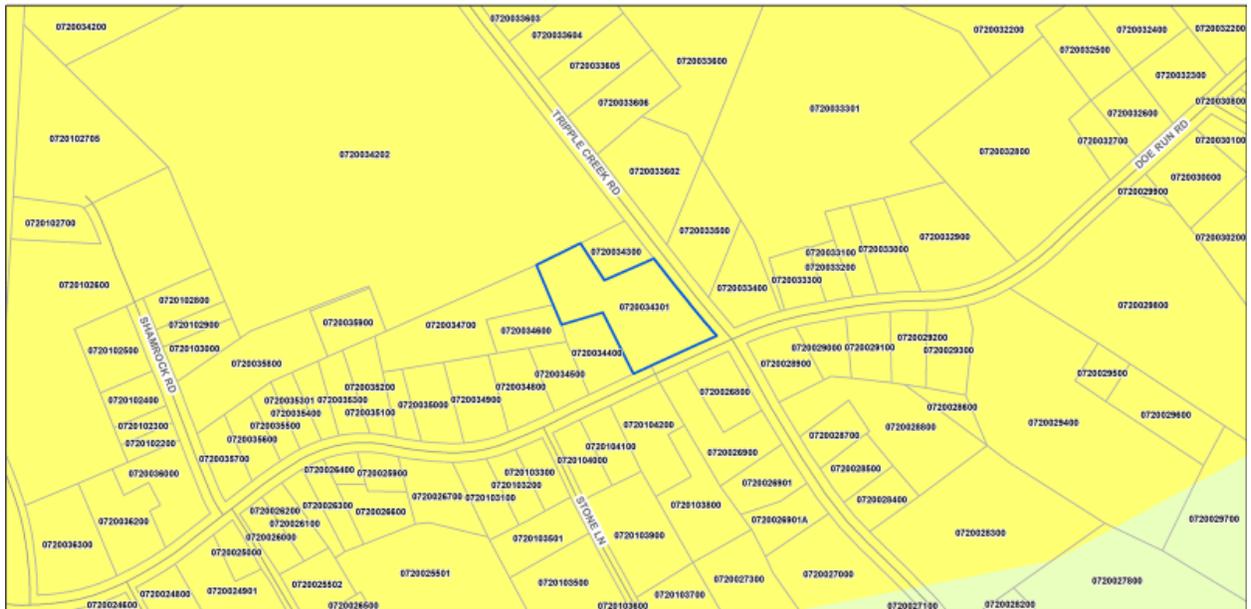
- Parcels
- Special Use Permit
- Zoning Classifications
- A1 - Agricultural
- BI - General Business District
- MI - Light Industry
- NZ - Non Zoned
- RC1 - Residential Combined Subdivision



Tax Map # 0720034301
SPEC-02-20-16529
Mohammad Alkhawaja



The data shown provided herein were compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein are intended to be used for informational purposes only. These GIS data are not to be used as a substitute for a legal survey, legal description, or otherwise. The algorithms the government, assessor or holder, is made regarding their accuracy, currency, reliability, completeness, or suitability. These data are provided as is and neither Franklin County nor its employees shall be held responsible for their inappropriate use.



- Subject Parcel
- Low Density Residential
- Agriculture Forestry/Rural Residential



Tax Map # 0720034301
SPEC-02-20-16529
Mohammad Alkhawaja



The data shown provided herein were compiled from various sources within a geographic information system (GIS) for the primary use of Franklin County. The data provided herein are intended to be used for informational purposes only. These GIS data are not to be used as a substitute for a legal survey, legal description, or otherwise. The algorithms the government, assessor or holder, is made regarding their accuracy, currency, reliability, completeness, or suitability. These data are provided as is and neither Franklin County nor its employees shall be held responsible for their inappropriate use.



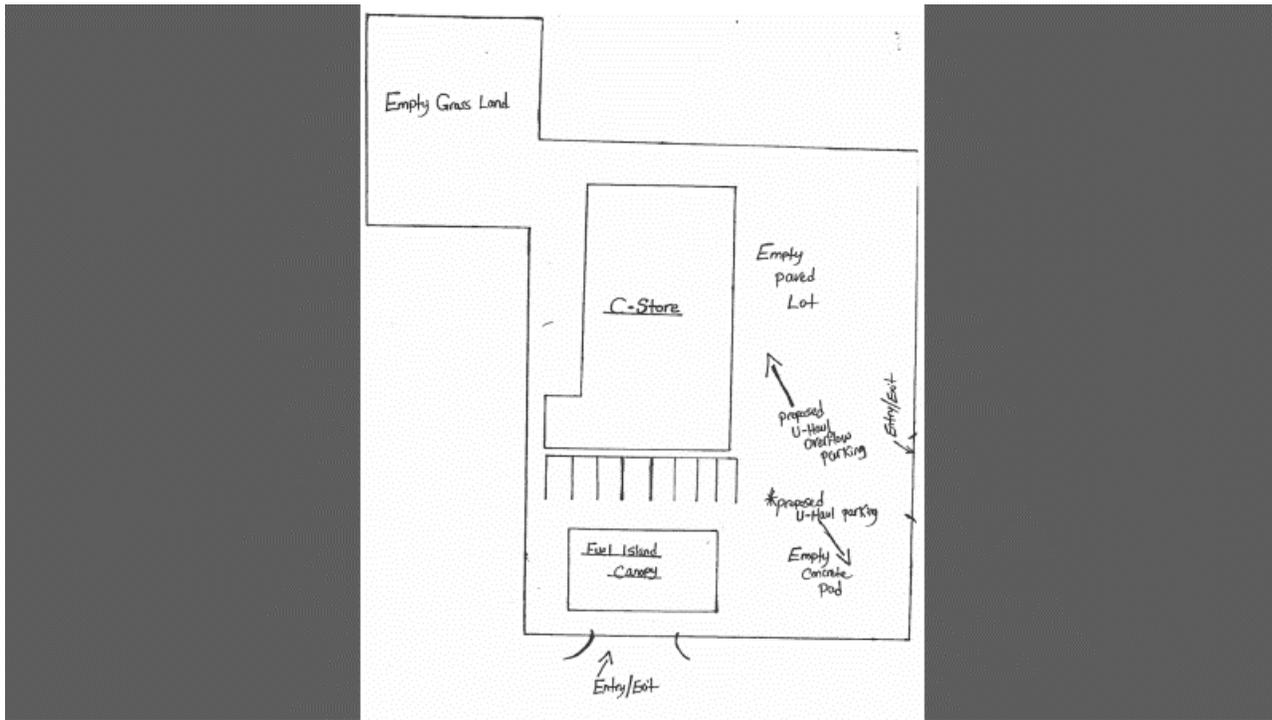
Legend
 [Blue outline] Subject Parcel
 [Yellow outline] Parcels
 2017 Pictometry Imagery



Tax Map # 0720034301
 SPEC-02-20-16529
 Mohammad Alkhwaja


 Franklin Co GIS
 Date: 3/16/2020

The data herein provided has been used to generate this tax map. It is not intended to be used for any other purpose. The user assumes all responsibility for any errors or omissions. The user assumes all responsibility for any errors or omissions. The user assumes all responsibility for any errors or omissions. The user assumes all responsibility for any errors or omissions.



STAFF ANALYSIS



No significant noise impacts are expected as a result of locating the truck and trailer rental business at this location.



The 2025 Comprehensive Plan has a future land use designation of Low Density Residential for this property.



Although low density residential is intended to allow primarily residential development, neighborhoods benefit from (and the comprehensive plan supports) small scale commercial uses that provide services used by neighborhood residents.



No new lighting is proposed for this site. If lighting is proposed in the future, the lighting fixtures must be down cast with a shielded light source with a maximum intensity of .5 foot candles at any property line.



There were no public comments received during the advertised public hearing.

RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission recommends approval of this SUP request for a moving truck and trailer rental business, by a vote of 6-0-1-0, with the following conditions:

- 1) Uses authorized by this SUP shall be limited to the rental of moving trucks and trailers.
- 2) No vehicle repairs shall be allowed on the property.
- 3) All vehicles on this property shall be in operable condition. No vehicles or equipment shall be stored within the grass area behind the convenience store.

RECOMMENDATION OF THE PLANNING COMMISSION

- 4) All moving trucks and trailers shall be located along the Tripple Creek Road side of the building as proposed on the submitted concept plan.
- 5) Any freestanding signage proposed shall comply with the county sign regulations, shall be of a monument design and shall not be more than eight (8) feet in height. A sign permit, approved by the county, shall be required.
- 6) A minor site plan shall be submitted within sixty (60) days of SUP approval and approved by the zoning administrator, showing all required parking areas for store customers and moving truck and trailer display areas, landscaping and other site features as required by the Franklin County zoning ordinance.

Chairman Mitchell asked for clarification on the parking spaces on the property.

Public Hearing was opened
No public comment was received.
Public Hearing was closed

(RESOLUTION #21-05-2020)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table the item until the June 16, 2020 Board of Supervisors Meeting.

MOTION BY: Lorie Smith
SECONDED BY: Ronald Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

8. **APPLICATION for SPECIAL USE PERMIT** – Application of Edward T. Carter Jr. and Heather E. Carter, Applicants and Owners, requesting a Special Use Permit with possible conditions, to allow for the short-term tourist rental of a dwelling, located on an approximate 5.00 acre property. The property, currently zoned A-1, Agriculture, is located at 220 Ridgeway Road in the Boone District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0050007901. Short term tourist rental of a dwelling is a permitted use by Special Use Permit in A-1 Agriculture zoning districts and subject to the supplemental regulations found in Section 25-138 of the Franklin County Code. The property has a future land use designation of Agriculture Forestry/Rural Residential.

Mr. Sandy, Director of Planning and Community Development presented the below:

CASE # 02-20-
16500

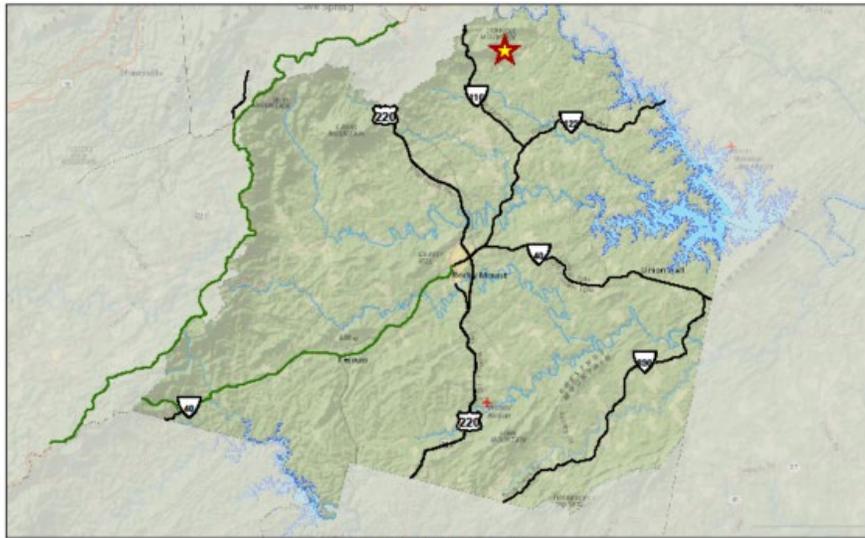
APPLICATION for SPECIAL USE PERMIT –

Application of Edward T. Carter Jr. and Heather E. Carter, Applicants and Owners, requesting a Special Use Permit with possible conditions, to allow for the short term tourist rental of a dwelling, located on an approximate 5.00 acre property. The property, currently zoned A-1, Agriculture, is located at 220 Ridgeway Road in the Boone District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0050007901. Short term tourist rental of a dwelling is a permitted use by Special Use Permit in A-1 Agriculture zoning districts and subject to the supplemental regulations found in Section 25-138 of the Franklin County Code. The property has a future land use designation of Agriculture Forestry/Rural Residential.

BACKGROUND



- There is one single family home on this parcel. County tax records list the home as a one bedroom 1008 square foot two story home with basement.
- The Carters purchased this property in 2014 and undertook extensive renovations to the house on the property which had been vacant for eight years. In addition to the single family home on the property there is also a tobacco barn that the Carters renovated and converted into a carport.
- The Carter's principal residence is on an adjacent property (0050007902) and is accessed by an easement that runs through the property that is the subject of this short term rental request.

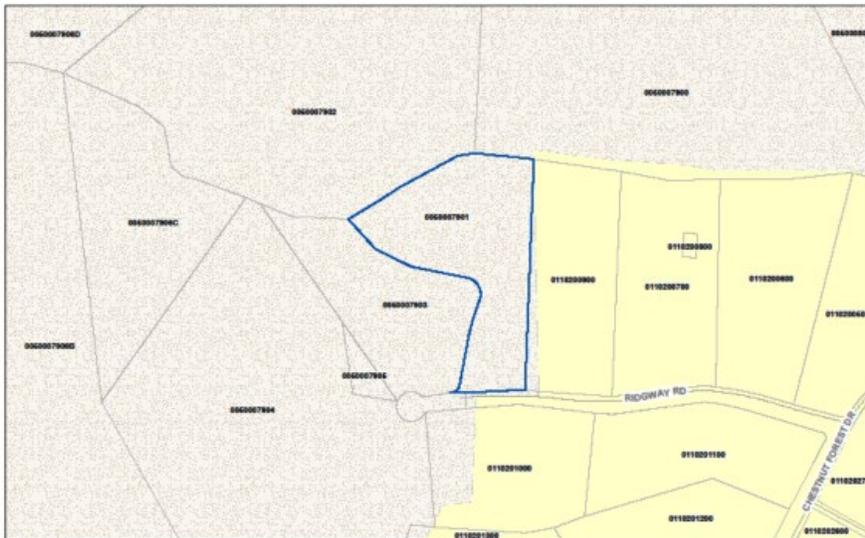


★ Subject Property Location

Tax Map # 0050007901
 SPEC-02-20-16500
 Edward & Heather Carter



Date: 2/27/2020



- Legend**
- Subject Parcel
 - Parcels
 - Special Use Permit
 - Smiths Mill Lake
- Zoning Classifications**
- A1 - Agriculture
 - RG - Residential Estates

Tax Map # 0050007901
 SPEC-02-20-16500
 Edward & Heather Carter



Date: 2/27/2020



The staff expects minimal community impacts from the use of this house for short term rental.

The one bedroom design of this house will limit the legal short term occupancy of the house to two adults.

The five (5) acre lot size and the wooded setting of the house will minimize noise impacts on adjacent properties.

The closest residence on adjacent property is approximately 350 feet from the proposed short term rental.

There were two (2) public comments received at the advertised public hearing.

STAFF ANALYSIS

RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission recommends approval of this special use permit request, by a vote of 6-0-1-0, with the following four (4) conditions:

- 1) This special use permit authorizing the short term rental dwelling on tax parcel # 0050007901 shall only apply to the existing dwelling on the property. No future dwelling on the property shall be used for short term rental unless this special use permit shall be revised by the Board of Supervisors after review and recommendation of the Planning Commission.
- 2) The owner shall always comply with the supplementary regulations for short term rentals found in Section 25-138 of the Franklin County Code.

RECOMMENDATION OF THE PLANNING COMMISSION

- 3) The County Building Official and Fire Marshal shall inspect the proposed short term rental use within 30 days of the approval of the special use permit for the short term rental. No short term rental of the property shall be authorized until these inspections take place, and the property is found to be compliant with the applicable county building and fire codes.
- 4) Prior to using the property as a short term rental use, a certified professional engineer shall evaluate the existing septic system serving the house and provide the county with a report that certifies that the system is functioning properly and can meet the demands of a two bedroom home.

*Public Hearing was opened
No public comment was received
Public Hearing was closed*

(RESOLUTION # 22-05-2020)

APPLICATION OF EDWARD T. CARTER JR. AND HEATHER E. CARTER, APPLICANTS AND OWNERS, REQUESTING A SPECIAL USE PERMIT WITH POSSIBLE CONDITIONS, TO ALLOW FOR THE SHORT TERM TOURIST RENTAL OF A DWELLING, LOCATED ON AN APPROXIMATE 5.00 ACRE PROPERTY. THE PROPERTY, CURRENTLY ZONED A-1, AGRICULTURE, IS LOCATED AT 220 RIDGEWAY ROAD IN THE BOONE DISTRICT OF FRANKLIN COUNTY AND IS FURTHER IDENTIFIED BY FRANKLIN COUNTY REAL ESTATE RECORDS AS TAX MAP/PARCEL # 0050007901. SHORT TERM TOURIST RENTAL OF A DWELLING IS A PERMITTED USE BY SPECIAL USE PERMIT IN A-1 AGRICULTURE ZONING DISTRICTS AND SUBJECT TO THE SUPPLEMENTAL REGULATIONS FOUND IN SECTION 25-138 OF THE FRANKLIN COUNTY CODE. THE PROPERTY HAS A FUTURE LAND USE DESIGNATION OF AGRICULTURE FORESTRY/RURAL RESIDENTIAL.

WHEREAS, Edward T. Carter and Heather E. Carter did file an application requesting a Special Use Permit to allow for the short term tourist rental of a dwelling on an approximate 5.00 acre parcel, located in the Boone District, and

WHEREAS, the 5.00 acre property is zoned A-1, Agricultural and short term tourist rental of a dwelling is a permitted use by special use permit in A-1 districts, and

WHEREAS, after due legal notice as required by Section 15.2-2204/2205 of the Code of Virginia of 1950, as amended, the Planning Commission and Board of Supervisors did hold public hearings on March 10, 2020 and April 21, 2020, respectively, at which time, all parties in interest were given an opportunity to be heard, and

WHEREAS, after full consideration, the Franklin County Planning Commission recommended APPROVAL of the Special Use Permit with the following four (4) conditions:

1. This special use permit authorizing the short term rental dwelling on tax parcel # 320005800 shall only apply to the existing dwelling on the property. No future dwelling on the property shall be used for short term rental unless this special use permit shall be revised by the Board of Supervisors after review and recommendation of the Planning Commission.
2. The owner shall always comply with the supplementary regulations for short term rentals found in Section 25-138 of the Franklin County Code

3. The County Building Official and Fire Marshall shall inspect the proposed short term rental use within 30 days of the approval of the special use permit for the short term rental. No short term rental of the property shall be authorized until these inspections take place, and the property is found to be compliant with the applicable county building and fire codes.

4. Prior to using the property as a short term rental use, a certified professional engineer shall evaluate the existing septic system serving the house and provide the county with a report that certifies that the system is functioning properly and can meet the demands of a two bedroom home.

WHEREAS, after full consideration, the Franklin County Board of Supervisors determined that the requested Special Use Permit is consistent with the purpose and intent of the County's Comprehensive Plan and good zoning practice and will not be a substantial detriment to the community and APPROVED the request with the four (4) conditions recommended by the Planning Commission as contained in this Resolution.

THEREFORE, BE IT RESOLVED, that a copy of this resolution be transmitted to the Clerk of the Planning Commission, the Franklin County Commissioner of Revenue and the Franklin County Zoning Administrator and that the Clerk be directed to reflect this action to APPROVE the Special Use Permit in the records of Franklin County.

On the motion by Tommy Cundiff to approve the requested Special Use Permit, and seconded by Mike Carter, said motion was APPROVED by the following recorded vote:

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum

ABSENT: Thompson

Roll Call vote was taken

9. **APPLICATION for SPECIAL USE PERMIT** – Application of Bradley Ty Walker, Applicant, and William J. Walker Jr. and Bonnie Peters Walker, Owners, requesting a Special Use Permit with possible conditions, to allow for the short term tourist rental of a dwelling, located on an approximate 131 acre property. The property, currently zoned A-1, Agriculture, is located at 1027 Ty Valley Lane in the Union Hall District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0710005300. Short term tourist rentals of a dwelling is a permitted use by Special Use Permit in A-1 Agriculture zoning districts and subject to the supplemental regulations found in Section 25-138 of the Franklin County Code. The property has a future land use designation of Agriculture Forestry/Rural Residential.

Mr. Sandy, Director of Planning and Community Development presented the below:

CASE # 02-20-
16504

APPLICATION for SPECIAL USE PERMIT – Application of Bradley Ty Walker, Applicant, and William J. Walker Jr. and Bonnie Peters Walker, Owners, requesting a Special Use Permit with possible conditions, to allow for the short term tourist rental of a dwelling, located on an approximate 131 acre property. The property, currently zoned A-1, Agriculture, is located at 1027 Ty Valley Lane in the Union Hall District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0710005300. Short term tourist rentals of a dwelling is a permitted use by Special Use Permit in A-1 Agriculture zoning districts and subject to the supplemental regulations found in Section 25-138 of the Franklin County Code. The property has a future land use designation of Agriculture Forestry/Rural Residential.

The proposed short term rental is located on a 131 acre parcel that is a component of a 300 acre farm owned by the Walkers.

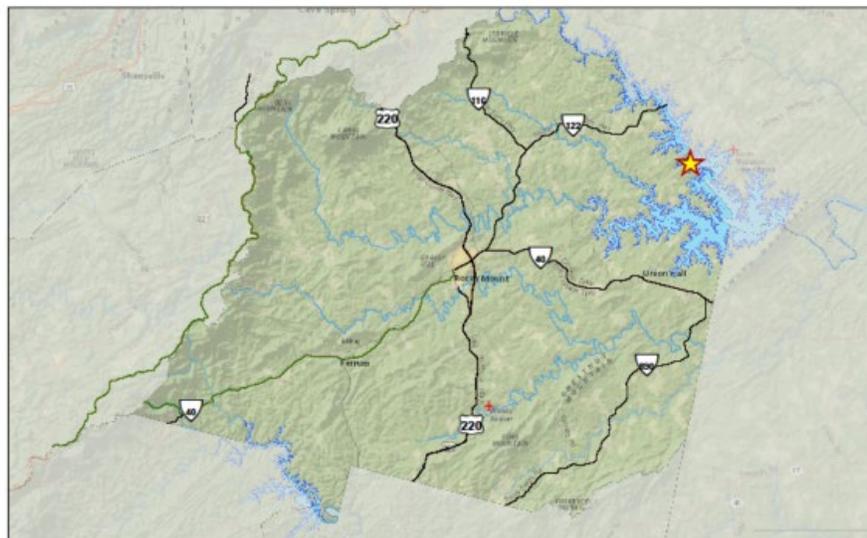
The proposed short term rental structure is a small one room dwelling with attached bathroom and is approximately 247 square feet in size.

The proposed short term rental is accessed via Ty Valley Lane and Byrds Mill Lane.

Ty Valley Lane is a private R/W located off Byrds Mill Lane in the Union Hall District.

Byrds Mill Lane is a public R/W maintained by VDOT.

BACKGROUND



★ Subject Property Location

Tax Map #0320400300
VAR-02-20-16508
Minniear/Vogel

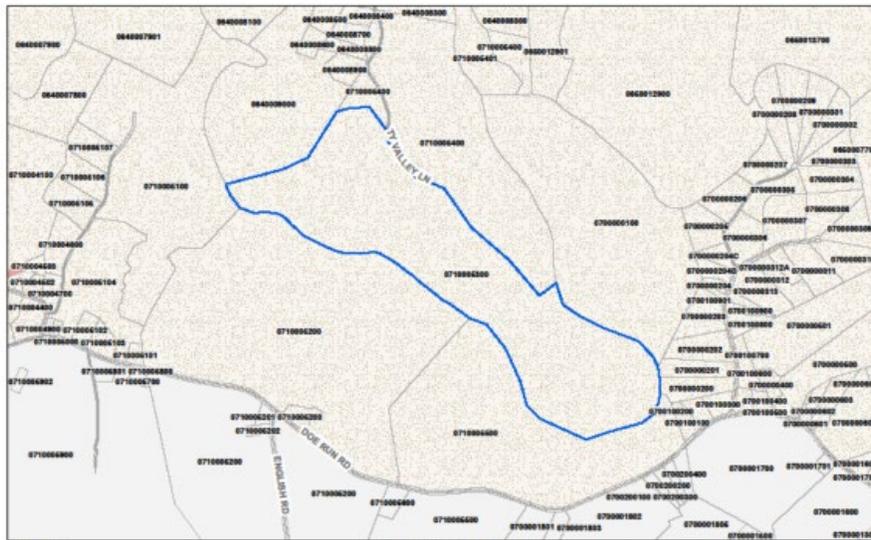
0 2.5 5 10 15 20 Miles



Date: 2/21/2020



Franklin Co GIS



- Legend**
- Subject Parcel
 - Parcels
 - Special Use Permit
 - Smith Min Lake
- Zoning Classifications**
- A1 - Agriculture
 - B2 - Limited Business District
 - NC - Non Zoned

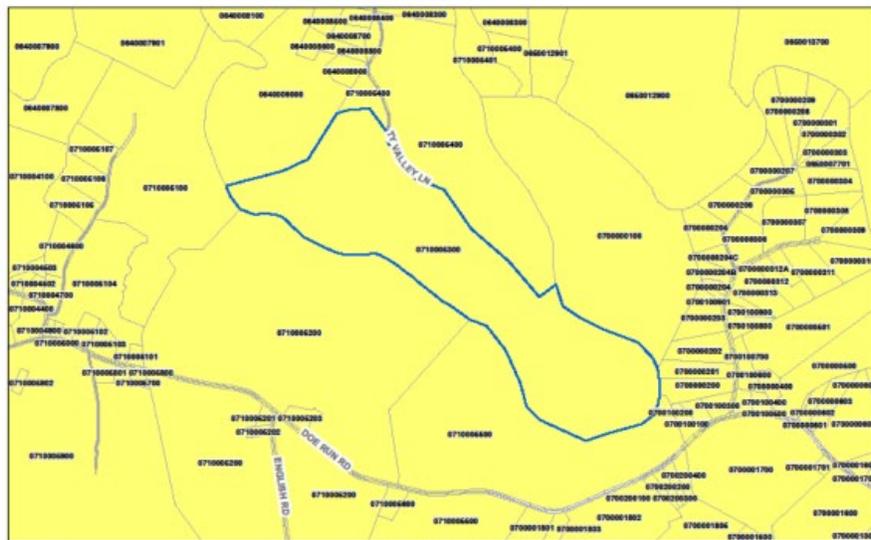
Tax Map # 0710005300
 SPEC-01-20-16504
 Bradley Walker



Date: 2/27/2020



Franklin Co GIS



- Legend**
- Subject Property
 - Tax Parcels
 - Low Density Residential

Tax Map # 0710005300
 SPEC-01-20-16504
 Bradley Walker



Date: 2/27/2020



Franklin Co GIS



STAFF ANALYSIS

1

The staff expects minimal community impacts from the use of this house for short term rental.

2

The one room/bedroom design of this house will limit the legal short term occupancy of the house to two adults.

3

The 131 acre lot size and the wooded setting of the house will minimize noise impacts on adjacent properties.

4

There were no public comments received during the advertised public hearing.

RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission recommends approval of this special use permit request, by a vote of 7-0-0-0, with four (4) conditions:

- 1) This special use permit authorizing the short term rental dwelling on tax parcel # 0710005300 shall only apply to the existing dwelling on the property. No future dwelling on the property shall be used for short term rental unless this special use permit shall be revised by the Board of Supervisors after review and recommendation of the Planning Commission.
- 2) The owner shall always comply with the supplementary regulations for short term rentals found in Section 25-138 of the Franklin County Code.

RECOMMENDATION OF THE PLANNING COMMISSION

- 3) The County Building Official and Fire Marshal shall inspect the proposed short term rental use within 30 days of the approval of the special use permit for the short term rental. No short term rental of the property shall be authorized until these inspections take place, and the property is found to be compliant with the applicable county building and fire codes.
- 4) Prior to using the property as a short term rental use, a certified professional engineer shall evaluate the existing septic system serving the house and provide the county with a report that certifies that the system is functioning properly and can meet the demands of a one bedroom home.

*Public Hearing was opened
No public comment was received.
Public Hearing was closed*

(RESOLUTION # 23-05-2020)

APPLICATION OF BRADLEY TY WALKER, APPLICANT, AND WILLIAM J. WALKER JR. AND BONNIE PETERS WALKER, OWNERS, REQUESTING A SPECIAL USE PERMIT WITH POSSIBLE CONDITIONS, TO ALLOW FOR THE SHORT TERM TOURIST RENTAL OF A DWELLING, LOCATED ON AN APPROXIMATE 131 ACRE PROPERTY. THE PROPERTY, CURRENTLY ZONED A-1, AGRICULTURE, IS LOCATED AT 1027 TY VALLEY LANE IN THE UNION HALL DISTRICT OF FRANKLIN COUNTY AND IS FURTHER IDENTIFIED BY FRANKLIN COUNTY REAL ESTATE RECORDS AS TAX MAP/PARCEL # 0710005300. SHORT TERM TOURIST RENTALS OF A DWELLING IS A PERMITTED USE BY SPECIAL USE PERMIT IN A-1 AGRICULTURE ZONING DISTRICTS AND SUBJECT TO THE SUPPLEMENTAL REGULATIONS FOUND IN SECTION 25-138 OF THE FRANKLIN COUNTY CODE. THE PROPERTY HAS A FUTURE LAND USE DESIGNATION OF AGRICULTURE FORESTRY/RURAL RESIDENTIAL.

WHEREAS, Bradley Ty Walker did file an application requesting a Special Use Permit to allow for the short term tourist rental of a dwelling on an approximate 131 acre parcel, located in the Union Hall District, and

WHEREAS, the 131 acre property is zoned A-1, Agricultural and short term tourist rental of a dwelling is a permitted use by special use permit in A-1 districts, and

WHEREAS, after due legal notice as required by Section 15.2-2204/2205 of the Code of Virginia of 1950, as amended, the Planning Commission and Board of Supervisors did hold public hearings on March 10, 2020 and April 21, 2020, respectively, at which time, all parties in interest were given an opportunity to be heard, and

WHEREAS, after full consideration, the Franklin County Planning Commission recommended APPROVAL of the Special Use Permit with the following four (4) conditions:

1. This special use permit authorizing the short term rental dwelling on tax parcel # 0710005300 shall only apply to the existing dwelling on the property. No future dwelling on the property shall be used for short term rental unless this special use permit shall be revised by the Board of Supervisors after review and recommendation of the Planning Commission.
2. The owner shall always comply with the supplementary regulations for short term rentals found in Section 25-138 of the Franklin County Code
3. The County Building Official and Fire Marshall shall inspect the proposed short term rental use within 30 days of the approval of the special use permit for the short term rental. No short term rental of the property shall be authorized until these inspections take place, and the property is found to be compliant with the applicable county building and fire codes.
4. Prior to using the property as a short term rental use, a certified professional engineer shall evaluate the existing septic system serving the house and provide the county with a report that certifies that the system is functioning properly and can meet the demands of a one bedroom home.

WHEREAS, after full consideration, the Franklin County Board of Supervisors determined that the requested Special Use Permit is consistent with the purpose and intent of the County's Comprehensive Plan and good zoning practice and will not be a substantial detriment to the community and APPROVED the request with the four (4) conditions recommended by the Planning Commission as contained in this Resolution.

THEREFORE, BE IT RESOLVED, that a copy of this resolution be transmitted to the Clerk of the Planning Commission, the Franklin County Commissioner of Revenue and the Franklin County Zoning Administrator and that the Clerk be directed to reflect this action to APPROVE the Special Use Permit in the records of Franklin County.

On the motion by Ronald Mitchell to approve the requested Special Use Permit, and seconded by Tommy Cundiff, said motion was APPROVED by the following recorded vote:

VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Smith, Tatum
ABSENT: Thompson

Roll call vote

Public Comment Period Continued (if any citizen wishes to speak) – No citizen comments were received

Chairman Mitchell recessed the Board until May 26, 2020 at 5:00 PM