

Department of Planning & Community Development



A meeting of the Franklin County Planning Commission was held on September 8, 2020 in the Board of Supervisors meeting room located in the Franklin County Government Center.

THOSE PRESENT:

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

THOSE ABSENT:

James Colby- Gills Creek District
Angie McGhee- Boone District

OTHERS PRESENT:

Steven Sandy- Director of Planning & Community Development
Lisa Cooper- Principal Planner
Hannah Powell- Clerk

The meeting was called to order by Chairwoman Mitchell at 6:00 p.m. The next order of business was the approval of the minutes from the August 11, 2020 meeting. Chairwoman Mitchell asked of the Planning Commission if there were any comments or corrections to the minutes as written other than the correction already mentioned by Mr. Colby; there were none. Chairwoman Mitchell announced the minutes would stand as written.

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Megan Lorson, Applicant, and Kevin D. Lorson and Megan R. Lorson, Owners, requesting a Special Use Permit with possible conditions, to allow for the short term tourist rental of a dwelling, located on an approximate 1.46 acre property. The property, currently zoned A-1, Agricultural, is located at 160 Blue Ridge Lane in the Rocky Mount District of Franklin County and is further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0720017905CC. Short term tourist rental of a dwelling is a permitted use by issuance of a Special Use Permit by the Franklin County Board of Supervisors in A-1, Agricultural 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 began by explaining that the property is currently used for residential purposes and has an apartment space available. The apartment is located in the basement of the home and includes a full kitchen, living room, one (1) bedroom, one (1) full bathroom, an office, and closet space. Mr. Sandy continued by saying that the apartment has an independent entrance with a lock box for self-check in, as well as separate parking available in the rear of the home. The apartment will also offer outdoor entertainment with outdoor seating, firepit, and corn hole area. The property is in a semi-private location near the end of Blue Ridge Lane and with only two (2) other homes nearby; the closest one approximately 239 feet away. The area around the home is primarily wooded.

Mr. Sandy went on to say that the comprehensive plan states as an objective to promote and expand the tourism industry within Franklin County with a strategy to encourage development of infrastructure that supports tourism like lodging, restaurants, etc. The comprehensive plan would support the special use permit for this property to be used as a short term rental dwelling unit with conditions staff is requesting.

Mr. Sandy stated that Franklin County Public Safety, Fire Marshal have reviewed this request and have no concerns provided upon approval of the requested SUP. The Building Official's office and the Fire Marshal will inspect the

structure proposed for short term rental use to ensure that the structure complies with building and fire code requirements for short term rental use. Building Official will need to confirm that the apartment has proper ingress/egress. In addition, fire separation will be required once apartment is used for short term rentals.

Mr. Sandy continued by saying that staff anticipates minimal noise impacts related to this site due to the location of the home and proximity to other residences. Traffic is expected to be light from this proposed use however access road is narrow and private. Staff has received one (1) call inquiring about the nature of the request.

Mr. Sandy concluded that Staff recommends that the Planning Commission consider and approve the Special Use Permit to allow for the short-term tourist rental of a dwelling with the following four (4) conditions:

- 1) This special use permit authorizing the short-term rental dwelling on tax parcel # 0720017905CC 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 5.5 and 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, the property owner shall provide documentation from the Virginia Department of Health and Franklin County Building Official that the home and septic system is approved for the dwelling and associated apartment in basement.

Mr. Sandy offered to answer any questions.

Chairwoman Mitchell asked if anyone had questions for Mr. Sandy; no one did. Chairwoman Mitchell then asked to hear from the applicant.

Mr. and Mrs. Lorson said they wanted to add that all their neighbors were in agreement to their request and had no problem with the short term rental. They also mentioned that their grandparents maintained the private road where their home was located.

Chairwoman Mitchell asked if anyone had questions for the Lorsons; No one did. Chairwoman Mitchell then opened the public hearing and asked if there was anyone present that would like to speak; there was not. Chairwoman Mitchell then closed the public hearing and the members had discussion among themselves.

Mr. Clements made a motion to APPROVE, stating that he found that such use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of the County Code with the uses permitted by right in the zoning district, and with the public health, safety and general welfare to the community. Therefore, I move to recommend approval of the applicant's request for a Special Use Permit to allow for the short-term tourist rental of a dwelling in accordance with Sec. 25-179 of the Zoning Ordinance, with the conditions as recommended in the staff memorandum.

Mr. Doss seconded the motion.

The motion to approve the request was approved. Voting on the motion was as follows:

AYES: Doss, Clements, Pendleton, Crawford, Mitchell
NAYES: None
ABSENT: Colby, McGhee
ABSTAIN: None

Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

APPLICATION for SPECIAL USE PERMIT – Application of Russell Seneff, Applicant and Owner, requesting a special use permit, with possible conditions, to allow for the short term tourist rental of a dwelling. The property is approximately 14.13 acres with 1.00 acre requested to be used for the short term rental of four (4) cottages. The property is located on Bethel Lane in the Union Hall District of Franklin County and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0530010000. The short term tourist rental of a dwelling is a permitted use in A-1, Agricultural zoning districts by issuance of a special use permit by the Franklin County Board of Supervisors 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 began by explaining that the applicant requests a special use permit to allow for the short term tourist rental of up to four (4) prospective one-bedroom cottages. The proposed cottages are proposed to provide a place for the wedding parties and their families to stay during their wedding events but could also be rented at other times of the year.

Mr. Sandy went on to say that each individual cottage will be approximately 576 square feet and will consist of one (1) bedroom, one (1) bath, kitchen, and living area. The cottages are proposed to all be connected to a four (4) bedroom septic system and private well. The applicant has identified several locations on the 14 acre parcel to place the cottages. It is their intention to have a soil scientist determine the most ideal location for them. All of the proposed locations are isolated on the property and would be set back from the road and the existing residences.

Mr. Sandy continued by saying that the comprehensive plan states as an objective to promote and expand the tourism industry within Franklin County with a strategy to encourage development of infrastructure that supports tourism like lodging, restaurants, etc. The comprehensive plan would support the special use permit to allow up to four (4) cottages being constructed on this property to be used as a short term rental dwelling unit with conditions staff is requesting.

Mr. Sandy stated that Franklin County Public Safety, Fire Marshal, and Building Official have reviewed this request and have no concerns provided upon approval of the requested SUP, the Building Official's office and the Fire Marshal will inspect the structures proposed for short term rental use to ensure that the structures comply with building and fire code requirements for short term rental use. Staff anticipates minimal noise impacts related to this site due to the nature of the request and proximity to other residences. Staff has received two (2) calls inquiring about the nature of the request.

Mr. Sandy concluded that staff recommends that the Planning Commission approve the request for a Special Use Permit to allow for the short-term tourist rental of up to four (4) one-bedroom cottages with the following four (4) conditions:

- 1) This special use permit authorizing the short-term rental dwelling on tax parcel # 0720017905CC shall only apply to up to four (4) one-bedroom cottages 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 5.5 and Section 25-138 of the Franklin County Code
- 3) The County Building Official and Fire Marshall shall inspect the proposed short term rental cottages once constructed. No short-term rentals shall be authorized until these inspections take place, and the structures are found to be compliant with the applicable county building and fire codes. Franklin County shall assign a E911 address and owner shall display clearly on each structure.
- 4) Prior to using the cottages for short term rentals, the property owner shall provide documentation from the Virginia Department of Health and Franklin County Building Official that the septic system is approved to serve up to four (4) one-bedroom cottages.

Mr. Sandy offered to answer any questions.

Chairwoman Mitchell asked if anyone had questions for Mr. Sandy; No one did. Chairwoman Mitchell then asked to hear from the applicant.

Mr. Seneff stated that the cottages will highlight the existing wedding venue. He added that he and his wife work hard to keep the area well maintained and will continue to do so. He offered to answer any questions.

Chairwoman Mitchell asked if anyone had questions for Mr. Seneff; no one did. Chairwoman Mitchell then opened the public hearing and asked if there was anyone present that would like to speak; there was not. Chairwoman Mitchell then closed the public hearing and the members had discussion among themselves.

Mrs. Crawford made a motion to APPROVE, stating that she found that such use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of the County Code with the uses permitted by right in the zoning district, and with the public health, safety and general welfare to the community. Therefore, I move to recommend approval of the applicant's request for a Special Use Permit to allow for the short-term tourist rental of a dwelling in accordance with Sec. 25-179 of the Zoning Ordinance, with the conditions as recommended in the staff memorandum.

Mr. Pendleton seconded the motion.

The motion to approve the request was approved. Voting on the motion was as follows:

AYES:	Doss, Clements, Pendleton, Crawford, Mitchell
NAYES:	None
ABSENT:	Colby, McGhee
ABSTAIN:	None

Chairwoman Mitchell introduced the next item on the agenda as citizen comment and asked if there was anyone present that would like to speak on any topic; there was not.

Chairwoman Mitchell then moved on to new business of possible zoning amendments to the zoning ordinance regarding duplexes in A-1 districts.

Mr. Sandy began by saying that at the Board of Supervisor's August 18, 2020 meeting, a citizen requested that the Board consider amending the County Code to allow duplexes in A-1, Agricultural Districts, by issuance of a special use permit. The County Code currently allows duplexes as a permitted use in Residential Multifamily Districts (RMF) and Residential Planned Unit Development Districts (RPD). Duplexes are not allowed in any other zoning district as a permitted use or with a special use permit.

Mr. Sandy went on to say that the A-1 zoning district currently allows single family dwellings which could include stick built homes, modular homes and /or manufactured (mobile) homes. Section 25-188 provides allowance for a second dwelling on a parcel greater than one (1) acre only if the second dwelling unit is occupied by a family member or someone working on the farm. During the August meeting, the Board of Supervisors discussed the potential changes and referred this back to the Planning Commission for review and recommendation. Mr. Sandy mentioned some of the items for discussion as follows:

- Well/Septic capacity - ground water
- Density- how many per area?
- Villages- area
- Lot size/road frontage
- Affordable housing

The Planning Commission discussed the options available and determined that they would like to further discuss this topic at their next meeting. They asked for staff to devise language that can be used as suggested motions for them to review at the meeting the following month.

With no other business, the meeting was adjourned at 7:15 p.m.

Hannah I. Powell, Clerk
Franklin County Planning Commission

September 18, 2020
Date