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Bath County Board of Zoning Appeals

Bath County Courthouse – Room 115
April 18, 2016

MEMBERS PRESENT: Chairman Janice O'Farrell, Vice-Chair Scott Miller, Rick Armstrong, Jason Miller

MEMBERS ABSENT: Richard Hise

PUBLIC IN ATTENDANCE: Mike Bollinger (Press), Beth Rogers

STAFF PRESENT: Sherry Ryder

Chairman O'Farrell called the meeting to order at 7:00 p.m.

PUBLIC COMMENT—MATTERS UNRELATED TO THE AGENDA: None

ADDITIONS AND CORRECTIONS TO AGENDA: None

PUBLIC HEARING:

- Bath County Farmer's Market/ Mary Hodge/CA Partners VHS #4, LLC/Natural Assets – Homestead Preserve (TM#72-43K) – Request for Renewal of Conditional Use Permit application to use the former stable's area in downtown Hot Springs as a place to host the Bath County Farmer's Market. The property comprises 1.84 acres situated in the Cedar Creek Magisterial District and is zoned B-2 General Business.

Sherry Ryder: They are asking for a one (1) year renewal at the same site as last year. Next year they are hoping to go to the Mitchelltown property purchased by the County recently. The Natural Assets project did not advance as fast as they thought it would and so has agreed to allow them to have it for another summer there. I haven't had any complaints, or comments. It was advertised.

Chairman O'Farrell: Does anyone have any questions for Sherry?

Jason Miller: What was the original application time period?

Sherry Ryder: They had asked for two (2) years.

Jason Miller: If we approve this for one year and they do get to do it there again, then they will be coming back and being charged a hundred dollars again. Unless the Board passes doing away with the Conditional Use fees.

Sherry Ryder: You could pass their request for a longer term for this piece of property as long as it is in consecutive years. If they go somewhere else next year and then want to come back then they would need to come back and apply for a Conditional Use Permit again for this location.

Chairman O'Farrell: Does anyone have any more questions for Sherry? I now open the Public Hearing. Does anyone want to say anything?

Beth Rogers: Thank you for considering this and maybe it would make sense to request for two years. If it is allowable to change it at this point. We have had a bit of a snag this year. We had a lack of vendor commitment and a lack of produce vendors. So we won't be able to pull a weekly market for the first time in almost ten (10) years. We are going to go to a once a month market. The first Saturday of the month starting in July. We are hoping this will only be a one year slump. Next year, whether we are at the Mitchelltown location or at Natural Retreats. We had asked for one year because they would only give us a one year commitment. We are hoping for a better year next year.

Jason Miller: You said that you will be starting the first market in July?

Beth Rogers: Typically, we start in June but we have a problem with getting produce vendors. So we thought that by starting in July, (July 2nd) it will be better and go four consecutive weeks and do the last market October 1st.

Rick Armstrong: Is there a possibility that in midstream the produce suppliers will come out of the woodwork and be able to have the market twice a month?

Beth Rogers: Could be, we talked about it a little bit but we only had two people that could do produce anyway. One person was doing it for the first time and is unsure if they would have enough produce to do it every week. The other is from Highland and not sure if there would be enough business to make it worth their time. They wanted to come once or twice, to see and then make up their mind. It's a big marketing thing to get the word out but if things look up then we may change the ads as we go along. We will continue to offer entertainment, kid activities and snack benefits on those Saturdays. The first Saturday works out with the week most people get their benefits.

Chairman O'Farrell asked if any of the other BZA members had any questions. Chairman O'Farrell closed the Public Hearing. She then asked for a motion.

Jason Miller: I make a motion to approve the Bath County Farmer's Market application under Bath County Land Use Regulation section 610.02-17 and 610.01, as approved before. "Fruit or vegetable stores" and the Comp Plan, under "Perspectives on Agriculture", for a period of two (2) years.

Rick Armstrong: Seconded the motion.

Vote: 4-0

PUBLIC HEARING: None

CHAIRMAN'S REPORT:

STAFF REPORT:

The staff report is in the packet.

Chairman O'Farrell: Does anyone have questions for Sherry? None

OLD BUSINESS: None

NEW BUSINESS: None

MINUTES:

Chairman O'Farrell: Do I hear a motion to approve the minutes of March 21, 2016?

Rick Armstrong: I make a motion to approve the minutes of March 21, 2016.

Vice-Chair S. Miller seconded the motion.

VOTE: 4-0

Chairman O'Farrell asked for a motion to adjourn.

Jason Miller motioned to adjourn.

Vise-Chair S. Miller seconded the motion.

Chairman O'Farrell adjourned the meeting.

Janice O'Farrell, Chairman

Date