

Building Planning & Zoning
65 Courthouse Hill Road
P. O. Box 216
Warm Springs, VA 24484



OFFICE PHONE: 540-839 7236
OFFICE FAX: 540-839-7297

Bath County Board of Zoning Appeals

Bath County Courthouse – Room 115

April 21, 2014

MEMBERS PRESENT: Chairman Janice O’Farrell, Rick Armstrong, Scott Miller, Richard Hise

MEMBERS ABSENT: Valley Spring’s seat vacant at this time.

PUBLIC IN ATTENDANCE: Chairman O’Farrell acknowledge public in attendance. Welcomed them.
Mike Collins, 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:

- 1) The appointment of Vice Chair, to be done under New Business.
- 2) Chairman O’Farrell wanted to hold a moment of silence in memory of Becky Armstrong.

Chairman O’Farrell: Becky Armstrong was a very dedicated member of the Board of Zoning for many years.

Mrs. Ryder: I agree, she was a very active with this Board and many other things. She took pride in making sure the job was done “By the Book!” She will be missed.

Chairman O’Farrell: She told me, when I took on being Chair, she would be here to hold my hand and help me.

PUBLIC HEARING:Bath County Farmer’s Market/ NA Homestead Preserve, LLC (TM#72-43) – 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 is a portion of a larger tract that comprises 1,224.88 acres situated in the Cedar Creek Magisterial District and is zoned B-2 General Business.

Mrs. Ryder gave an overview of the Farmer’s Market’s Zoning Appeals Summary. The current Conditional Use Permit is still valid for this year, for the parking lot area downtown Hot Springs, however they don’t intend to use that area unless there is an unforeseen obstacle that would prevent them from using the Stable’s lot.

The property is zoned B2 General Business. The use is similar to Section 610.02-17, which permits fruit or vegetable stores. In years past, the Farmer’s Market was located on the parking lot when it was first formed. The intent of B-2 is to provide space for the general commercial development to which the public

requires direct and frequent access, including retail business and services at locations where it is convenient.

There is not specific reference to this use, but considering that it was previously across the street on the parking lot, which is also zoned B-2 and has been held in the same location in the past, I would suggest that it falls under "similar to" Section 610.02-17. You will see under the Conditional Use Application the relevant section(s) of the Land Use Regulations as well as the Comp Plan, under "Perspectives on Agriculture". The Planning Commission met on March 24, 2014 and heard this matter. They voted with a vote of 3-0-1 to recommend approval (Trudy Woodzell abstained from voting, being employed by Natural Preserve). The motion was made by Mr. John Cowden to recommend approval of a Conditional Use Permit for two years, as the permit currently stands by code sections 610.2-17 and 610.01 of the Bath County Land Use Regulations.

They have asked for two years. The plan is, there will be some construction on the parking lot with some improvements and when those improvements are built there will also be an area for the Farmer's Market that will be a permanent area for patio fixtures. Beth Rogers is here to answer any question. I have not had anyone object to this request. I have talked to many that approve. I have included a map of the area, the stables have been torn down and there is a nice, fenced in, grassy area there now. There is a stream that goes down the back. It is located on Rt. 615 Main Street, Hot Springs.

There was a question of concern about parking and Beth assured them that signs will be put up telling people where parking will/will not be allowed. There will be some parking in the fenced in portion of the premises as well.

Chairman O'Farrell opened the public hearing.

Chairman O'Farrell asked Beth if she had anything to say. She also asked about the success of the Farmer's Market in the past.

Beth Rogers said the Market has had several successful years and they were excited about the new location with its park like setting. Maybe it will encourage families to hang out longer. They are getting great support from Natural Retreats, Omni Homestead, Bath County Tourism, and the Parks and Recreation as well as the surrounding Community Businesses. Do you have any questions for me?

Mr. Miller asked about the Parking Lot CUP permit.

Ms. Rogers said they thought the Parking Lot Permit was for one year, when we asked for a permit on the grassy stable's lot. The parking lot permit turned out to be a two year permit with a misunderstanding with one member of the Board of Supervisors. Since we still have the parking lot permit we plan on using that location as overflow parking with signage there. Also as Mrs. Ryder said, if we should have a torrential downpour and the place became a muddy pit, we would still be able to use the Parking Lot area if we had to. I thank you for your support and hope to see you at the market this summer.

Chairman O'Farrell closed the public hearing.

Chairman O'Farrell: Do I hear a motion for a Conditional Use Permit on the use of the Old Stable's Lot located in downtown Hot Springs to host the Bath County Farmer's Market.

Rick Armstrong: I find it similar to the Bath County Land Use Regulations 610.02-17 and 610.01. I will make the motion that the Conditional Use Permit be granted for the two year period requested at the Stable Lot in downtown Hot Springs.

Mr. Hise: I will second the motion.
Vote: 4-0

Mrs. Ryder thanked Beth Roger for being willing to continue the Farmer's Market.
Beth Rogers said she enjoyed it and had help from a group of ladies this year.

Chairman's Report:

Staff Report:

Mrs. Ryder: The Planning Commission is still working on the Comp Plan.

Old Business: None

New Business: The nomination/election of Vice Chair

Chairman O'Farrell: I need a motion for Vice Chair.

Rick Armstrong made the motion for Scott Miller to be Vice Chair.

Richard Hise, seconded the motion

Vote: 3-0-1 (Scott Miller abstained)

MINUTES:

Chairman O'Farrell asked if there were any additions or correction to the Minutes of July 15, 2013

Mrs. Ryder said a correction needs to be made on the spelling Mr. Richard Byrd's name.

Chairman O'Farrell asked for a motion to approve the corrected Minutes of July 15, 2013.

Vice Chair Miller, made a motion to approve the Minutes.

Rick Armstrong seconded the motion.

Vote: 4-0

Motion to Adjourn

Mr. Hise: I make a motion to adjourn the meeting

Vice Chair Miller: I will second the motion.

Chairman O'Farrell adjourned the meeting at 7:54 p.m.

Janice O'Farrell, Chairman

Date