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**Bath County Planning Commission**

**Bath County Courthouse – Room 115**

**August 25, 2014**

**MEMBERS PRESENT:** Michael Grist (Chairman), John Cowden (Vice Chairman), Trudy Woodzell, John Loeffler

**MEMBERS ABSENT:** Jason Miller

**PUBLIC IN ATTENDANCE:** Mike Bollinger (press), Ashton Harrison, Willie Smith, Jay Trinca

**STAFF PRESENT:** Sherry Ryder

**CALL TO ORDER:**

**Chairman Grist** called the meeting to order at 7:00 p.m.

**PUBLIC COMMENT—MATTERS UNRELATED TO THE AGENDA:**

**Willie Smith**, Warm Springs District, Cedar Creek area, addressed the need for the Cedar Creek Water Improvement Extension Project. He noted that this project was in the Comp Plan and Capital Improvement Plan as part of the growth area, years ago and still is. He asked that the Planning Commission correspond with the Board of Supervisors and ask them to consider completing the extension. He stated that he felt it could have been helpful during the water tank problem, in Warm Springs, last year.

**Chairman Grist** informed Mr. Smith that it is in the Comp Plan and there are no plans on taking it out. He will speak to the Board of Supervisors as well.

**Ashton Harrison**, County Administrator, thanked the Planning Commission for all their work on the Comp Plan and as well as other ordinances.

**ADDITIONS OR CORRECTIONS TO THE AGENDA:** None

**PUBLIC HEARING:** Comp Plan Final Draft

**Chairman Grist** noted that a couple written submittals were received. Is there anyone else wanting to speak?

**Sherry Ryder** noted that correspondence from Claire Collins, Ashton Harrison, Jay Trinca and Jeanette Robinson, and Eddie Hicklin had been received. We were waiting on VDOT for a cost for the Bath Co. High School Entrance Safety Study. She noted that VDOT supplied a broad cost of \$10,000-50,000 that needed to be added to VDOT's Six Year Improvement Plan. It's also incorporated into our Comp Plan.

**Mr. Trinca** stated he felt there was an improvement over the last Comp Plan. He would like his list of concerns studied again and he volunteered to be on a sub-committee. He then read over his list. (List attached and made a part of these minutes).

**Chairman Grist** thanked Mr. Trinca. Being no other comments, Chairman Grist closed the Public Hearing.

**Chairman Grist** inquired whether anyone else had any questions on Mr. Trinca's and the others individuals' comments?

He commented that in the last week or two we had received the best information from Mr. Trinca and others, than we've received in the past year. Personally, he stated that he agreed with some of the comments, not all. This plan is large and things get missed and we need extra eyes to look at it. You can't write all requirements in a Comp Plan, but you can add/change them in your ordinance.

**Vice Chair Cowden** stated that the Comp Plan can't get too specific. We can't see five years in the future. We want a good map to follow and a goal. We don't want to get our hands tied by getting too specific and having problems down the road.

**Chairman Grist** suggested that maybe we need to look at the appendix for the Smart Growth section. Taking it out of the base model part of the plan.

A work session was set for September 3<sup>rd</sup> at 6:00p.m at the Courthouse with another Public Hearing at the next scheduled meeting date on September 22<sup>nd</sup>.

## **FLOODPLAIN ORDINANCE**

**Revised Flood Plan Ordinance** – Sherry said she was notified that some of our ordinance was a little bit outdated and FEMA had changed some of their regulations and our current ordinance didn't meet their standards. Basically it rearranges some of the text, some edits to language. As far as our regulations and how we do things, in Bath County, it stays the same. It is spelled out more clearly in the ordinance. Their recommendations were taken into account and put it into their format the way they like to see it, so our regulations will be the same, but in the context and format they want; making sure we had an enforcement section, we didn't have the Administration section before, we actually did it but it wasn't in writing. Now it is in writing and after it is adopted it will become part of the ordinance. During our recent audit, FEMA representative stated that Bath County did do everything to code and Bath was given an A for compliance.

**Sherry Ryder** asked if anyone had any questions on the changes to the old ordinance

**Chairman Grist** opened the public hearing. Being no comments, the Public Hearing was closed.

**Vice Chair Cowden** made a motion to recommend to the Board of Supervisors for the adoption of the revised Floodplain Ordinance as presented.

**John Loeffler**, seconded the motion.

Vote: 4-0

## **REZONING APPLICATION**

David F. Black, etals (TM#72-78) – Rezoning application to permit property to be rezoned from R-1 (Residential Limited) to B2 (General Business). The property comprises 2.92 acres and is located at 9405 Sam Snead Highway, Hot Springs, (Mitchelltown). Rezoning is sought for the entire 2.92 acre parcel. The property is located in the Cedar Creek Magisterial District.

**Chairman Grist** opened the Public Hearing.

**Sherry Ryder** presented the application for rezoning form David F. Black and Others. TM #72-78, to rezone from R1, residential limited to B2, general business. Property is in the Cedar Creek Magisterial District. Land lies across the street from the First & Citizen's Bank. Mother has passed away and they have no plans for the land. Rezoning would help make it more marketable to sale. Property is in the designated Growth area.

The surrounding land and property is zoned; A-2, M-1, B-2, R-1. So this land would not fall under spot zoning.

The new owners would need to attain a building permit. Applications submitted for approval from the Service Authority for water & sewage. Lighting would need to be addressed. For a business, parking and setbacks would need to be met. VDOT would have to okay entrances and traffic impact analyses would need to be performed.

No opposition has been received to the rezoning. I did have a neighbor come in with questions, but they had no opposition to the change.

**Chairman Grist** opened the public hearing.

**Sherry Ryder:** Linda Black Woodzell is here representing this rezoning. She can answer questions.

**Jack Lindsay**, Warm Springs District, stated he would like to see the Planning Commission approve this application. He stated that we need more business, more people in the county. It would be a good place to put a restaurant, car wash or any business.

**Chairman Grist** closed the Public Hearing. Planning Commissioners, do you have any comment or questions?

**John Loeffler:** I make a motion to recommend, to the Board of Supervisor for approval to rezone to B2 (General Business), based on section 802.05 et seq and 610.00 of Bath County Land Use Regulation and that it meets Comp Plan by page 38 Economy Goals #2 and page 78 Commercial Development, page 80 #2 Bath County's Growth Area.

**Trudy Woodzell** seconded the motion.

**Vote: 4-0**

**Sherry Ryder:** The Board of Supervisors will review this request at their October meeting.

**CHAIRMAN'S REPORT: None**

**STAFF REPORT: In packet**

Broadband survey should be going out by mail soon.

**NEW BUSINESS – NONE**

**MINUTES**

**Trudy Woodzell** moved to approved the minutes for July 28, 2014

**John Loeffler** seconded the motion.

**Vote: 4-0**

**Chairman Grist:** Do I have a motion to adjourn?

**John Cowden** made a motion to adjourn the meeting

**Chairman Grist** adjourned the meeting at 8:00 p.m.

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Chairman Michael Grist

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Date