

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS  
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING  
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA  
ON MONDAY, OCTOBER 26, 2020 AT 5:30 P.M.

\*\*\*

Please note: The Work Session scheduled for 4:30 p.m. was cancelled.

BOARD MEMBERS PRESENT: D. E. LYONS  
R. W. DAY  
L.E. AYERS  
D.B. MCDANIEL  
A.J. "JAY" LEWIS, II.

COUNTY ADMINISTRATOR: SPENCER H. SUTER

FISCAL SERVICES  
DIRECTOR: STEVEN J. BOLSTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

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CALLED TO ORDER:

Chairman Lyons called the meeting to order.

Administrative Assistant to the County Administrator Brandy Whitten conducted a roll call of the Board members. All Board members were present.

Supervisor Lewis offered an invocation for anyone who wished to participate.

The Board then led in the Pledge of Allegiance.

Chairman Lyons advised of the following announcements:

"While the room will be open to the public, due to the size of the meeting room and social distancing requirements, no more than 30 attendees will be allowed into the room at one time. Per the Governor of the

Commonwealth of Virginia Executive Order 63, all persons over the age of ten, that do not have a precluding medical condition, are asked to wear a face covering.

We will hold citizens comments near the beginning of the meeting. At that time, the public is welcome to make comments unrelated to any of the public hearings. Comments related to a public hearing should be held until that item is discussed and the public hearing is opened.

We will do our best to take citizen comment remotely. There are two options for citizens to offer comment:

- 1) To join the Rockbridge County Board of Supervisor's Zoom webinar  
The link is available on the County website to copy into the address line on your browser.
- 2) To join by Telephone, you may dial in to one of the numbers listed on the County Website. Webinar ID and Password are there for your convenience. Citizens wishing to simply view the meeting live or after the fact can do so on the Rockbridge County Board of Supervisors YouTube Channel, also available on the County website.
- 3) If you wish to make a citizen comment as a Zoom meeting participant, you will use the "Raise your Hand" feature. You can press the "Raise Hand" button on the bottom of your Zoom window, or press \*9 if you are calling in by telephone."

**Changes to the Agenda:**

There were none.

## **Recognitions and Presentations:**

### **Master Governmental Treasurer Certification for Betty Trovato:**

Chairman Lyons recognized Rockbridge County Treasurer Betty Trovato on her certificate awarded upon completion of the Master Governmental Treasurer program. He commended Ms. Trovato and her staff for what they do for the County.

### **Broadband Grant:**

Chairman Lyons advised of the following:

"I am pleased to announce that the County has been awarded a \$770,000 grant from the Commonwealth to expand broadband. On October 8<sup>th</sup>, the Governor of Virginia announced a new, fast-track program to distribute \$30M in CARES Act funds, targeting rural broadband access across the Commonwealth. With a requirement that the funds be expended and service in place by December 25, 2020, Rockbridge County, the Rockbridge Area Network Authority (RANA) and BARC Connects moved quickly to identify projects that could be built within the schedule requirement, applying for a total of \$1,140,649 in funding. The application included \$770,000 for BARC Connects projects and \$178,139 for RANA projects. Rockbridge County applied swiftly and on Friday, October 24<sup>th</sup>, was notified that \$770,000 had been awarded for the BARC Connects portion of the project. BARC Connects will match 20% (\$192,500) of the grant award for a total project expenditure of \$962,500. The funds will be used to expand last-mile fiber connections in multiple areas of the County the RANA portion of the application is still under review and though we have no way of knowing where it presently stands, we hope it will be awarded as well. I'd like to

thank our staff, RANA and BARC for pulling this grant together on very short notice, and Mr. Suter for working through the weekend to make sure the application was submitted in a timely manner." He then asked Mr. Suter and Ms. Whitten to release a press release to the media.

**Citizens Comments:**

There were none.

**Approval of the October 13, 2020 Minutes:**

Supervisor McDaniel moved to approve the minutes. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Ayers, Day, Lewis, Lyons  
Nays: None  
Absent: None  
Abstain: None

**Consideration of Schools Appropriation Resolution:**

Fiscal Services Director Steven Bolster reviewed the resolution and recommended approval as presented.

Supervisor Day moved to approve the resolution. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Day, Lewis, Ayers, McDaniel, Lyons  
Nays: None  
Absent: None  
Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE  
 COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,  
 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,  
 ON MONDAY, OCTOBER 26, 2020 AT 5:30 P.M.

On motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the Board, by record vote adopted the following appropriation resolutions:

**APPROPRIATION RESOLUTION**

**BE IT RESOLVED:** By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending **June 30, 2021** in **FUND 50, SCHOOL FUND** and expended as follows:

**New Grant**

**IDEA Title VIB 611 2020**

4-50-61100-1120-220-200-916	Teacher Salaries.....	\$112,244.00
4-50-61100-1120-240-200-916	Teacher Salaries.....	\$16,918.00
4-50-61100-1120-270-200-916	Teacher Salaries.....	\$17,368.00
4-50-61100-1120-350-200-916	Teacher Salaries.....	\$37,321.00
4-50-61100-1151-350-200-916	Teacher Assistant.....	\$7,649.00
4-50-61100-2100-220-200-916	FICA.....	\$8,036.00
4-50-61100-2100-240-200-916	FICA.....	\$1,006.00
4-50-61100-2100-270-200-916	FICA.....	\$1,087.00
4-50-61100-2100-350-200-916	FICA.....	\$3,219.00
4-50-61100-2210-220-200-916	VRS.....	\$16,229.00
4-50-61100-2210-270-200-916	VRS.....	\$3,464.00
4-50-61100-2210-350-200-916	VRS.....	\$5,506.00
4-50-61100-2220-220-200-916	VRS.....	\$6,913.00
4-50-61100-2220-240-200-916	VRS.....	\$3,374.00
4-50-61100-2220-350-200-916	VRS.....	\$3,464.00
4-50-61100-2300-220-200-916	Medical.....	\$7,597.00
4-50-61100-2300-240-200-916	Medical.....	\$4,267.00
4-50-61100-2300-270-200-916	Medical.....	\$3,162.00
4-50-61100-2300-350-200-916	Medical.....	\$8,244.00
4-50-61100-2400-220-200-916	GLI.....	\$1,866.00
4-50-61100-2400-240-200-916	GLI.....	\$273.00
4-50-61100-2400-270-200-916	GLI.....	\$280.00
4-50-61100-2400-350-200-916	GLI.....	\$724.00
4-50-61100-2510-220-200-916	VLDP.....	\$99.00
4-50-61100-2510-240-200-916	VLDP.....	\$49.00
4-50-61100-2510-350-200-916	VLDP.....	\$50.00
4-50-61100-2750-220-200-916	RHIC.....	\$1,685.00
4-50-61100-2750-240-200-916	RHIC.....	\$246.00
4-50-61100-2750-270-200-916	RHIC.....	\$253.00
4-50-61100-2750-350-200-916	RHIC.....	\$652.00

**Total** **\$273,245.00**

**Title I 2020**

4-50-61100-1120-220-100-908	Teacher Salaries.....	\$97,564.00
4-50-61100-1120-240-100-908	Teacher Salaries.....	\$105,108.00

4-50-61100-1120-260-100-908	Teacher Salaries.....	\$48,039.00
4-50-61100-1120-270-100-908	Teacher Salaries.....	\$93,292.00
4-50-61100-2100-220-100-908	FICA.....	\$7,179.00
4-50-61100-2100-240-100-908	FICA.....	\$7,325.00
4-50-61100-2100-260-100-908	FICA.....	\$3,186.00
4-50-61100-2100-270-100-908	FICA.....	\$6,667.00
4-50-61100-2210-220-100-908	VRS.....	\$12,155.00
4-50-61100-2210-240-100-908	VRS.....	\$20,151.00
4-50-61100-2210-260-100-908	VRS.....	\$8,770.00
4-50-61100-2210-270-100-908	VRS.....	\$17,795.00
4-50-61100-2300-220-100-908	Medical.....	\$5,707.00
4-50-61100-2300-240-100-908	Medical.....	\$5,707.00
4-50-61100-2300-260-100-908	Medical.....	\$5,676.00
4-50-61100-2300-270-100-908	Medical.....	\$10,652.00
4-50-61100-2400-220-100-908	GLI.....	\$1,507.00
4-50-61100-2400-240-100-908	GLI.....	\$1,625.00
4-50-61100-2400-260-100-908	GLI.....	\$707.00
4-50-61100-2400-270-100-908	GLI.....	\$1,435.00
4-50-61100-2750-220-100-908	HCC.....	\$1,361.00
4-50-61100-2750-240-100-908	HCC.....	\$1,467.00
4-50-61100-2750-260-100-908	HCC.....	\$639.00
4-50-61100-2750-270-100-908	HCC.....	\$1,296.00
4-50-61100-3160-220-100-908	Purchased Services.....	\$6,667.00
4-50-61100-3160-240-100-908	Purchased Services.....	\$4,445.00
4-50-61100-3160-260-100-908	Purchased Services.....	\$4,445.00
4-50-61100-3160-270-100-908	Purchased Services.....	\$4,445.00
4-50-61100-5540-220-100-908	In Service.....	\$3,334.00
4-50-61100-5540-240-100-908	In Service.....	\$2,223.00
4-50-61100-5540-260-100-908	In Service.....	\$2,223.00
4-50-61100-5540-270-100-908	In Service.....	\$2,223.00
4-50-61100-6030-220-100-908	Materials & Supplies.....	\$13,387.00
4-50-61100-6030-240-100-908	Materials & Supplies.....	\$8,249.00
4-50-61100-6030-260-100-908	Materials & Supplies.....	\$8,249.00
4-50-61100-6030-270-100-908	Materials & Supplies.....	\$8,249.00
<b>Total</b>		<b>\$533,149.00</b>

**Title IV 21<sup>st</sup> Century NBES 2020**

4-50-61100-1120-270-500-917	Teacher Salaries.....	\$116,000.00
4-50-61100-1151-270-500-917	Aides.....	\$25,116.00
4-50-61100-2100-270-500-917	FICA.....	\$22,569.00
4-50-61100-3160-270-500-917	Purchased Services.....	\$12,500.00
4-50-61100-4000-270-500-917	Internal Services.....	\$15,175.00
4-50-61100-5540-270-500-917	Travel/Mileage.....	\$3,040.00
4-50-61100-6030-270-500-917	Materials & Supplies.....	\$5,600.00
<b>Total</b>		<b>\$200,000.00</b>

**Title IV 21<sup>st</sup> Century MRMS 2020**

4-50-61100-1120-350-500-918	Teacher Salaries.....	\$120,836.00
4-50-61100-2100-350-500-918	FICA.....	\$19,401.00
4-50-61100-3160-350-500-918	Purchased Services.....	\$17,675.00
4-50-61100-4000-350-500-918	Internal Services.....	\$30,488.00

4-50-61100-5540-350-500-918 In Service.....	\$2,100.00
4-50-61100-6030-350-500-918 Materials & Supplies.....	<u>\$9,500.00</u>
<b>Total</b>	<b>\$200,000.00</b>

**TOTAL FUND 50 APPROPRIATIONS** **\$1,206,394.00**

**Consideration of HVAC Contract for the 911 Center:**

Chairman Lyons moved this time to the next agenda.

**Consideration of FY2022 Funding Priorities and Budget Schedule:**

Mr. Bolster reviewed the FY2022 Funding Priorities and Draft Budget Schedule and noted that the Finance Committee recommended edits be made to remove the numbering of the Funding Priorities listed and replace with bullets, instead, because the budget submissions would be reviewed in equality.

Supervisor Lewis moved to approve the Budget Schedule and amended Funding Priorities. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lewis, McDaniel, Ayers, Day, Lyons  
 Nays: None  
 Absent: None  
 Abstain: None

**Discussion on "No-Thru-Truck" Signage at The Ponds:**

County Administrator Spencer Suter briefly reviewed the agenda item which included the following information:

"A request has been received from a resident of The Ponds subdivision to approach VDOT about limiting commercial truck traffic through the

residential development. At Supervisor Day's request (the subdivision is in the South River district), staff contacted VDOT to ascertain the process. Such a regulation would apply to commercial trucks with a destination other than in the subdivision. It would not limit construction or delivery traffic for homes within the development.

Establishment of a "No Through Trucks" regulation would involve the following steps:

- 1) The Board of Supervisors reviews the issue and determines whether or not to proceed.
- 2) If moving forward, the Board schedules and holds a public hearing on the matter.
- 3) If, after public hearing, the Board determines to move ahead with the request, it adopts a resolution requesting consideration and staff forwards the resolution to VDOT
- 4) VDOT performs a traffic study. If there are no issues, VDOT forwards the request to the Commonwealth Transportation Board for consideration of approval."

Mr. Suter provided aerial maps of the requested restriction, which involves State Route 1052 (Lilly Bell Dr), State Route 1050 (The Ponds Dr), and State Route 1054 (George William Ln). The alternate truck route would include portions of State Route 763 (Lincoln Rd) and State Route 631 (Old Buena Vista Rd). He then advised that VDOT Residency Administrator Susan Hammond was attending the meeting via Zoom for discussion and to answer questions.



Supervisor Lewis shared his concern about the process and on how the Board of Supervisors can put restrictions on State roads. He asked if there shouldn't there be an official request and not just a phone call. He added that he felt it was odd that the Board would do something before VDOT conducted a study, and as a local business owner who drives non-passenger work vehicles, businesses try to find the safest and easiest route between two points. In regard to the request, he stated that he found that, while driving north on Old Buena Vista Road and making a right turn onto Lincoln Road, anything other than a passenger vehicle would find any other route in order to be able to make that turn. Supervisor Lewis added that, at the Ponds entrance on Pond Drive, there was an actual turning lane off of Old Buena Vista Road, making it the safest route. He stated that he did not feel as though he had enough information to make a serious decision on the request at this time.

Mr. Suter agreed that the process is somewhat reversed in that the County does not have the capacity to complete an in-house study.

Ms. Hammond explained that VDOT asks for an approval resolution by the Board showing its support before it conducts the study because it is a significant investment on VDOT's side as there is a lot of work that goes into the study and a lot of things are taken into consideration. She added that VDOT wants to make sure that the Board is fully supportive of moving forward before doing a study.

Supervisor Lewis asked what all the study details and if safety, frequency, and speed issues are looked at.

Ms. Hammond replied that those three issues are taken into consideration when VDOT gets into the study. She added that there is a requirement for the following to be met during a study: (1) is there a safety issue and crash history with reports to the Police Department; (2) the use through that particular area and if it is residential or not; (3) if the proposed alternate route is better than the route requesting the thru-truck restrictions; (4) a look at the curvature; and (5) there will be tracking of the volume of trucks through that area for a number per day.

Supervisor Lewis asked if there is a specific definition for "thru-trucks".

Ms. Hammond replied that the definition excluded pick-up trucks and panel trucks. She advised that a "thru-truck" is a truck passing through a road that does not have a destination in the route that is shown and the "thru-truck" puts a restriction on anyone passing directly through that location. She further defined a pick-up truck or panel truck as motor vehicles that transfer property on their own structure and weigh under 7500 pounds.

Supervisor Lewis suggested knowing what types of trucks are causing the issue at The Ponds.

Supervisor Ayers asked if there are any similar "no-thru-truck" posting in the County.

Mr. Suter replied that he is not aware of any that that he believes the Board is seeing this request for the first time.

Ms. Hammond shared that there are postings VDOT has in the County for length of vehicles prohibited in certain areas because there were a number of times a particular sized vehicle got stuck in the same turn causing a major safety issue. For those postings, she noted, VDOT did not need the Board of Supervisors approval because not all trucks were prohibited.

Mr. Suter noted that those postings were on Sallings Mountain and Rt. 56.

Supervisor McDaniel added Route 501 at the County line. He also added that Sallings Mountain had always been a concern of his for safety reasons because larger trucks were getting stuck in curves and running cars off the road.

Supervisor Ayers noted that there should be review of the number of large trucks that pass through if in an R-1 zone.

Chairman Lyons suggested having more information on the request.

Supervisor Day suggested the request come from the Homeowners Association.

Chairman Lyons asked Supervisor Day if he could revisit the requestor and see if an official request, in writing, could come from the Homeowners Association.

Supervisor McDaniel asked that the request include more detail on the current issue.

**Schedule Public Hearing on Lease of South River property to Lee and Peggy Herring:**

County Attorney Vickie Huffman briefly reviewed the agenda item which included the following information:

"The County owns a number of properties on South River that were acquired in connection with the South River Flood Mitigation Project. The Open Space Policy adopted by the Board of Supervisors gives leasing priority to former property owners, then to the adjoining property owners.

Leander Keith Herring, Sr., and Peggy Sue Herring have recently purchased the property formerly owned by Edward A. (Tony) Jarvis, located at 36 Coffey Hill Drive, Buena Vista, VA. The Herrings have expressed an interest in leasing the three parcels of land that adjoin their property.

Two of the parcels, consisting of 3.245 acres and 7.303 acres (portions of Tax Map #64-A-11), were formerly owned by the Lemons. One parcel (Tax Map #64-A-10A) consists of 2 acres and was formerly owned by Fred E. & Betty H. Higgins. All three (3) parcels are located north of Camille Lane and are highlighted on the attached copy of the tax map. The total rent would be \$386.22 per year, calculated per the Policy as the equivalent of the real estate taxes that would be due if owned by the Herrings.

Approval of this lease requires adoption of an Ordinance, following public hearing."

Supervisor Day moved to schedule a public hearing on this matter. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Day, Lewis, Ayers, McDaniel, Lyons  
Nays: None  
Absent: None  
Abstain: None

**Appointments:**

**Building Code Board of Appeals- Richard Siler- Term Expired**

**7/13/2020:**

This appointment was carried over to the Boards next agenda.

**Building Code Board of Appeals- Russell Williams- Term Expired**

**10/27/2020:**

Supervisor Lewis moved to reappoint Russell Williams to the Building Code Board of Appeals. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lewis, Day, Ayers, McDaniel, Lyons  
Nays: None  
Absent: None  
Abstain: None

**PSA- Jay Melvin- Term Expires 10/14/2020:**

Supervisor Lewis moved to reappoint Jay Melvin to the Building Code Board of Appeals. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lewis, Ayers, McDaniel, Day, Lyons  
Nays: None  
Absent: None  
Abstain: None

**PSA- Grigg Mullen, Jr.- Term Expires 10/14/2020:**

Supervisor Lewis moved to reappoint Grigg Mullen, Jr. to the Building Code Board of Appeals. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lewis, Ayers, McDaniel, Day, Lyons  
Nays: None  
Absent: None  
Abstain: None

**Public Hearings at 6:00 P.M.:**

Chairman Lyons recognized Chris Slaydon in the Planning and Zoning Department for recently being appointed as the Community Development Director.

Mr. Slaydon thanked the Board for the opportunity.

**Hevener's Mobile Home Park LLC- Application for Conditional Rezoning from the General Residential (R-1) District to General Business (B-1) District in order to develop a Self-Storage Business:**

Mr. Slaydon briefly reviewed the agenda item which included the following information:

"Ms. Pattie Lemon, managing member of the Hevener's Mobile Home Park LLC has submitted an application for the conditional rezoning. The purpose of the conditional rezoning is to develop a self-storage business. The property consists of 5.00 acres as is located on the eastside of Longhollow Road (Route 631) approximately .44 miles north from the intersection of Longhollow Road (Route 631) and Middle Road (Route 704) and is identified as 799 Longhollow Road, Buena Vista, Virginia,

24416. The 5.00-acre parcel is contiguous to existing B-1 (conditional) Zoning to the southwest. While the original application is dated May 27, 2020, the review and public hearings were postponed by agreement. The purpose of the postponement was in order for the applicant to develop a site plan for the proposed improvements. The proffer statement associated with the conditional rezoning limits the property for the proposed use of the storage business and for single family dwelling and/or duplex development.

At the October 14, 2020 Meeting the Planning Commission held their Public Hearing and has recommended approval of the conditional rezoning application with the acceptance of the proffers."

Chairman Lyons opened the Public Hearing at 6:05 p.m. There were no comments. Chairman Lyons closed the Public Hearing.

Supervisor Day moved to adopt the ordinance as presented. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Day, Lewis, McDaniel, Ayers, Lyons  
Nays: None  
Absent: None  
Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, OCTOBER 26, 2020

**Ordinance to Change the Zoning Classification from Residential General District (R-1) to General Business District (B-1), With Conditions, of a 5-Acre Parcel of Land (Tax Map No. 77-13-1B3) Owned by Hevener's Mobile Home Park, LLC, Located at 799 Longhollow Road in the South River Magisterial District**

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on October 14, 2020, and recommended to the Board of Supervisors that the proposed zoning classification amendment, with acceptance of proffered conditions, be approved; and,

WHEREAS, legal notice and advertisement has been provided in accordance with §15.2-2204 of the Code of Virginia (1950, as amended) and in accordance with the Rockbridge County Land Development Regulations; and,

WHEREAS, the Board of Supervisors held a public hearing on this matter on October 26, 2020; and,

WHEREAS, the Board of Supervisors has determined that the conditional rezoning of the subject parcel of land would generally promote the health, safety, convenience and general welfare of the public, and that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and serves one or more of the purposes set forth in §15.2-2283 of the Code of Virginia.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Rockbridge County, Virginia, as follows:

1. That the zoning classification of a 5-acre parcel of real estate, owned by Hevener's Mobile Home Park, LLC, identified upon the Rockbridge County Land Records as Tax Map #77-13-1B3, located on the west side of Longhollow Road (Route 631) approximately .44 mile north of its intersection with Middle Road (Route 704), identified as 799 Longhollow Road, Buena Vista, Virginia, in the South River Magisterial District of Rockbridge County, is hereby changed from Residential General District (R-1) to General Business District (B-1), for development of a storage business, with and subject to the conditions voluntarily proffered in writing by the property owners as set forth on Exhibit A attached hereto and incorporated herein, and which the Board of Supervisors of Rockbridge County hereby accepts.

2. That this action is taken upon the application of the property owners, Hevener's Mobile Home Park, LLC.



3. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

Adopted this 26<sup>th</sup> day of October, 2020.

**Hevener's Mobile Home Park LLC- Application for Special Exception-  
Self Storage Business in the General Business (B-1) District:**

Mr. Slaydon briefly reviewed the agenda item which included the following information:

"Ms. Pattie Lemon, managing member of the Hevener's Mobile Home Park LLC has submitted an application for a special exception to develop a storage business per section 605.03-12 of the County of Rockbridge Land Development Regulations. This application is contingent on the outcome of the conditional rezoning application. The property consists of 5.00 acres as is located on the eastside of Longhollow Road (Route 631) approximately .44 miles north from the intersection of Longhollow Road (Route 631) and Middle Road (Route 704) and is identified as 799 Longhollow Road, Buena Vista, Virginia, 24416. While the original application is dated May 27, 2020, the review and public hearings were postponed by agreement. The purpose of the postponement was in order for the applicant to develop a site plan for the proposed improvements. The plans include two storage buildings with a total of 122 self-storage units. Access to the property is an existing entrance on the eastside of Longhollow Road and is served by an existing culvert over the drainage ditch. At the October 14, 2020 Meeting, the Planning Commission held its Public Hearing and has

recommended approval of the special exception permit application with the following conditions:

- 1) Substantial Compliance with the site plan titled Hevener Mini Storage, prepared by Civil Consulting Group PC, dated September 21, 2020, and including continued maintenance of landscaping in presentable condition.
- 2) Approval contingent on VDOT, Building Department, and Erosion and sediment Control/Stormwater Management approvals.
- 3) Additional screening along Longhollow Road to further buffer the proposed storage units for the residential dwelling across Longhollow Road.

The third condition was drafted at the Planning Commission meeting, the main concern that the Planning Commission expressed was automobile headlights from the site, shining on the dwellings across the road. On October 21, 2020, staff meet with Mr. Dickie Hevener and Mr. Steve Douty (Green Forest Survey) to review the need for the supplemental plantings as recommend in condition number three. The large majority of the existing trees will remain along the road and the proposed storage units. There is also an elevation change between the proposed units and the dwellings across the road, with the site being lower than the dwellings across the road. After further review of the site, the existing trees, the elevation change, and the fact that Longhollow Road is between the site and the dwellings, staff feels that the existing trees on-site may be adequate to address the concern. Another factor to consider is the location of the

proposed entrance and the dwellings across the road." He then introduced Mr. Steve Douty of Green Forest Surveys.

Mr. Douty commended the Board of Supervisors for appointing Mr. Slaydon as the Director of Community Development and shared his enjoyment to work with Mr. Slaydon and Ms. Brandy Flint in that department. He added that they represent the County well. In regard to the project, Mr. Douty explained that it would accommodate storage needs and noted that some of the units will have electricity, with climate control.

Chairman Lyons asked how much lighting would be installed.

Mr. Douty responded that lighting will be on the building and properly shielded per the County's regulations.

Chairman Lyons asked if the property would be gated.

Mr. Douty replied, it would not.

Mr. Suter asked where the stormwater will run.

Mr. Slaydon replied, to the ditch that is currently surrounded by trees.

Chairman Lyons opened the Public Hearing at 6:34 p.m. There were no comments. Chairman Lyons closed the Public Hearing.

Supervisor McDaniel moved to adopt the ordinance, removing Condition #3. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Day, Lewis, Ayers, Lyons  
Nays: None  
Absent: None  
Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,  
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, OCTOBER 26, 2020

**Ordinance to Grant a Special Exception Permit to Hevener's Mobile Home Park, LLC, for a Storage Business in the General Business District (B-1) on a 5-Acre Parcel of Land (Tax Map No. 77-13-1B3) Owned By Hevener's Mobile Home Park, LLC, Located at 799 Longhollow Road in the South River Magisterial District**

WHEREAS, Hevener's Mobile Home Park, LLC, has filed a petition for a special exception permit to operate a storage business in the General Business District (B-1) on a 5-acre parcel of land owned by Hevener's Mobile Home Park, LLC, located at 799 Longhollow Road, identified on the Rockbridge County Land Records as Tax Map Tax Map #77-13-1B3, in the Walkers Creek Magisterial District of Rockbridge County; and,

WHEREAS, the Planning Commission held a public hearing on this matter on October 14, 2020, and recommended approval with the specified conditions; and,

WHEREAS, legal notice and advertisement has been provided in accordance with §15.2-2204 of the Code of Virginia (1950, as amended) and in accordance with the Rockbridge County Land Development Regulations; and,

WHEREAS, the Board of Supervisors has held a public hearing on this matter on October 26, 2020; and,

WHEREAS, the Board of Supervisors, after review of the application and all other documentation submitted by the applicant, the Planning Commission and the public, after due consideration to the presentations and comments at the public hearing hereon, and after evaluation of the factors set forth in §802.03-5 of the Rockbridge County Land Development Regulations, finds and determines that the proposed use, with the herein specified conditions, is consistent with the Comprehensive Plan, the policies of Rockbridge County, and the public interest.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Rockbridge County, Virginia, as follows:

1. That the Board finds that the granting of a special exception permit to Hevener's Mobile Home Park, LLC, for a storage business per Section 605.03-12 of the Rockbridge County Land Development Regulations in the General Business District (B-1), on a 5-acre parcel of land owned by Hevener's Mobile

Home Park, LLC, located at 799 Longhollow Road, identified on the Rockbridge County Land Records as Tax Map Tax Map #77-13-1B3, in the Walkers Creek Magisterial District of Rockbridge County, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby granted and approved with and subject to the conditions set forth on Exhibit A attached hereto and incorporated herein by reference.

2. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted this 26<sup>th</sup> day of October, 2020.

## **EXHIBIT A**

### **Special Exception Permit Conditions**

#### **Hevener's Mobile Home Park, LLC – Storage Business**

##### **Tax Map #77-13-1B3**

1. Substantial Compliance with the site plan titled Hevener Mini Storage, prepared by Civil Consulting Group PC, dated September 21, 2020, and including continued maintenance of landscaping in presentable condition.
2. Approval contingent on VDOT, Building Department, and Erosion and Sediment Control/Stormwater Management approvals.

#### **Rockbridge County- Application for Zoning Text Amendments pertaining to Gold Courses and Country Clubs in the General Residential (R-1) District:**

Mr. Slaydon briefly reviewed the agenda item which included the following information:

“At the August 12, 2020 Planning Commission meeting, the Commission discussed possible amendments to the Land Development Regulations pertaining to the current uses by special exception in the R-1 zoning district. Current ordinance defines golf courses and golf driving ranges, but does not define Country Clubs. While golf courses and golf driving ranges are uses by special exception in the Agricultural and General Uses

(A-2) District and Agricultural Transitional (A-T) District, these uses are not permitted in the R-1 Zoning District. Golf driving ranges are also use by special exception in the General Business (B-1) Zoning District.

Currently, the Lexington Golf and Country Club (LGCC) is located in the R-1 Zoning District. While a portion of the LGCC is located in the City of Lexington, the majority of the golf course and all of the Country Club facilities are located in the County and are in the R-1 Zoning District. The surrounding residential development is also located in the R-1 Zoning District. The proposed text amendments will not change the status of the LGCC, but would allow them to apply for a special exception in the future and would allow for others to apply for a applications to develop Golf Courses or Country Clubs in the R-1 District.

At the September 9, 2020, Planning Commission Meeting, Staff presented draft language that would provide for Golf Courses and Country Clubs as a Use by Special Exception in the General Residential (R-1) Zoning District. The current draft language modifies the statement of intent, defines country clubs, and provides for Golf Courses and County Clubs as a Use by Special Exception in the R-1 District. After review and discussion, the Planning Commission instructed staff to advertise the draft language for a Public Hearing for the October 14, 2020 meeting.

At the October 14, 2020, meeting the Planning Commission held its Public Hearing and after some discussion and modifications to the draft language, the Planning Commission recommended approval of the draft text amendment."

Chairman Lyons asked how this request came about.

Mr. Slaydon advised it was requested by the Country Club as it is located in R-1 but is reviewing potential modifications to the Golf Course and its facilities. He advised that this would be a County-wide amendment that would be for any other similar business as well.

Given that the Country Club made the request, and being a member of the Country Club, Chairman Lyons recused himself from discussion and voting on this matter.

Supervisor McDaniel asked how it were possible to help the Country Club if it is currently not a permitted use of Special Exception Permit issued.

Mr. Slaydon advised that the Country Club pre-dates zoning and State law has drastically changed since then. He added that that type of variance would not be approved in present times.

Supervisor McDaniel asked why the zoning could not be changed now while this is being looked at.

Mr. Slaydon advised that it would take a significant change to the Comprehensive Plan and maybe even a new zone.

Vice Chairman Day opened the Public Hearing at 6:47 p.m. There were no comments. Vice Chairman Day closed the Public Hearing.

Supervisor McDaniel moved to adopt the ordinance as presented. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Lewis, Ayers, Day  
Nays: None  
Absent: None  
Abstain: Lyons

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,  
OCTOBER 26, 2020

**Ordinance to Amend Section 302.00 – Specific Definitions of Article 3 – Definitions, to Add Subsection 302.53A – Country Club; and in Article 6 – Uses in Districts, Section 604.00 – Residential General District (R-1), to Amend Subsection 604.01; and to Add Subsections 604.03-7 and 604.03-8 in, to Permit Golf Courses and Country Clubs as Uses by Special Exception**

WHEREAS, the Rockbridge County Planning Commission held a public hearing on these amendments to the Land Development Regulations on October 14, 2020, and recommended approval to the Board; and,

WHEREAS, the Rockbridge County Board of Supervisors held a public hearing on these amendments on October 26, 2020; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and the County of Rockbridge Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has determined that the provisions of this ordinance generally promote the health, safety and general welfare of the public, that the amendment is required by good zoning practice and accomplishes the objectives set forth in Va. Code Section 15.2-2200, and that the amendment serves one or more of the purposes set forth in Va. Code Section 15.2-2283 of the Code of Virginia.

NOW, THEREFORE, BE IT ORDAINED by the Rockbridge County Board of Supervisors:

1. That Section 302.00 – Specific Definitions of Article 3 – Definitions; and Section 604.00 – Residential General District (A-1), be amended and reenacted, as follows:

**ARTICLE 3. DEFINITIONS**

**301.00 GENERAL**

Except as otherwise provided herein, all words shall have the customary dictionary meaning. The present tense includes the future tense. The singular number includes the plural and the plural includes the singular. The masculine gender includes the feminine and neuter genders. The word “person” includes a firm, corporation, association, organization, partnership. The word “lot” includes “plot” or “parcel”. The word “building”



includes “structure”. The word “shall” is always mandatory. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied.”

**302.00 SPECIFIC DEFINITIONS**

When used in this Ordinance the following words and phrases shall have the meaning given in this Section:

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302.53A Country Club. A membership organization formed for recreational purposes which must include a club house and golf course, and may include driving ranges, practice areas, and associated buildings, such as maintenance buildings and golf cart storage buildings. The facility may include other recreational activities such as swimming pools, tennis courts and squash courts. Dining facilities, meeting rooms, lounges, and retail sales, may also be permitted as accessory uses. The facility may offer associated short-term rentals for the patrons of the club. The arrangement of the residential units is to be developed in such a manner so that, if the lot or parcel of land is ever subdivided, no substandard lots are created in terms of road standards, and area and setback requirements for that zoning District. Short-term rentals are limited to the type of dwelling allowed in the underlying zoning District.

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**ARTICLE 6. USES IN DISTRICTS**

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**604.00 RESIDENTIAL GENERAL DISTRICT - R-1**

604.01 Statement of Intent. This District is composed of certain quiet, low density residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this District are designed to stabilize and protect the essential characteristics of the District, to promote and encourage a suitable environment for residences, and to limit activities of a commercial nature. Uses related to nonresidential development should be designed to increase the vitality and attractiveness of this District as a living environment. To these ends, development is limited to relatively low concentration and permitted uses are limited basically to dwellings providing homes for the residents plus certain additional uses, such as schools, parks, churches, golf courses, country clubs, and certain public facilities that serve the residents of the District. It is the intent of this Article that no private dump or landfill be allowed in the R-1 Residential General District.

(Sec. 604.01 Amended by Ord. of 5-27-08)

604.02 Permitted Uses. In the R-1 District, structures to be erected or land to be used, shall be for one (1) or more of the following uses:

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604.03-7 Golf Courses.

604.03-8 Country Clubs

2. That this ordinance shall be in full force and effect on and from the date of its adoption.

Adopted this 26<sup>th</sup> day of October, 2020.

**Board Comments:**

Chairman Lyons advised that the Board Retreat was scheduled for November 4, 2020 at 9:00 a.m. at the Virginia Horse Center and that the next regular meeting would be Tuesday, November 10, 2020.

Supervisor McDaniel asked for a CARES Act funding update at the next meeting.

Supervisor Ayers advised that RARO activities are active now.

**Adjournment:**

Supervisor McDaniel moved to adjourn. Supervisor Day provided the second, and the motion carried by unanimous vote by the Board.

Ayes: McDaniel, Day, Lewis, Ayers, Lyons  
Nays: None  
Absent: None  
Abstain: Lyons