Planning Commission

Meeting Minutes
February 2, 2010

Present:
Cole McGregor, Vic Corbo, Madelyn Dixon, Cathy Morrison

Excused:
Daniel Talbot, Goldie Helsley, Margretta Isom

Due to imclement weather conditions a decision was made to move the 7:00 pm meeting to 2:00 pm. The press was notified in advance and the meeting was open to the public. It was held in the Zoning Administrator's Office and it was emphasized that the Lyon rezoning issue needed to be revisited and a poll taken from the members.

A quorum was present, therefore, Cole McGregor/Vice President called the meeting to order.

Vic Corbo made a motion to approve the January 12, 2010 meeting minutes, seconded by Madelyn Dixon.
Voice Vote (yeas) 4.0
Motion Carried
Cole McGregor, Vic Corbo, Madelyn Dixon, Cathy Morrison

Old Business:
Discussion:

Council held their monthly meeting on January 18, 2010 and passed all the rezoning recommendations sent to them by the Planning Commission on January 12, 2010, with the exception of the Lyon property, located at 632 W Spotswood Avenue.

Mr. Corbo was approached and asked if the Planning Commission would consider allowing the Lyon property to remain **B 2 (Business)** rather than the proposed zoning **R 4 (Residential)** The basis for this request was due to a Planning Commission vote which allowed Mary Ann Baugher's property on Wirt Avenue to remain **B 2 (Business)** rather than go to the **R 5** proposed zoning.

Charlotte Shifflett/Zoning Administrator received a faxed letter from Mr. Lyon dated January 21, 2010. The letter has been inserted as part of the minutes and details his reasoning for desiring to remain **B 2 (Business.)**

Mr. McGregor reviewed the vote taken after the Public Hearing on January 12, 2010.

Lyon Property located on the corner of N First St/W Spotswood Tr.
Tax map # 131B1-(1)- B 20 L 3

a. currently zoned as B 2
b. proposed zoning is R 4

Tenant, Mrs. Scherry Smith responded on behalf of Mr. Lyon, who received a first notice letter dated August 6, 2009. He would like to remain B 2 (Business) *the letter shall become a part of these minutes Exhibit 3.* Reference Tax Map 131B1-(1)- B 20 L 3

After a brief discussion, it was noted that allowing Mr. Lyon's property to remain **B 2 (Business)** rather than accept the proposed zoning of R 4 (residential) may be perceived as spot zoning; in which case issues may arise.

Chairman Talbot polled members to accept or reject Mr. Lyon's request that the lot located on corner N 1st Street/W Spotswood Ave **Tax map # 131B1-(1)- B 20 L 3** be left as **B 2 (Business)** or changed to the proposed zoning **R 4 (residential)**.
Reject proposed zoning (Nay)
Voice Vote = 0
Accept proposed zoning of B 2 to R 4
Voice vote = 6-0 (Yea)
D. Talbot, Cole McGregor, Vic Corbo, Cathy Morrison, Goldie Helsley, Madelyn Dixon

Jan 20 10 12:51p Sherry Smith 540-298-1102 p.1

TOWN OF ELKTON

173 WEST SPOTSWOOD AVENUE
ELKTON, VIRGINIA 22827
(540) 298-1951

January 21, 2010

To Whom it May Concern:

I prefer that the zoning remain as it is because it would eliminate the possibilities of Commercial expansion in the future if it were only residential.

Thank you for considering my point of view

Sincerely,
Robert R. Lyon
Robert R. Lyon

Received by Fax
Jan. 20 - 2010
C. Shifflett

INCORPORATED 1908

February 2, 2010
Revisit Lyon Request
Points of discussion:

1) Nothing new has been presented that would change the Commissioner's minds
2) The Baugher lots actually fit into a business area since they sit directly across the street from the Elkton Car Wash and Lawson's Garage.
3) The Planning Commission felt they did not want to be perceived as spot zoning in the area surrounding W Spotswood Avenue. It is currently an attractive residential neighborhood and it seems logical to have it remain that way to ensure an unwanted business would not be constructed in future negotiations.
4) Mr. Lyon submitted a late request but members felt they owed him the courtesy of an opportunity to present his analysis.

The Planning Commission would like to note for the records that they feel the Lyon property should be changed to the proposed **R 4 (Residential**) as opposed to remaining **B 2 (Business).**

Cole McGregor *thanked* the members for their time and made a motion to adjourn, seconded by Cathy Morrison.

The next regular scheduled meeting is March 2, 2010 at 7:00 pm at the Elkton Area Community Center located on Blue & Gold Dr.

Submitted By:
Charlotte Shifflett

Dan Talbot/Chair

Cathy Morrison/Secretary