OCTOBER 2, 2012
7 PM

Present: Margretta Isom, Madelyn Dixon, Cole McGregor, Dan Talbot, Goldie Helsley, Cathy Morrison
Excused: Jason Blose,
Staff: Charlotte Shifflett
Guests: Walter Shifflett, Randell Snow

The regular meeting of the Elkton Planning Commission began at 7:00 pm. Dan Talbot/Chairperson called the meeting to order and led the group by reciting the Pledge of Allegiance.

Cole McGregor made a motion to accept the September minutes as read, seconded by Cathy Morrison
Voice Vote **Yes =6-0**
Margretta Isom, Madelyn Dixon, Cole McGregor, Dan Talbot, Goldie Helsley, Cathy Morrison
Motion Carried

Discussion:

Our last meeting on September 4, 2012 surrounded the subject of corner lots over on High St. A secondary question has arisen out of that action. Tonight Walter Shifflett was invited to attend our meeting and discuss the industrial side of modular homes vs, doublewide homes. We hope to arrive at verbiage that needs to be changed in our code that addresses this issue.

- Recently, a modular home was approved on High Street and as a salesman and builder of modular homes he disagreed with the codes of the Town of Elkton and Rockingham County although the home was defined by standards set forth in the Code of Virginia.
- Mr. Shifflett feels the house in question is a manufactured doublewide rather than a modular home. There is a difference between the two but members need to understand what determines that difference since looks are deceiving.
    a. Doublewides, also referred to as manufactured homes, arrive in 2 pieces and have a bin number located on each half. They have a title and are taxed as personal property. They are built under federal specifications provided by Housing Urban Development (HUD)
    b. They arrive with axels and wheels which are removed and set on a permanent foundation or piers.
    c. Modular homes arrive in 2 or more pieces (modules) and have a Boca Seal located on the inside of the house. They are built under state specifications provided by Builders Organization & Code Administrators (BOCA). Modulars are put together on site.
    d. Modular's usually arrive on flatbed trucks and are transferred to permanent foundations.
    e. Either home may arrive on a steel frame. The frame should be defined in the plans.
- The home owner went thru the Foundation Survey process as required in Town of Elkton code.
- County Inspectors approved the footers before the blocks were laid. Nothing exists in code that would prevent it from setting at this location. The roofs are more flat on these homes than they are on a true modular due to traveling under bridges enroute to destination..
- The main concern at this point is the fact another modular home is expected to be constructed soon on the adjacent lot. We want to become more educated regarding true modulars.
- Mr. Shifflett presented a handout showing the typical modular home after completion.
- A concern was expressed by the guests that someone has found a way to identify a cheaper, low quality version and market it as a modular.
- Dan Talbot/Chairman inquired if members had a recommendation?
- Kevin Fauber/Town Manager had notified the zoning administrator and council members that he felt there were several options to consider that would avoid confusion in future requests:

a. Do not allow modular's in all zoning districts
b. Move from a permitted use to a special exception in zoning districts.

The town does need to take action quickly before some of these low priced modular's are mixed in neighborhoods with high end housing thus leading to values being affected by the mixture. Special Use would attribute to control; with council being allowed to approve or disapprove.

- Mr. Shifflett was offered a "thank you" for his time.

Old Business:

Follow Up Letter < Exhibit A>

Dan Talbot/Chairman had accepted responsibility in a prior meeting to draft a letter to Rockingham County officials requesting their support in the town's effort to create unified and appropriately aesthetic sigs as mentioned in the VDOT Blue Ridge Parkway/Skyline Drive Gateway Study. Each member was distributed a copy of the letter before a brief discussion was implemented. Cole McGregor made a motion, seconded by Madelyn Dixon, to make a recommendation to accept the letter as written by Dan Talbot and forward to council for a signature by the mayor and/or signatures by all council members.

Voice Vote Yes =6-0

Margretta Isom, Madelyn Dixon, Cole McGregor, Dan Talbot, Goldie Helsley, Cathy Morrison

Motion Carried

Lots, Corner

At the Sept. meeting an issue came up relative to front doors and addresses on corner lots. No definitions exist in Code for a front door description.

110-302 LOT, CORNER A lot abutting upon two or more streets at their intersection. The shortest side fronting upon a street shall be considered the front of the lot. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet an interior angle of less than 135 degrees.

110-302 LOT, CORNER

A lot abutting upon two or more streets at their intersection. **Delete** ~~The shortest side fronting upon a street shall be considered the front of the lot, and longest side fronting upon a street shall be considered the side of the lot~~. **Insert** *The front of the lot will be determined by the zoning administrator in conjunction with the developer based on the best use of the land and the appropriateness for the existing neighborhood. In general, the front of the structure placed on the lot should face the front of the lot.* **End of Insert** A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet an interior angle of less than 135°.

Revise definition 110-302

The revised definition should allow the owner to have more lea way into how the house sits on the lot. In the past some issues have come up regarding setbacks etc.

110-302 LOT, ADDRESS

The physical address of a lot shall be the street deemed as the front of the lot. **A new definition will be added to 110-302**

Revision 110-302 Lot, Address
Rev 1 October 1, 2012

For new construction, the physical address of a lot shall be the street deemed as the front of the lot.
A new revised definition will be added to 110-302

New Business
Elliott Diamond Request
M1 Zoning District 551 Shenandoah Ave.

- In 2005 Mr. Diamond was issued a permit to build a garage with offices on the second level.
- In 2009 Mr. Diamond applied and received a change of use permit to allow 2 apartments on the second level instead of offices.
- No tenants have ever occupied the garage or apartments as of October 2012.
- In 2012 Mr. Diamond has submitted a request to complete the apartments to make them rental property.
- Rockingham County and the County Fire Marshall's Office are going to require a sprinkler system to be installed in the attic if the garage is opened as a public garage.
- Steve Davis, Building Official for Rockingham County has advised the town zoning office that in order for Mr. Diamond to omit installation of an attic sprinkler system he would need to apply for a change of use:
  1) The garage will need to be designated for tenant storage only.
  2) A fire wall will be built up the middle of the ground floor storage unit.
  3) Mr. Diamond will not be able to rent the storage space to anyone except the second floor tenants.
- The zoning administrator will prepare a statement for Mr. Diamond.
- Reference 110-613 Light Industrial
  D. Special exceptions:
  (5) Wholesale businesses, storage warehouses

Tattoo Parlor, Portable

- Zoning Administrator received a call inquiring if a portable tattoo unit would be allowed to set at special events?
- The individual may set-up if he/she meets the following rules:
  1) Furnish credentials to the zoning administrator to prove he is in possession of a "Parlor License" issued by the State of Virginia.
  2) Obtain a business license to operate in town.
  3) Under no circumstances should the unit ever be parked in a residential zoning district.
  4) Zoning administrator shall notify EPD if the individual applies for a business license.
  5) Zoning Administrator will compose a document to be filed with the business license.

Cole McGregor made a motion, seconded by Cathy Morrison, to accept definition of lot, corner and lot, address, Rev 1 dated Oct 1, 2012.
Voice Vote Yes =6-0
Margretta Isom, Madelyn Dixon, Cole McGregor, Dan Talbot, Goldie Helsley, Cathy Morrison
Motion Carried

Cathy Morrison made a motion, seconded by Margretta Isom, to make a recommendation to take the special exception permit request and the lot, corner and lot, address definitions to a public hearing.
Voice Vote Yes =6-0
Margretta Isom, Madelyn Dixon, Cole McGregor, Dan Talbot, Goldie Helsley, Cathy Morrison
Motion Carried

Modular Homes

- Dan Talbot/Chairman expressed a concern that new definitions of a modular home conflicts with the town code.
- It is apparent that modular home has taken on another meaning
- Members were offered an opportunity to express any feelings that may have arisen after the presentation by Mr. Shifflett. No comments were made.
- If there are no proposals what do we do as a board?
- Is the board obligated to uphold home values?
- Affordable housing cannot be ruled out.
- Don't restrict citizens who can't afford a $250,000 to $300,000 home.
- Government should leave residents the ability to own a cheaper home.
- How do these homes compare with stick built since they are transported to a lot?
- Based on a true definition, who decides on which zonings they will be acceptable?
- Original modular homes are well made. They are built on a lot and are broken down in pieces, the size that will fit on a flat bed truck, then transported from point A to point B. The number of pieces shipped may be endless since it is a common building technique and is even used in the construction of apartment buildings, factories, etc. Some homes travel a great distance to arrive at their final destination and still hold up well.
- Members are in agreement that the commission should attempt to do something and move fairly quickly.
- We want to make sure we can answer questions at the public hearing comment period.
- Did some business person find a way to include a low-end modular?
- The best solution is move from permitted use in zoning districts to special exceptions list.
- Discuss appropriateness of the neighborhood.

Cole made a motion, seconded by Goldie, to move modular homes from a permitted use to a special exception based on strictly neighborhood and other pertinent characteristics.
Voice Vote Yes =6-0
Margretta Isom, Madelyn Dixon, Cole McGregor, Dan Talbot, Goldie Helsley, Cathy Morrison
Motion Carried

- Discussed Daily News Record ad publication dates in preparation for the public hearing.

A question was asked and a brief discussion followed about exactly what the Boca code says? Cathy Morrison looked up the definition on the website, read it to the members, and the previous motion made by Cole and this time seconded by Margretta Isom was revised to say *"Modify the definition to reflect that Modular meets Boca or local building code, not HUD code."*
Voice Vote Yes =6-0
Margretta Isom, Madelyn Dixon, Cole McGregor, Dan Talbot, Goldie Helsley, Cathy Morrison
Motion Carried

Committee Lead Members:

Category	Lead member
Residential 1-4, flood hazard, Yard Sales	*Madelyn Dixon*
Residential 5-6 (includes: Townhouse & Apts.)Agriculture	*Dan Talbot*
Residential 7-8, and Conservation	*Goldie Helsley*
Business, Industrial. Telecommunications	*Cathy Morrison*
Subdivisions	*Margretta Isom*
Sigs, Parking, Definitions, Streets and Alleys	*Cole McGregor*
Zoning Map, Annexation, Home Occupations, Non-conforming Uses, Fences and Exceptions	*Jason Blose*

Please reference the above table when you receive your agenda each month. Match up your category and be prepared to lead a group discussion on your selected subject if it appears on the agenda.

2012 Zoning Permits Issued YTD

Month	*Bus*	*Res*	*Singe Family*	*) (duplex) single family attached*
January	2	3	0	0
February	5	4	0	0
March	1	3	0	0
April	8	2	0	0
May	5	0	0	1
June	4	2	1	0
July	4	2	0	0
August	4	4	2	0
September	4	3	0	0
October				
November				
December				

The meeting adjourned at 9:00 pm. The next meeting will tentatively be a public hearing to be scheduled on October 24, 2012 at 6:30 pm located in Council Chambers at 20593 Blue & Gold Dr., Elkton Area Community Center. Meeting immediately following the public hearing.

Dan Talbot/Chairman

Cathy Morrison

Cathy Morrison/Secretary

CRS.

TOWN OF ELKTON

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

To:
Rockingham County Zoning
Rockingham County Planning Commission
Rockingham County Board of Supervisors

October 1, 2012

As you may be aware, the Town of Elkton has been working diligently over the last two years to revise its sign ordinances. This complex effort has resulted in code that we feel creates a good balance between aesthetics and business needs.

We believe that both these elements are essential to the good of our community as we are a gateway to Rockingham County from the Skyline Drive. With this in mind, the main focus of our ordinance is sign size and the appropriate use of electronic message signs. In order to create the appropriate picturesque setting for visitors coming off of the parkway, we have limited the use of electronic signs to a message board (a sign that does not flash, change color or message more than a few times a day). Additionally, we have limited overall sign size to a maximum of 75 square feet for a single business or 100 square feet for multiple businesses if they are along the 33 corridor (smaller if in slower traffic areas).

This letter is our official request to the county asking for support in our efforts to create the unified and appropriately aesthetic signs as mentioned in the VDOT Blue Ridge Parkway/Skyline Drive Gateway Study. Specifically, we request that you create ordinance that would limit sign usage from approximately East Rockingham Health center to the Skyline Drive (West to East) and Bear Lithia Springs to Merck (North to South) to signs that meet the Elkton ordinance.

Your support is imperative to our success in creating the look for Elkton that we envision.

Thank you for your consideration in this matter.

Sincerely,

Chairman Daniel R. Talbot
Elkton Planning Commission

Mayor Roy G. Davis
Elkton Town Council

NOTICE OF JOINT PUBLIC HEARING

TOWN COUNCIL FOR THE TOWN OF ELKTON AND THE ELKTON PLANNING COMMISSION WEDNESDAY, OCTOBER 24, 2012 AT 6:30 PM.

A joint Public Hearing will be held at the Council Chambers at the Town of Elkton Community Center located at 20593 Blue & Gold Drive, Elkton to receive comments about the adoption of the following zoning amendments to Chapter 110 Land Development:

110-302 Terms Defined:

LOT, CORNER A lot abutting upon two or more streets at their intersection. **Delete** ~~The shortest side fronting upon a street shall be considered the front of the lot, and longest side fronting upon a street shall be considered the side of the lot.~~ *Insert The front of the lot will be determined by the zoning administrator in conjunction with the developer based on the best use of the land and the appropriateness for the existing neighborhood. In general, the front of the structure placed on the lot should face the front of the lot.* A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet an interior angle of less than 135°. **Definition is revised.**

LOT, ADDRESS For new construction, the physical address of a lot shall be the street deemed as the front of the lot. **A new definition is added.**

MODULAR HOME Prefabricated dwelling unit, comprised of a combination of one or more building sections or modules, containing electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, to comprise a finished building. Such a structure is ~~not built on a permanent chassis and~~ is designed to be used only with a permanent foundation & must conform to all local building codes for their proposed use. **Definition is revised.**

Change for Modular Homes:

Under the following Sections modular homes are no longer allowed as a permitted use. Modular homes are added as a use that may be permitted by special exception permit:

110-602 Low Density Residential District R 1
110-603 Low Density Residential District R 2
110-604 Single Family Residential District R 3
110-605 Residential District R 4
110-606 Residential District R 5
110-607 High Density Residential District R 6

A full text of the proposed amendments to the zoning ordinances may be obtained in the Elkton Zoning Administrator's Office located at 173 West Spotswood Avenue in Elkton on or the Town's website at www.elktonva.gov

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