

# **Town of Luray**

## **Planning Commission Agenda**

*June 12, 2019*  
*7:00 P.M.*

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Review of Minutes Meeting May 15, 2019**
- 5. Citizen Comments**
- 6. Public Hearing**  
**A – SUP 04 Single Family Dwelling in B1 District – 303 East Main St**
- 7. Updates & Discussions**  
**A – Code Amendment – Definition of Single-Family Dwelling**
- 8. Chairman’s Announcements**
- 9. Adjournment**

Town of Luray  
PO Box 629  
45 East Main Street  
Luray, VA 22835  
[www.townofluray.com](http://www.townofluray.com)  
540.743.5511



## PLANNING COMMISSION

### Chairman

**Ronald Good**

[meado12@aol.com](mailto:meado12@aol.com)

Appointed By  
Councilman Ron Vickers  
Term Ends: 12-31-2022

### Commission Members

**Tracie Dickson**

[tdickson@bbandt.com](mailto:tdickson@bbandt.com)

Appointed By  
Councilman Jerry Dofflemyer  
Term Ends: 12-31-2022

**John Shaffer**

[john.shaffer@luraycaverns.com](mailto:john.shaffer@luraycaverns.com)

Appointed By  
Councilman Jerry Schiro  
Term Ends: 12-31-2022

**Bill Huffman**

[bill.huffman@luraycaverns.com](mailto:bill.huffman@luraycaverns.com)

Appointed By  
Council President Leroy Lancaster  
Term Ends: 12-31-2020

**Brian Sours**

[brian@richardsbus.com](mailto:brian@richardsbus.com)

Appointed By  
Councilman Joey Sours  
Term Ends: 12-31-2020

**Frankie Seaward**

[frankieseaward@gmail.com](mailto:frankieseaward@gmail.com)

Appointed By  
Councilwoman Leah Pence  
Term Ends: 12-31-2020

**Grace Nowak**

[gracenowak04@gmail.com](mailto:gracenowak04@gmail.com)

Appointed By  
Mayor Barry Presgraves  
Term Ends: 12-31-2020

### Town Officials:

Town Manager – Steve Burke  
Assistant Town Manager- Bryan Chrisman  
Town Clerk/ Treasurer- Mary Broyles  
Deputy Town Clerk/ Treasurer- Danielle Babb  
Planning & Zoning Assistant – Dawn Shores  
Chief of Police- Bow Cook  
Superintendent of Public Works- Lynn Mathews  
Parks & Recreation Director- Dakota McCoy  
Parks & Rec Assistant Director- Morgan Housden  
WTP Superintendent- Joey Haddock  
WWTP Superintendent- Tom Brown

### Commissions & Committees:

Luray Planning Commission  
Luray-Page County Airport Commission  
Luray Tree and Beautification Committee  
Luray Board of Zoning Appeals  
Luray Downtown Initiative  
Luray-Page County Chamber of Commerce

**REGULAR MEETING OF  
LURAY PLANNING COMMISSION  
May 15, 2019**

The Luray Planning Commission met on Wednesday, May 15, 2019 at 7:00 p.m. in regular session. The meeting was held in the Luray Town Council Chambers at 45 East Main Street, Luray, Virginia at which time there were present the following:

Commissioners Present:

Ronald Good  
John Shaffer  
Brian Sours  
Tracie Dickson  
Bill Huffman  
Frankie Seaward

Commissioners Absent:

Grace Nowak

Others Present:

Steve Burke, Town Manager

The meeting was called to order by Chairman Ronald Good, at 7:00 p.m. and everyone joined in the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

**Motion:** Commissioner Sours made the motion to accept the minutes. Second was by Commissioner Dickson.  
**YEA:** Chairman Ronald Good, Commissioners John Shaffer, Brian Sours, Tracie Dickson, Bill Huffman and Frankie Seaward.  
**Approved 6-0**

**CITIZEN COMMENTS**

Karen Anibal of 146 Leaksville Road spoke about litter in the community and inquired if the Town Code addressed littering. Staff confirmed that littering was unlawful (Town Code Section 70-6 Littering Prohibited) but that an Officer would need to observe or otherwise be able to confirm the individual(s) responsible to prosecute.

**PUBLIC HEARINGS**

**A. SUP 19-02 Home Occupation – 315 First Street**

Chairman Good prefaced the public hearing with an overview of the role that the Planning Commission serves with respect to planning requests.

**CITIZEN COMMENTS**

Jayne Marston of 315 First Street presented a letter from Daniel Presgraves in support of her application. She also confirmed that her business would be by appointment only and that a separate driveway existed to address parking concerns.

**Motion:** Commissioner Huffman made the motion recommending approval to Town Council. Second was by Commissioner Sours.

**YEA:** Chairman Ronald Good, Commissioners John Shaffer, Brian Sours, Tracie Dickson, Bill Huffman and Frankie Seaward.

**Approved 6-0**

## **B. SUP 19-03 Single-Family Dwelling in B1 District – 42A9-A-36**

### CITIZEN COMMENTS

Vickie Richards of 138 Leaksville Road expressed her concerns about her existing utility service and the extension of the new facilities through the alley. She also expressed concerns about the possible impact to her utility service by the installation of new electrical service.

Ed Broyles, the applicant, confirmed that he had provided a certified letter to Ms. Richards that he would be responsible to relocate any of their existing utility service through his property if his SUP is approved and his home is constructed.

Karen Anibal of 146 Leaksville Road stated that she had lived in her home for several years and was not happy that the vacant lot was to be developed.

Charles Anibal of 146 Leaksville Road expressed concern about Mr. Broyles desire to pave the 12' alley. After discussion, Mr. Broyles stated that he would not pursue paving the alley.

General discussion of concerns and previous interactions of the involved property owners ensued.

Following the close of the public hearing, Chairman Good expressed his concern regarding the size of the lot. Commissioner Huffman agreed that the lot was too small for development.

Chairman Good expressed concerns that construction on the lot was effectively creating a subdivision that had not been properly planned. The existing 12' alley should have been a road with sufficient width and right-of-way for a subdivision.

Commissioner Dickson confirmed the location of the Richards property in relation to the subject lot.

Commissioner Shaffer inquired as to how long the subject lot had been zoned B-1 Business. Staff were not aware of when the current zoning was established.

**Motion:** Commissioner Dickson made the motion recommending approval to Town Council. Second was by Commissioner Seaward.

**YEA:** Commissioners John Shaffer, Brian Sours, Tracie Dickson, and Frankie Seaward.

**NAY:** Chairman Good and Commissioner Bill Huffman

**Approved 4-2**

## **C. Code Amendment – Single-Family Dwelling Definition**

Chairman Good expressed concerns about the differences between a mobile home, a manufactured home, and a modular home. Following discussion of the Planning Commission, this item was postponed until the June Meeting with a request that staff develop new definitions to accompany any Code Amendment.

**UPDATES & DISCUSSIONS**

**A. FY 2020 Luray Capital Improvement Program**

Chairman Good confirmed to the Planning Commission that the State Code required the Planning Commission to annually review and endorse the Town’s Capital Improvement Program.

**Motion:** Commissioner Shaffer made the motion affirming the draft projects and recommending approval to Town Council. Second was by Commissioner Huffman.

**YEA:** Chairman Ronald Good, Commissioners John Shaffer, Brian Sours, Tracie Dickson, Bill Huffman and Frankie Seaward.

**Approved 6-0**

**CHAIRMAN’S ANNOUNCEMENTS**

Chairman Good stated next Commission Meeting will be June 12, 2019.

**ADJORNMENT**

There being no further business, the meeting adjourned at 8:00 p.m.

\_\_\_\_\_  
Steven Burke  
Town Manager

ATTEST: \_\_\_\_\_  
Dawn M. Shores  
Planning/Zoning Assistant



**Town of Luray, Virginia**  
**Planning Commission Agenda Statement**

Item No: VI-A

Meeting Date: June 12, 2019

Agenda Item: PLANNING COMMISSION PUBLIC HEARING & CONSIDERATION  
VI-A – SUP 19-04 – Single-Family Dwelling in B1 District – 303 East Main St

Summary: The Planning Commission is requested to conduct a public hearing to receive public input on a request from Brandon Cook for a Special Use Permit to maintain a single-family dwelling 303 East Main Street in the Business (B1) District.

Single-family dwellings are permitted in the B-1 District with an approved Special Use Permit per Town Code Section 406.2.h. The property has most recently operated commercially as a chiropractic center.

Commission Review: N/A

Fiscal Impact: N/A

Suggested Motion: I move that the Planning Commission recommend Town Council consider approval of the Special Use Permit to maintain a single-family dwelling in the Business (B-1) District at 303 East Main Street.



**Town of Luray**  
**Zoning Permit Application**  
 Application No.: SUP 19-4

I, as owner or authorized agent for the property described below, do hereby certify that I have the authority to make this application for a Zoning Permit for the activity described below and as show on any attached plans or specifications, that the information provided is correct and that any construction/use will conform to the regulations of the Town's *Zoning Ordinance* and other codes of the Town of Luray, County of Page, and Commonwealth of Virginia, as applicable. This permit application authorizes the Zoning Administrator or designee to perform reasonable site inspections as required to confirm information provided and compliance with the conditions applicable to this permit. Further I understand that any deviation from the application as requested shall require the express written approval of the Zoning Administrator.

- Application:**  Site Development  Property Subdivision  Boundary Line Adjustment  
 Rezoning  Special Use Permit  Zoning Variance

**Applicant Information:**

Applicant Name Brandon Cook  
 Company Name \_\_\_\_\_  
 Address 303 E. Main St. Luray, VA 22835  
 Phone: (804) 301-9079 Email: Brandon.CookCnull@yahoo.com

**Property Owner Information:**

Owner Name Brandon Cook  
 Address 303 E. Main St. Luray, VA 22835  
 Phone: (804) 301-9079 Email: Brandon.CookCnull@yahoo.com

**Property Information:**

Site Address 303 E. Main St. Luray, VA 22835  
 Page County Tax Map Number 42A11-A-63 Town Zoning District \_\_\_\_\_

**Request Information:**

Nature of Request (Describe Fully) - I <sup>am</sup> ~~was~~ requesting that this address be changed from a business address to a single-family home. I bought this house under the pretense that it was zoned both business and residential, and that my family and I would be able to live here. I have a wife and 2 kids (with a 3<sup>rd</sup> due in August) and we would love nothing more than to be a part of this town. We would really appreciate your consideration. Thank you very much, Brandon Cook

See Appropriate Application Appendix for Additional Information Required with Your Application

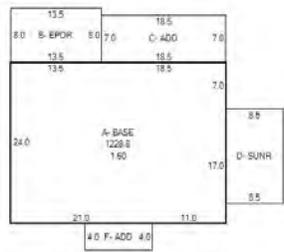
Brandon Cook  
 Signature of Applicant

5-15-2019.  
 Date

# Page County, Virginia

<b>Tax Map #:</b>	<b>Property Address:</b>	<b>Account #:</b>
42A11-A-63	303 E MAIN ST	19232

## General

<b>Owners Name:</b>	COOK BRANDON D & CARTER BRANDY		
<b>Mailing Address:</b>	303 EAST MAIN ST LURAY VA 22835		
<b>Zoning:</b>	B1		
<b>Year Built:</b>	1958		
<b>Acreage:</b>	.229		
<b>Description:</b>	PARTIALLY ZONED R3 INST#07-2823-S INST#19-0197-S		
<b>Grouped With:</b>	No Data		
<b>Assessment Information</b>		<b>Sale information</b>	
<b>Land Value</b>	\$49,900	<b>Transfer Date:</b>	1/28/2019
<b>Improvement</b>	\$119,000	<b>Sales Price:</b>	\$149,900
<b>Total Value</b>	\$168,900	<b>Grantor:</b>	\$149,900
<b>Total Land Area</b>	Y	<b>Deed Book:</b>	No Data
<b>Prior Assessment</b>	\$126,100	<b>Deed Page:</b>	0
		<b>Plat Book:</b>	No Data
		<b>Plat Page:</b>	0
		<b>Instrument Number:</b>	2019-197

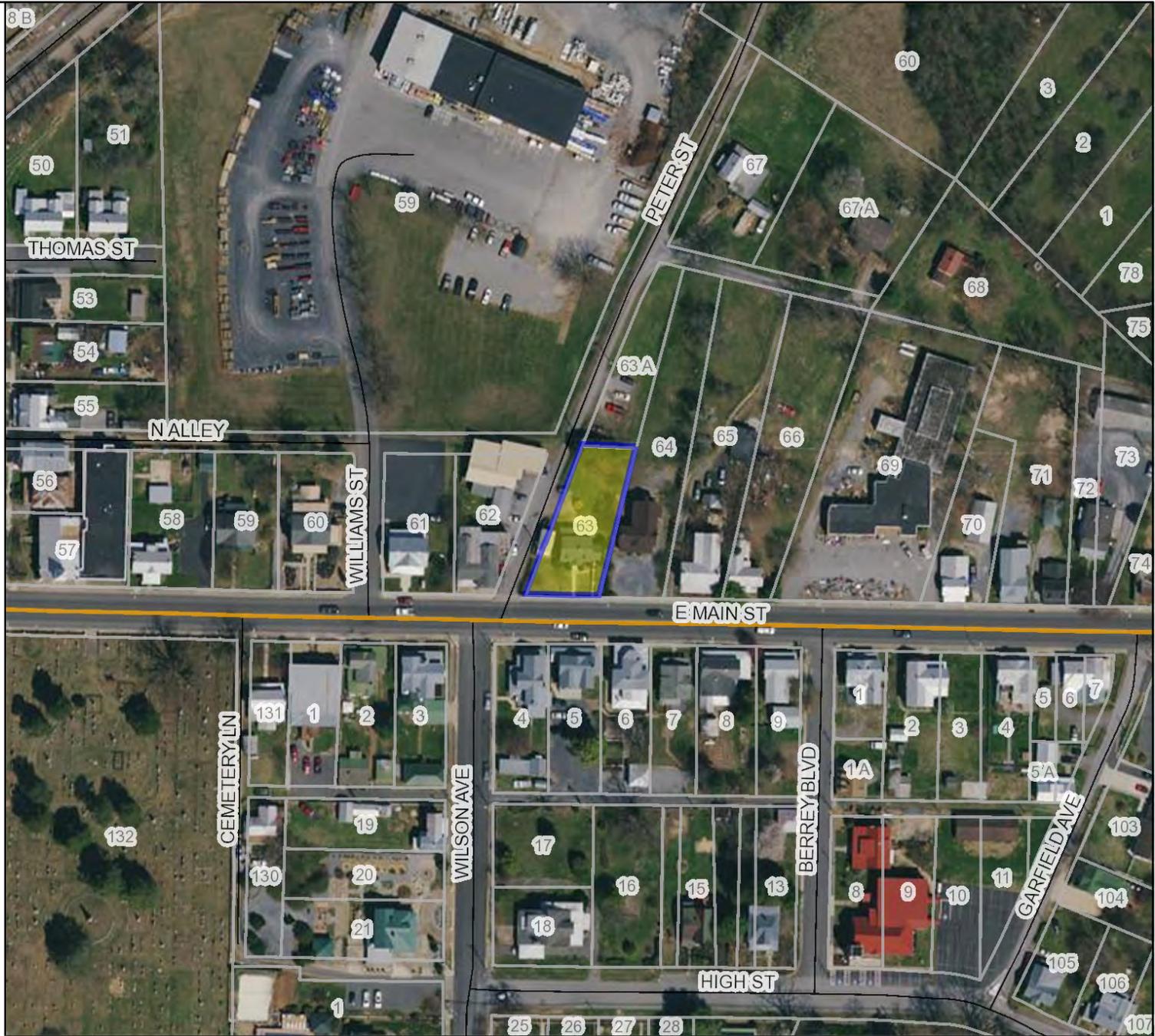
## Details

<b>Exterior Information</b>		<b>Interior Information</b>		<b>Building SqFt:</b> 1,398	
<b>Year Built:</b>	1958	<b>Story Height:</b>	2	<b>Basement SqFt:</b>	0
<b>Occupancy Type:</b>	Dwelling	<b># of Rooms:</b>	6	<b>Finished Basement SqFt:</b>	0
<b>Foundation:</b>	Cinderblock	<b># of Bedrooms:</b>	2	<b>Interior Walls:</b>	Plaster
<b>Ext. Walls:</b>	Brick	<b>Full Bathrooms:</b>	1	<b>Heating:</b>	Heat Pump
<b>Roofing:</b>	Comp Shg	<b>Half Bathrooms:</b>	1	<b>A/C:</b>	Yes
<b>Roof Type:</b>	Gable	<b>Floors:</b>	Wood		
<b>Garage:</b>	Detached Garage				
<b>Garage - # Of Cars:</b>	1				
<b>Carport:</b>	None				
<b>Carport - # Of Cars:</b>	0				
<b>Utilities</b>		<b>Other Information</b>		<b>Site Information</b>	
<b>Water:</b>	Public	<b>Fireplace:</b>	0	<b>Zoning Type:</b>	B1
<b>Sewer:</b>	Public	<b>Stacked Fireplace:</b>	0	<b>Terrain Type:</b>	On
<b>Electric:</b>	Yes	<b>Flue:</b>	0	<b>Character:</b>	Rolling/Sloping
<b>Gas:</b>	No	<b>Metal Flues:</b>	0	<b>Right of Way:</b>	Public
<b>Fuel Type:</b>	Electric	<b>Stacked Flues:</b>	0	<b>Easement:</b>	Paved
		<b>Inop. Flues/FP:</b>	0		

# Page County, Virginia

## Legend

-  Major Roads
-  Roads
-  Railroads
-  Other Counties
-  Parcels
-  Shenandoah River
-  Streams



**Title: Parcels**

**Date: 5/30/2019**

*DISCLAIMER: THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressly or implied, but no limited to, the implied warranties of merchantability and fitness for a particular purpose. Site-specific information is best obtained after an onsite visit by a competent professional. Please call Page County, VA for specialized products. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as Page County, VA expressly disclaims any liability for loss or damage arising from the use of said information by any third party. In addition use of Virginia Base Mapping Program (VBMP) statewide aerial photography requires the following disclaimer: "Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination."*



Town of Luray, Virginia  
Planning Commission Agenda Statement

Item No: VII-A

Meeting Date: June 12, 2019

Agenda Item: PLANNING COMMISSION DISCUSSION  
Item VII-A – Code Amendment – Single-Family Dwelling Definition

Summary: The Planning Commission is discuss a Code Amendment to Section 202 of Article II – Definitions of Appendix A – Zoning of the Town Code to modify the definition of “Dwelling, single-family” as follows:

*Dwelling, single-family: A residential dwelling unit ~~other than a mobile home,~~ designed for and occupied by one family, ~~and shall include manufactured homes when placed on a permanent foundation, converted to real property, and taxed as a site-built dwelling as provided by law.~~ including a modular unit or sectional home. ~~Manufactured homes and mobile home are excluded herefrom regardless of whether they are taxes as personal or real property.~~*

*Manufactured Home: ~~means a structure subject to federal regulations, which is transportable in one or more sections, is eight body feet or more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site, is built on a permanent chassis, is designed to be used as a single-family dwelling with or without a permanent foundation when connected to the required facilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the structure.~~ A structure designed for residential use by a single family that is manufactured offsite in accordance with the National Manufactured Housing Construction and Safety Act of 1974 and Federal Manufactured Home Construction and Safety Standards.*

*Mobile Home: A transportable structure designed for residential use by a single family that was manufactured before June 15, 1976.*

As our Town Code permits single-family dwellings in all Residential Districts, this definition would permit manufactured homes by-right rather than the intended installation with a Special Use Permit in designated Zoning Districts.

Commission Review: May 15, 2019

Fiscal Impact: N/A

Suggested Motion: N/A (Public Hearing scheduled July 10<sup>th</sup>)