

**REGULAR MEETING OF
LURAY PLANNING COMMISSION
DECEMBER 10, 2014**

The Luray Planning Commission met on Wednesday, December 10, 2014 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
Mark Malone (Late)
Brian Sours
Grace Nowak
Jerry Dofflemyer
Tracie Dickson
John Shaffer

Others Present:

Charlie Hoke, Town Manager
Bryan Chrisman, Assistant Town Manager
Ligon Webb, Town Planner

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

APPROVAL OF MINUTES:

A motion was made by Commissioner Shaffer that the minutes of November 12, 2014 be accepted and motion was seconded by Commissioner Nowak with the vote as follows: YEA: Commissioners Good, Sours, Nowak, Dofflemyer, Dickson and Shaffer. **Approved 6-0**

PUBLIC HEARING:

Floodplain Ordinance

Commissioner Good stated this was properly advertised on November 27 and December 4, 2014. This was discussed at a couple meetings and is now ready for a public hearing. The most important sentence is "Adoption of a revised ordinance is required for continued eligibility/participation of Town flood insurance policy holders in the National Flood Insurance Program (NFIP)." Mr. Webb stated there are 46 policy holders in the Town. If certain structures are built in the floodplain you need a special use permit. This is really another zoning district. It's an overlay and operates like a zoning district. The biggest delineation in a flood district is a floodway which is basically the river bed and the floodplain. There are certain things you can do in the floodway.

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We haven't had any structures built in those areas yet and if it does happen, we will look at the ordinance. After reading and looking at our old one, it's like our old one but a little more meat and potatoes in it. Seventy-five percent is under the building official's authority.

Commissioner Good asked if there were sections in the ordinance that deal with restricting. Mr. Webb stated there are only certain things you can do in a floodway. In a floodway it comes a little outside the banks of a normal flow. It can be used as a side yard for a setback in zoning, accessory and industrial uses, and loading areas.

The public hearing was officially opened. Hearing no comments, the public hearing was closed.

A motion was made by Commissioner Dofflemyer that the floodplain ordinance be approved as presented and seconded by Commissioner Sours. The vote was as follows: YEA: Commissioners Good, Sours, Nowak, Dofflemyer, Dickson and Shaffer. **APPROVED 6-0**

OLD BUSINESS:

David Slye: Final Plat Submittal (Cedar Drive)

An existing house is there on public water and sewer. On the large lot that is left over, they are not intending to build on that. Mr. Slye and his family came in last fall and had a buyer for the portion that comes off and needed to close soon. What they wanted to do was divide the back portion off, retain this and retain the house. Ligon suggested they do a subdivision and just do a preliminary, and final. They didn't have time, so Ligon suggested, if they didn't have a 90 day window and they had a buyer that is ready to go, the only thing he could do, without creating another lot, was go ahead and move your property line, dissolve that line and push it back so you have one large parcel. You haven't created a new lot so you don't need to go through the subdivision ordinance. The question posed to Ligon was does this lot back here not have road frontage because you have cut this off. Canaan Road; this right-of-way coming through is probably more substantial and better than a lot of the roads into Boonfield with their houses. If you look at our definition of lot, it basically says that if there's not road frontage, "Under the provisions of this ordinance, having at least the minimum area required, which it does, by this ordinance for a parcel of land in the zoning in which such land is situated and having its principal frontage on an officially approved means of ingress and egress. They have a right-of-way over this parcel from Mr. Drumheller to get back to it. It is officially approved, it's on the map, it's an easement so Ligon thinks it meets the definition of a lot. When Mr. Slye came back he was under a limited time to sell it, so it was sold. Now he is back to re-subdivide and where we had two lots, now we have 1, 2, 3. The lot that's left over is taken off the back 1 ½ acre. What's left over once this is divided, he could put another house here but in order to have any other homes

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there, he would have to extend this road and bring it down here but that's another problem because a road that's a cul-de-sac can't be over 200 feet. He would have to extend it and maybe connect it somewhere else. This lot, based on our code, doesn't have a lot of real developing value other than one home. That's the extend of this subdivision. Otherwise, to create a significant subdivision back here, you would have to coordinate with the property owners, bring this road through, and connect it to another road. It's probably not going to happen. If it does, they have to have a significant plan and make significant improvements.

There has been no indication they want to build anything there. They just want to retain some of the family home place with no intention to do anything. You just can't keep extending this road and putting a cul-de-sac at the end. After a certain amount of feet it has to connect to another road. That limits what can happen here because you would basically have to have a road that somehow connects somewhere and cutting into the cul-de-sac. It would be too long for a cul-de-sac. There's limited options of what could happen out here unless you plan on creating a significant subdivision and connecting it to an adjacent property and building a road through. It's moving things on paper to settle up the estate and sell the house.

If you don't approve this, then he would not be able to create this lot. He would be stuck with this whole portion of about 6 acres. If he wants to build another house right now, he would have to subdivide this lot. Right now it's one large parcel. It's just ownership between a family. They did sell the back portion to an out-of-town person.

A motion was made by Commissioner Nowak that we approve the final plat and seconded by Commissioner Dofflemyer. The vote was as follows: YEA: Commissioners Good, Malone, Sours, Nowak, Dofflemyer, Dickson and Shaffer. APPROVED: 7-0

Sign Ordinance Updates

It will be advertised for public hearing on January 14, 2015.

There being no further business, a motion was made by Commissioner Sours that the meeting be adjourned and seconded by Commissioner Nowak. Meeting adjourned at 7:47 P.M.

Ligon Webb
Town Planner

ATTEST:
