

Town of Farmville Planning Commission Minutes From
Meeting held at
THE TOWN HALL, Town Manager's Conference Room
Farmville Virginia
Tuesday September 15, 2009, 12:10 p.m.

Members Present: Lloyd McKay, Andy Andrews, Sam Wilson Jr., Edward Gordon, and Gerry Spates

Members not present: Ted Cunningham

Guests: Mr. and Mrs. Ronald Robeson

Staff: Larry Philbeck, Building Official, Cindy Morris, Town Planner, Megan Douglas, Administrative Assistant

The meeting began at 12:10 p.m. Chairman Andrews moved the Conditional Use Permit (CUP) for the childcare facility to the top of the agenda since Mr. and Mrs. Robeson were present.

Conditional Use Permit for Faith & Victory Ministries and Childcare at 502-B Beech Street

Item number two (2) on the agenda was for the CUP for Faith & Victory Ministries and Childcare, which Mr. and Mrs. Robeson were in attendance to answer any questions the Planning Commission Members might have. Mr. and Mrs. Robeson confirmed that currently, childcare was being provided for 4 to 5 children. Mrs. Morris indicated that no more than six children could be kept at the facility until the Conditional Use Permit is approved.

Mr. Philbeck stated that the building code allows up to five (5) children before it will be considered a childcare facility. Several Planning Commission Members had concerns about the deteriorated condition of the playground and possible use of the playground equipment and the existing fencing. Mr. & Mrs. Robeson agreed that the playground equipment currently at the establishment will not be used. Mrs. Robeson reassured the Planning Commission that the children would be supervised when outside. Mr. Spates commented that he would notify the property owners and require them to take the playground equipment down and repair the fencing. Mr. Philbeck, informed Mr. & Mrs. Robeson that the building code does not allow this type of facility to have more than five children of the ages of 0 to 2 ½ years old. He also added that the facility could accept up to the maximum which is 40 children. Mrs. Robeson responded that she had intentions of keeping more than five (5) children between the ages of 0 to 2 ½ years old. She also inquired about code changes that would be necessary to allow her to keep more children of this age. Mr. Philbeck informed her that the entire building would need to have a sprinkler system installed.

Mr. Wilson had concerns about liability on the part of the Town once a Conditional Use Permit was approved. Mr. Spates, commented that the Town accepts no liability once code compliance has been met.

Dr. Gordon made a motion to accept the Conditional Use Permit with the conditions that the present land owners will repair fencing up to code, the playground equipment be taken down and any new playground equipment installed later will be approved by the Town and meet code regulations. Mr. Wilson seconded the motion with an amendment, that Mr. and Mrs. Robeson agree to submit annual reports and they accept having routine and follow-up inspections. All other Commission Members voted "aye" in favor of recommending to Council the CUP with the conditions stated above.

Review and Approval of Minutes

Mrs. Morris asked if there were any corrections or revisions to the September 3, 2009 minutes. There being none, Mr. McKay made the motion to approve the minutes, Dr. Gordon seconded the motion, with all other members voting "aye".

Conditional Use Permit for Doris Farrar to operate a Bakery in her home at 308 Second Avenue

Mrs. Morris informed the Planning Commission that there was an attachment in their packet for Doris Farrar to operate a home occupation at 308 2nd Avenue. Mrs. Morris stated that Council referred her Conditional Use Permit (CUP) request to the Planning Commission. This is a proposed home occupation in an R1A zone, which is allowed with a CUP. The Zoning Ordinance read by Mrs. Morris, states that there shall be no delivery or pickup by commercial vehicle; no customers coming to the home; no products or displays to be stored outside; no advertising with address "listed" and the business must be conducted in such a manner as not to be offensive to the neighbors. Mrs. Morris pointed out that Ms. Farrar does indicate in her application that customers will come to the home by appointment only. Mr. Spates and Dr. Gordon wanted to make an exception to the Zoning Ordinance that would allow Ms. Farrar to have customers come to the residence by appointment only, and noted that in the past a precedent had been set for other home occupation businesses to have a small number of customers come to their home. Mr. Wilson commented that he did not foresee any traffic or parking conflicts. On motion by Mr. Wilson, seconded by Mr. Andrews, with all other Commission Members voting "aye", they voted to recommend approval of the Conditional Use Permit to Council, allowing Mrs. Farrar operate a home occupation and to have customers by appointment only one at a time. The Planning Commission Members requested that Mrs. Morris send the adjacent property owners a copy of the public notice which will be advertised in the newspaper. Mrs. Morris asked if it was the pleasure of the Planning Commissioners to include in the public notice that Mrs. Farrar plans to have customers come to her home. It was the consensus of the Commissioners that the Public Notice would be general in nature and not include that she will be having customers come to her home.

Consideration of Changing Planning Commission Meeting Time from 12:00 Noon to 9:00 or 10:00 a.m.

The Planning Commission currently has bi-monthly meetings at 12:00 Noon on the scheduled dates posted at the Town Hall. Mrs. Morris informed the Planning Commission that she called Mr. Cunningham, at the Commission's request, to see if he is still interested in serving as a

Planning Commission member and if he is still interested in serving what times might be suitable for him. Mrs. Morris stated that she had contacted Mr. Cunningham and that he teaches a class at noon and can not attend at that time but would still like to serve as a Commissioner if meetings could be changed to 9:00 or 10:00 am. Mrs. Morris said that Mr. Cunningham indicated that if those times did not work well for the others he would be willing to step down. Mr. Wilson said he also teaches and the 12:00 noon meeting time is the only available time for him to come. Dr. Gordon commented that the 12:00 noon time is a good time for him as well. All others were in agreement to leave the time at 12:00 noon. The Planning Commission requested that Mrs. Morris contact Mr. Cunningham about the consensus of the group to leave the time at 12:00 noon.

On motion by Dr. Gordon, seconded by Mr. Wilson the meeting adjourned at 1:10 p.m.

Andy Andrews, Chairman

Gerald J. Spates, Secretary