

**TOWN OF WEST POINT
PLANNING COMMISSION
FEBRUARY 6, 2019**

I. Call to Order

The West Point Planning Commission held its regularly scheduled meeting on Wednesday, February 6, 2019. Chairman Brockwell called the meeting to order.

Members Present: James Brockwell, Chairman
Stuart Daniel, Vice- Chairman
James Hudson, III
Mary Montague Sikes
James Vadas
Britney Ball

Also Present: Holly N. McGowan, Director of Community Development
Shari Carnell, Recording Aide

II. Review of Agenda

Chairman Brockwell asked if there were any changes to the agenda. There were no changes.

III. Citizens Address The Commission

Chairman Brockwell opened the floor to any citizen to address the Commission. There being none, the citizens address portion of the meeting was closed.

IV. New Business

A. Text Amendment-More than one main dwelling on a lot.

The Town had a citizen that approached Town Council, and attended a Community Development meeting with concerns about a house that was built and attached to an existing house by a breezeway and there is a concern that this could happen in other areas. The way that the ordinance is written the current staff does interpret it to mean there will be only one main dwelling on a lot and the house that was presented as an example would not have been allowed to be built with the current administration. This citizen would like for the ordinance to be rewritten in a manner that is more simplistic and restrictive so that future interpretations of the ordinance do not allow more than one main dwelling on a lot.

Current Town Code states:
Sec.70-329.- More than one main building on a lot.

Except in the R-1, R-2, and R-4 Districts, more than one building housing a permitted principal use may be located on a single lot, provided that all applicable requirements of the district in which such lot is situated shall be met.

The Community Development office provided the Planning Commission with a draft of the proposed new language to review and to discuss if the ordinance needs to be amended and report back with a recommendation. If the Planning Commission decides to change the text amendment then a Public Hearing would be required.

Mr. Brockwell stated for clarification purposes that the R-1, R-2, and R-4 zoning districts allow for one main dwelling on a lot, and then asked about accessory structures being used for living quarters. Ms. McGowan stated that accessory structures are allowed in the R-1, R-2, and R-4 zoning districts but they do not allow for living quarters. The Town has asked questions about garages that have been built or renovated this past year as to whether or not they would be used as living quarters and advised that if they are then the property owner will be in violation of the zoning ordinance.

Ms. Ball asked if there was something in the ordinance that specifically states that having more than one primary dwelling on a lot is prohibited in the R-1, R-2, and R-4 zoning district. Ms. McGowan responded that it is listed in a separate section of the ordinance under supplementary regulations which addresses this and how the Town addresses a corner lot with setbacks, or accessory structures and setbacks. Ms. Ball asked what language is written in Town ordinance that states having more than one dwelling on a lot in these zoning districts are a prohibited use. Ms. McGowan stated that each zoning district in the ordinance states what is allowed or permitted in the district. If a use is not listed as allowed then it is considered a prohibited use it is listed in the general requirements of the zoning ordinance.

Mr. Hudson then asked if more than one main dwelling on a lot was allowed in the R-3 zoning district. Ms. McGowan stated that it is a permitted use in the R-3 district which is a residential area that includes town houses and apartments which would be considered as having more than one main dwelling unit on a lot. Mr. Hudson then suggested adding to each individual zoning district the R-1, R-2, and R-4 one single family detached dwelling per lot but concluded that adding this language to each individual zoning district would not have helped to prohibit the house that was built to an existing structure attached by a breezeway.

Mr. Brockwell asked if this ordinance applied to in-law suites. Ms. McGowan stated that if a resident wanted to add an in-law suite the resident would have to eliminate one of the following rooms to remain compliant to the Town ordinance. The resident would have to eliminate the kitchen, the bedroom, or the bathroom. The resident would not be allowed to have all three. It cannot be a stand-alone living unit. There was an ordinance written into the Town code about caregiver's suite which is an allowance that is a temporary use, but when the caregiver is no longer required the caregiver must leave the suite.

Mr. Hudson suggested that instead of changing the language in the Town ordinance for the three individual zoning districts that the Town make one change to the ordinance that applies to the collective zoning districts. Mr. Hudson suggested it read "unless otherwise stated in the zoning ordinance there will be one single family detached dwelling permitted per lot."

Mr. Daniel agreed with Mr. Hudson, and stated that wording the ordinance that way would help simplify future interpretations of the ordinance without having to re-write three separate ordinances.

Mr. Brockwell stated that the Community Development office draft new language for one ordinance to be added to the Town ordinance and the Planning Commission will review it next month.

V. Old Business

A. Comprehensive Plan

Ms. McGowan informed the Planning Commission that an article will appear in the Tidewater Review about the Comprehensive Plan and that a memo has been posted on the Town's Facebook page about the Comprehensive Plan being available at the West Point Town Hall and West Point Library for review.

Mr. Brockwell provided Ms. McGowan with corrections he found reviewing the Comprehensive Plan.

VI. Committee Reports

Mr. Hudson reported that Town Council met on January 29, 2019. Mr. Hudson state that the King William County Administrator, Bobbie Tassinari came and spoke about how well the Town of West Point Fire and Rescue team is providing service to the Town. Ms. Tassinari is very interested in Town and County's future, and provides a great working relationship between the Town and the County.

Mr. Hudson stated that Mr. Edwards provided the Town Council with preliminary budget request from all of the committees, and departments in Town including the West Point Fire Department and the West Point Schools. Mr. Hudson continued that the auditors have not sent the Town a report but have made contact with the Town and told the Town that currently the Town is in a good financial position.

Mr. Daniel reported that the Wetlands Board met January 15, 2019. Mr. Daniel stated that the Wetlands Board granted Mennel Milling Co. extension request and extended the project completion date until February 28, 2020. Mr. Daniel stated that the weather and other unforeseen circumstances delayed project completion.

VII. Adoption of Minutes

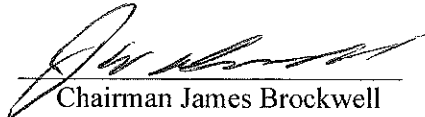
Mr. Daniel made a motion to adopt the minutes from the January 2, 2019 Planning Commission meeting. Ms. Sikes seconded the motion. All in favor responded "Aye." No one opposed. Motion carried.

VIII. Next Meeting Date

The next meeting date is set for March 6, 2019

IX. Motion to Adjourn

Mr. Brockwell adjourned the meeting.



Chairman James Brockwell
West Point Planning Commission

Commissioner's Terms

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