

**MINUTES OF THE MEETING OF THE TOWN OF VINTON PLANNING COMMISSION
HELD ON TUESDAY, APRIL 27, 2010, AT 6:30 P.M., AT THE VINTON MUNICIPAL
BUILDING, 311 SOUTH POLLARD STREET.**

MEMBERS PRESENT: Dave Jones, Chairman
Dawn Michelsen, Vice Chairperson
Bob Patterson
C.W. Pace, Jr.

STAFF PRESENT: Anita McMillan, Planning and Zoning Director
Karla Turman, Associate Planner/Code Enforcement Officer
Julie S. Tucei, Planning and Zoning Coordinator

OTHERS PRESENT: Lee Bosworth, 814 Bedford Road, Vinton

AGENDA

I. Call to Order

II. Approval of Minutes: Public Hearing, January 27, 2010
Work Session, March 18, 2010

III. Public Hearing:

The proposed amendments to the Town of Vinton Zoning Ordinance, Article V, Supplementary Regulations, Division 3, Section 5-5, Exceptions to yard requirements and Section 5-11, Visibility at intersections. The proposed amendments are related to placement and height of fences, walls, arbors, and trellises within residential districts.

IV. Other Business

V. Adjournment

The meeting of the Vinton Planning Commission was called to order at 6:30 p.m. All four members were present.

The first item on the agenda was the approval of minutes from a public hearing held on January 27, 2010, and minutes from a work session held on March 18, 2010. There were no corrections or additions to the minutes; therefore, a motion to approve both sets as submitted was made by Mr. Patterson. The motion was seconded by Ms. Michelsen. A roll call vote was taken, and all members voted in favor of the motion.

The second item on the agenda was the proposed amendments to the Town of Vinton Zoning Ordinance, Article V, Supplementary Regulations, Division 3, Section 5-5, Exceptions to yard requirements and Section 5-11, Visibility at intersections. The proposed amendments are related to placement and height of fences, walls, arbors, and trellises within residential districts. Chairman Jones mentioned that notice of this meeting had been advertised in the paper. Ms. Turman stated that recently there have been several fences that have been erected that do not meet the zoning ordinance requirements. She said that, in 2009, the Planning Commission had been asked to look into the regulations due to the increase in variance requests and new fences not meeting the ordinance. Ms. Turman went over some of the changes that are proposed, a copy of which will be made a part of the permanent record of this meeting. She mentioned that there were also changes made concerning arbors and trellises. She stated that they would check with the building commissioner to make sure whether or not arbors or trellises are exempt from building code. Under the proposed regulations, a zoning permit would be required for all fences, arbors, or trellises,

**PLANNING COMMISSION
PUBLIC HEARING
APRIL 27, 2010
PAGE 2**

and nothing will be allowed within the sight visibility triangle. Ms. Turman asked if they had any questions. No one did. Chairman Jones asked the gentleman in attendance if he wished to speak about the proposed amendments. Mr. Bosworth, of 814 Bedford Road, said he purchased the property recently. He stated that he loves the area. He said he would like to be able to beautify his property. He mentioned that his property comes to a point (triangle). He stated that there is a chain link fence in the back and he would like to put up a picket fence in the front to beautify the lot. He said the line of sight for drivers would not be affected by where he'd like to put the fence. He stated that the new regulations would make it nearly impossible to put up a fence in the front. He said there should be consideration in the regulations for oddly shaped properties, such as his, where the owners would not have to obtain variances. The fence he is proposing would be four feet tall or less. He stated that he would also like to put a fence up so people would not walk across his property right in front of his porch. Chairman Jones asked if there were any questions for Mr. Bosworth. There were none. Chairman Jones stated that this was an amendment that they had been working on for months. Ms. McMillan mentioned that, with these amendments, they try to consider the town as a whole rather than lot by lot. She said that Mr. Bosworth would be able to apply for a variance from the Board of Zoning Appeals (BZA) and, perhaps because his lot is oddly shaped he may have a hardship. However, staff cannot guarantee a variance being granted. With there being no further business, Chairman Jones declared the public hearing closed and asked for a motion. Ms. Michelsen commented that it is always difficult as a citizen of Vinton to balance what is good for the entire Town, as well as for those with oddly shaped lots. She said that they have really studied this issue, tried to be as fair and open as possible, and that they try to keep the streets safe. She said, from her position, she would like to see him be able to do what he would like to do with his property, but she said she must also weigh what is good for the Town as a whole. Mr. Bosworth stated that he wants to put his fence 25 feet back from the point. He said his issue is with the 5 feet setback that is required on the sides of his property. Ms. Michelsen asked if that would qualify him to request a variance from the BZA. Ms. McMillan said he could, but would need to prove a specific hardship, as defined by code. Mr. Bosworth said he had already considered the line of sight for drivers in his plans. Chairman Jones said the Planning Commission takes into consideration what is good for the entire Town. He mentioned that they would make a recommendation to Town Council who will consider that in making their final decision. He asked for a motion. Ms. Michelsen made a motion to recommend to Council the zoning requirements for fences, trellises, and arbors as discussed. Mr. Patterson seconded the motion. A roll call vote was taken, and all members voted in favor of the motion. Ms. McMillan stated that Town Council will be considering the issue on May 18th, and encouraged Mr. Bosworth to attend and discuss it with Town Council.

In other business, Mr. Bosworth also spoke about his lot not having curbing and stated that he would like to have curbs to help protect his home from cars that could crash into it. He stated that he had talked with a couple of Town employees and was told that someone would have to call him back. He stated that he had never received a call back. Ms. McMillan recommended that he write up something to submit to the Highway Safety Committee. Ms. McMillan said that the Public Works Director and members of the Police Department are on that committee. Mr. Bosworth also stated that he was told by VDOT that he might be able to request a guardrail. However, Mr. Bosworth said he did not think a guardrail would look very good.

**PLANNING COMMISSION
PUBLIC HEARING
APRIL 27, 2010
PAGE 3**

Chairman Jones asked if there was anything else to discuss. Ms. McMillan mentioned that Arbor Day was held recently at Vinton Public Works. She also said that 348 trees had been planted on Town property along Tinker Avenue in Midway around the same time with grant money. Ms. McMillan said she would keep them posted on the progress of the Corridors Plan and also the Downtown Revitalization project.

There was no further business; therefore, Chairman Jones adjourned the meeting at 7:04 p.m.

Respectfully Submitted,

Anita McMillan
Planning Commission Secretary