

Town of Onancock, Virginia
Planning Commission Meeting

Tuesday

October 23, 2018

5:30 P.M.

Call to Order and Roll Call:

Chairman Judith Grier called the meeting to order at 5:30 P.M.

Commission members Bill Bagwell, Robert Bloxom, Ridgway Dunton, Judith Grier and Scott Schreiber were present. Commission members Larry Frey and Matt Spuck were absent. A quorum was established. Town Manager William Kerbin and Deputy Clerk Mariellen Mearsheimer were in attendance.

Onancock resident Linda Copper attended the meeting as well as realtor Nancy James and lawyer David Rowan.

Minutes:

Chairman Judith Grier asked if there were any changes or additions to the August 21, 2018 minutes as presented.

A motion was made by Commission member Scott Schreiber to approve the minutes as presented. Commission member Bill Bagwell seconded the motion. The minutes were approved by voice vote. Commission member Robert Bloxom abstained.

Items of Business:

Review of Homestay Ordinance Language and Proposed Definition of Attached Structure Ordinance Language.

Town Manager William Kerbin introduced resident Linda Copper. He gave a summary of her request to address the Planning Commission and then gave her the opportunity to speak. Ms. Copper said she had not planned on being at the meeting and instead wanted lawyer David Rowan to speak on her behalf.

David Rowan introduced himself as Ms. Copper's attorney. Mr. Rowan said he had looked at the proposed definitions and had some questions. He stated; "Our definition of an attached structure was a division wall and a shared roofline in common." His first question was; "What is meant by division wall?" He stated he thought it meant an interior wall. Mr. Rowan stated; "One of the things he is looking at in Ms. Copper's situation and in other houses in town is the idea that you would have a separate structure that would be joined to the main structure by a breezeway or colonnade that might be open with a roof or enclosed in glass." His second question was: "Would that suddenly not be attached in the proposed definition if it is a free-standing structure without a division wall?" He stated; "This definition might have to be fleshed out at some point."

Nancy James asked if she could speak before Mr. Rowan continued.

Ms. James expressed concerns about not allowing Ms. Copper and other residents to rent as homestays, detached structures on their properties, if they meet all the requirements for habitation.

Commission member Robert Bloxom stated that the issue was not about homestays but about zoning in the R1 district. He added that the R1 district does not allow habitation in detached structures. He stated the reason we were meeting was because the definitions of attached versus detached were not well defined in the zoning code. He stated the next step was to attempt to clarify those definitions so there is no debate about it going forward. Mr. Bloxom also stated the zoning issue in R1 is a decision the Planning Commission and subsequently the Town Council need to make; "Do we want to allow people to reside temporarily or permanently in detached structures?"

Commission member Bill Bagwell asked if the proposed language for attached structure was from the Council or someone else. Commission member Bloxom stated it was the Council's proposed language.

Mr. Rowan discussed the concept of Accessory Dwelling Units (ADU's) and their popularity out west.

More discussion followed about those in favor or opposed to people living in a detached structure, occurrences in town and concerns.

Ms. James stated that Section 24-16 of the Onancock Code allows for special exemptions and stated; "In this particular case it is worthy of utilizing the Council's ability to make a special exemption."

Commission member Ridgway Dunton stated his concerns about special exemptions.

Commission member Scott Schreiber asked if two different things were going on at this meeting and stated the Planning Commission has no authority to make special exemptions.

Commission member Schreiber and Commission member Bagwell discussed how the homestay ordinance was developed and approved.

Commission member Schreiber asked where the proposed definitions for attached versus detached came from. Commission member Bloxom stated they came from the construction oversight board that has a set definition for attached versus detached.

More discussion followed with Commission members, Ms. Copper and Ms. James concerning Ms. Copper's situation.

Town Manager William Kerbin stated he would come up with some language for homestays and detached structures based on what Ms. James proposed.

Commission Chairman Judith Grier ended discussion of the matter.

Commission member Bloxom made a motion that Town Manager Kerbin draft some proposed guidelines around allowing homestays in detached structures for the Planning Commission to consider and discuss at its' next meeting. Commission member Scott Schreiber seconded the motion. The motion passed by unanimous voice vote.

Commission member Bloxom suggested deferring the discussion of the definition of detached versus attached until the next meeting.

Public Comment:

None

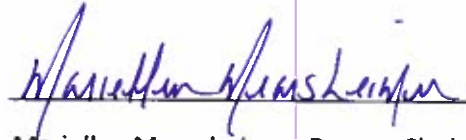
Adjourn:

Commission member Scott Schreiber made a motion to adjourn. Commission member Robert Bloxom seconded the motion. The motion was approved by unanimous voice vote.

The meeting was adjourned at 6:28 P.M.



Judith Grier, Chair



Mariellen Mearsheimer, Deputy Clerk