

MINUTES
MADISONVILLE BOARD OF ZONING APPEALS
Tuesday, November 17, 2020

Members Present

James Lee, Chairman
Glenn Moser, Mayor
Marilyn Atkins, Vice Chair
Linda Garrett-Hensley
Don Harrill
Susan Saunders

Members Absent

Jack Harrill

Others Present

Sara VanLandingham, Codes
Laura Smith, Planner
Greg Altum, The Buzz
Jeff Holt
Ms. Holt
Jarrod Brackett, FLEC

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman Lee called the meeting of the Board of Zoning Appeals to order at 6:00 p.m. The minutes of the February 19, 2019 and the Sept. 24, 2020 meeting were unanimously approved on a motion by Marilyn Atkins seconded by Mayor Glenn Moser.

SPECIAL EXCEPTION FOR MOBILE HOME PARK, APPLICANT, JEFFREY HOLT, PROPERTY OWNER, MOUNTAINVIEW PROPERTIES LLC, GIBSON WHITE CIRCLE, TAX MAP 057P, GROUP E, PARCEL 015.00, R-1, LOW DENSITY RESIDENTIAL DISTRICT, APPROXIMATELY .88 ACRES

Mr. Holt was present and stated that he had purchased the property with 6 units, but said that 4 were not habitable. He stated that he had spoken with the previous building official, who he states gave him permission to change out the units, and he bought the mobile home park based on what the building official said. Mr. Holt states he did not know he needed a permit. Commissioner Saunders asked Mr. Holt if he had checked out the 4 mobile homes prior to purchasing the property and Mr. Holt stated that he had not inspected them nor did he go inside them. Mr. Holt stated that placing a doublewide on the property was not an option due to cost and the parcel which is approximately 80,000 square feet in size is smaller than what he thought it was. He said the pads were equal distance with the poles and that the bank he is working with would appraise the mobile home park at about \$230,000. Mr. Holt discussed property tax assessment and said if he pulls the mobile homes off, the tax value goes down. Mr. Holt showed pictures of the newer homes and said it would enhance the area. Ms. Smith stated that according to the Zoning Ordinance, mobile home parks are not an allowed use in the R-1 District. Existing mobile home parks are required to obtain a permit. If an existing non-conforming mobile home park changes ownership, then the new owner must meet the zoning requirements, and it is the intent to not have non-conformities continue if they are removed.

Ms. VanLandingham summarized receiving a complaint about the property from someone who had tried to place a mobile home on their property and was denied. She read from Section 11-409 of the Zoning Ordinance regarding mobile homes and mobile home parks. She stated that Mr. Holt purchased the property in 2016, then repurchased it in 2018 under his company name. Mr. Holt had stated that he had purchased it based on what the previous building official had told him, but that he did not have anything in writing. Mr. Holt does not know the exact size of the property

as a survey has not been done, and he described the value of homes in the surrounding area. Mr. Holt had pulled out 4 of the mobile homes, and brought in 4 newer mobile homes that have not been set up, as he was told to stop. He requests that he be allowed to set them up, so that he would have a total of 6 mobile homes, two of which are occupied. Ms. VanLandingham requests that if the board grants the special exception, then a site plan should be submitted to include verification of spacing for fire protection.

ACTION

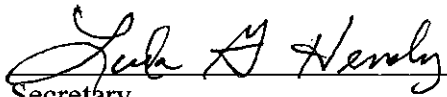
Mayor Moser moved to approve the request to exchange the 4 units with 4 newer ones with the submission of a required site plan. The motion was seconded by Don Harrill, but failed with Mr. Harrill and Mayor Moser voting yes, Ms. Saunders, Ms. Garrett-Hensley, and Ms. Atkins voting no.

USE ON REVIEW FOR PROPOSED UTILITY SUBSTATION, APPLICANT, JARROD BRACKETT, FORT LOUDOUN ELECTRIC COOPERATIVE, PROPERTY OWNERS, RICHARD HARRIS AND TIM MAXWELL, GREEN LANE, TAX MAP 057, PARCEL 54.01, R-1, LOW DENSITY RESIDENTIAL DISTRICT, APPROXIMATELY 55.9 ACRES

Although public utilities, but not buildings, offices or storage or warehousing, are a permitted use in the R-1 District, Jarrod Brackett was present to discuss FLEC's plans with TVA to put a new substation on property on Green Lane. He stated that TVA is currently in the site planning phase and doing history research. The project could become a reality in 5 years. Mr. Brackett showed pictures of what the substation may similarly look like and stated that trucks may be parked on the property occasionally. He stated that they would not need the entire 56 acres and there was a discussion of allowed uses in the R-1 District and Green Lane which appears to be a private road that would require some improvement for development. Mr. Brackett asked about any concerns from the board. It was agreed that the use was permitted in the district and Mr. Brackett would just need to submit a site plan when ready to move forward.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.


Secretary

1-19-21
Date