

Town of Lovettsville

Planning Commission Minutes Regular Meeting November 6, 2013

Call to Order/Welcome

Chairwoman Miller called the Regular Meeting of the Lovettsville Planning Commission to order at 7:30 p.m. on Wednesday, November 6, 2013 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Present at Meeting

- Chairwoman Miller (formerly Summitt)
- Commissioner Lorraine Bauer
- Commissioner Robert Gentile
- Commissioner Jennifer Jones
- Commissioner Frank McDonough
- Commission Anthony Quintana

Absent

- Vice Chair Mueller

Staff Present

- Zoning Administrator Melissa Hynes
- Town Manager Keith Markel
- Town Clerk Harriet West

Audience

Chairwoman Miller recognized former Mayor Elaine Walker.

Public Comment

Chairwoman Miller called for comments from the public. Robert Colyar came forward to speak about the Town's fence height restrictions. He said that he just moved to Lovettsville on October 29. He lives at 15 Eisentown Drive in Town Center. He has a unique parcel – the house is on a corner lot and faces the intersection, rather than either street. He wants to put up a four-foot fence. Due to the uniqueness of his property, he is interested in knowing if his lot is defined as irregular or if it is a standard corner lot.

Additions/Deletions/Modifications to the Agenda

Chairwoman Miller called for changes to the agenda. There were none.

Approval of Planning Commission Minutes

A. Planning Commission Regular Meeting – September 18, 2013

Chairwoman Miller asked if there were any changes to the minutes. There were none.

Motion: To accept the minutes of the September 18, 2013 Planning Commission Regular Meeting.
By: Chairwoman Miller
Second: Commissioner Quintana
Aye: Commissioners Gentile, Quintana, McDonough, and Miller
Nay: None
Abstain: Commissioners Bauer and Jones
Absent: Vice Chair Mueller

Staff Reports

Zoning Administrator Hynes presented her staff report for October 2013. She gave updates on zoning permits issued and discussed several zoning enforcement cases for home occupations, signage violations, and failure to meet permit requirements. She also updated the Commissioners on the Lovettsville Glen project, the minor subdivision at 5 North Berlin Pike, and the recent meeting with representatives from Lennar regarding the Heritage Highlands development. She noted that the Town is now officially enrolled in the National Flood Insurance Program and residents may now apply for flood insurance. The Parks & Environment Board is working on a tree inventory and the Town has asked them to review the Landscape Chapter of the Zoning Ordinance.

Action/Discussion Items

A. Fence Height Requirements

Zoning Administrator Hynes presented this item. The Planning Commission is being asked to review and discuss fence requirements for corner lots and related definitions within the Zoning Ordinance.

The Zoning Administrator reviewed the current fence height requirements and the concerns raised by some owners of corner lots, which have two-front yards. She then gave a PowerPoint presentation showing various fence heights in Town and presented several options for allowing four-foot tall fences in front yards based on defining a secondary front yard, fence transparency, staggered fence height, and the visibility triangle. She also discussed having the Commissioners review the fence height requirements for commercial properties while they are reviewing other sections of the Zoning Ordinance related to fences requirements.

Commissioner McDonough provided two sections of identical fencing, one three-foot tall and the other four-foot tall, as a visual aid for the discussion. He noted that the taller fence could create a "walled off" effect if it is close to the sidewalk.

Staff will take the draft language (Attachment 1) to the Town Council for conceptual approval, then come back to the Planning Commission to formalize the recommendations in preparation for going to public hearing.

Motion: To forward the preliminary recommendations regarding fence regulations to the Town Council, with the understanding that proposed text amendment will come back to the Planning Commission for formal consideration, public hearing, and a formal recommendation to Council.

By: Chairwoman Miller

Second: Commissioner Jones

Aye: Commissioners Bauer, Gentile, Jones, Quintana, McDonough, and Miller

Nay: None

Abstain: None

Absent: None

Information Items

There were none.

Comments from the Mayor and Commissioners

Mayor Zoldos gave updates on the Virginia Municipal League conference, Movies on the Green, the PTO Auction Gala, Halloween, and the Town Hall expansion. He discussed recent meetings with representatives from George Mason University to help design the Quarter Branch Park as a class project next year and NV Retail to discuss new options for Town Center. He noted that the next Town Council meeting will be at the Lovettsville Elementary School and he has invited Supervisor Higgens to give an update on schools in Western Loudoun County. He invited the Commissioners to attend the Veterans Day Ceremony on November 11 for the dedication of 25 additional pavers.

Commissioner McDonough said he is trying to make arrangements for a Cub Scout troop to attend the Town Council meeting at the elementary school.

Mayor Zoldos congratulated Jennifer Jones on being selected for the Lovettsville Volunteer Fire and Rescue Company's President's Award.

Zoning Administrator Hynes congratulated Chairwoman Miller on her recent wedding.

Adjournment

Motion: To adjourn the Planning Commission meeting of November 6, 2013.
By: Chairwoman Miller
Second:
Aye: Commissioners Bauer, Gentile, Jones, Quintana, McDonough, and Miller
Nay: None
Abstain: None
Absent: None

The meeting was adjourned at 8:32 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: December 4, 2013

Attachments:

1. Proposed Fence Regulations Text Amendment

County of Lovettsville

Proposed Fence Regulations Text Amendment:

Staff recommends that the maximum allowed height for front yards remain at three (3) feet but be increased to four (4) feet tall in the “secondary front yard” which are only found in corner lots. Staff also supports the continued use of the visibility triangle. As of now, the Staff recommended proposed amended text is as follows:

“Front Yard. Fences and walls shall not exceed three (3) in height.”

“Secondary Front Yard, Corner Lot. Fences and walls shall not exceed four (4) in height.”

“Corner Lot. A fence, wall, hedge, or other improvement may not be erected or maintained at the corner of a lot so as to obstruct the view of travelers upon the public street. No fence or other obstruction is permitted to be within a clear sight triangle (or visibility triangle.) See Section 4-6 for Visibility Requirements. Proposals for corner lot fencing must be discussed and approved by the Zoning Administrator.”

Fence Requirements (or General Standards):

- a. Fences shall be setback a minimum of one (1) foot from the edge of a pedestrian easement or the property line, whichever is greater.
- b. All fences and screens must be erected within the property lines, and no fence or screen shall be erected or planted so as to encroach upon a public right-of-way
- c. Solid fences shall not exceed six (6) feet in height and shall not be permitted in front yards
- d. Fences shall have the decorative side facing the adjacent lot
- e. Fences shall not create a hazard, impede traffic visibility or be installed within three (3) feet of a fire hydrant
- f. Fences must be kept in good condition, properly maintained and may not contain any signs, writing or graffiti

FRONT YARD, CORNER and SECONDARY FRONT YARD, CORNER

For purposes of 4-7 section only, the front yard of a corner lot which contains a building's architectural main entrance shall be considered a front yard and shall occupy the area between the front property line and the main building line. The other front yard on the corner lot shall be considered a secondary front yard.