

**City of Lewisburg  
Planning Commission  
Meeting Minutes ~ Thursday, September 5, 2019  
Paul R. Cooley Council Chambers  
942 Washington Street, West, Lewisburg, WV**

**PRESENT:** Commission Chair Mark Etten; Commission members Sarah Elkins, Jacy Faulkner, Ghee Gossard, Helen Harless, Edward Johns; Zoning Officer Gary Ford, Planning & Zoning Clerk Marsha Cunningham, Recording Officer Peggy Mackenzie

**ABSENT:** Commission members Tia Bouman, Roger Vannoy, Jeff Vickers

**VISITORS:** Skip and Judy Deegans, Cheryl Gillman-Dobbs, Dale Dobbs, Patricia Long, Kristen McClung, Jim Morgan, Carol Olson, Paul Thomas, Mayor Beverly White

**CALL TO ORDER:** Commission Chair Mark Etten called the meeting to order at 7 p.m. There were no comments offered by the public.

**Public Hearing: Philip Reed, 2701 Jefferson Street North ~ Minor subdivision request (two tracts)**

Terradon Engineering representative Kristen McClung, speaking for Philip Reed, stated the owner is ready to retire and wants to sell the 3-acre property where the Relax Inn development is situated. The request is to split the acreage in half into two 1 ½ acre lots; one with the inn and the other an out parcel.

Zoning Officer Gary Ford asserted the area is zoned C2 with no minimum required lot size; there is no minimum frontage; no setbacks and the driveway, situated on the out parcel lot, will be shared “forever more,” according to the agreement. The undeveloped lot could be developed at some future point, said Chair Etten. Commissioner Ed Johns was assured that the adjacent property owners had been notified of the lot split.

A Public Hearing was called at 7:06 p.m. and hearing no comments, it was closed at 7:06 p.m. A motion to approved the lot split as presented was made by Commission member Johns and seconded by Commission member Ghee Gossard. With six (6) in favor, no (0) opposition and three (3) absent, the motion carried.

**Public Hearing: Colin Rose, 196 Lee Street North ~ Conditional use permit of residence (duplex)**

Zoned as R1, the owner requests a conditional use permit to convert the 12,960 square foot residential property to a duplex with two separate entrances, serving one family or up to four people in each unit, with two bedrooms and one bath on each floor. Two parking spaces will be allotted to each unit.

Zoning Officer Ford stated the four requirements the applicant must present as evidence that the request will not: 1) Endanger the public health or safety; 2) Injure the value or adjoining or abutting property; 3) Be out of harmony with the area in which it is to be located; or 4) Be out of conformity with t official community plan. Chair Etten stated that the conditional use request will remain with the property, meaning if the property owner sells the property, the conditional use remains in place with the property, but that does not mean the structure would permanently remain as a duplex. The definition of

R1 zoning is single family and multi-use housing for a family or not more than four people, he said.

City of Lewisburg  
Planning Commission  
Meeting Minutes ~ Sept. 5, 2019  
Page 2

A Public Hearing was called at 7:21 p.m. Paul Thomas and Patricia Long, both representing owner Colin Rose, stated that there are many apartments and duplexes in the area of Lee Street, and that with the proximity of the WV Osteopathic School nearby, many renters are students.

Neighboring resident Carol Olson presented three main objections (see below) to the granting of a conditional-use permit. She did not seem to realize that R1 zoning also allowed multi-use housing (duplexes). Etten said this is not a rezoning application, but in approving it, the property, according to the city's comprehensive plan, will be forever changed by the application of the conditional use permit.

- 1) The driveway, which is shared by not only the next-door neighbors to the south (Dobbs), but also by a garage apartment situated immediately behind the residence in question, where two people currently reside, bringing the total number of vehicles using the driveway up to twelve, not counting those of any potential guests.
- 2) Lee Street has marked parking on the west side of the street but none on the east side. On-site parking would need to be created so as not to inconvenience other Lee Street residents without on-site parking.
- 3) Lee Street is a one-way street and can be hazardous when new residents are unfamiliar with the restriction. There is no signage to advise and remind.

Long stated there is room for eight parking spaces alongside the south side of the building although they have not been demarcated yet.

Adjourning property resident, Cheryl Gillman-Dobbs expressed her concerns, stating primarily that the shared driveway, with the addition of so many new neighbors using it, would adversely affect the value of her property. The driveway is not wide enough for two cars to pass, and even though Dr. Rose would be willing to widen his side of the driveway, the visual affect would undermine the harmony of the historic old house and the neighborhood. The consideration for parking spaces added parallel to the driveway entry, suggested by Long and Thomas, to resolve the Dobbs' concerns, were perceived as unsightly blockages, likely to mar the residential harmony of the area. The Rose property does not extend very far beyond the back the building, so that rear parking is not an option.

The Public Hearing was closed at 8:05 p.m.

The commissioners' discussion period included remarks from Gossard, who said, "It's a quaint neighborhood." She thought expanding the width of the driveway would not be appropriate. Elkins noted that there was another duplex on the south side of the Dobbs' residence. Johns cited the four proofs for evidence that the conditional use permit was supported and that a plat of parking locations would help the City Council come to a final decision. Etten expressed concern that with only six commission members present, there might not be a quorum for approval.

A motion to recommend to the City Council to allow a conditional use permit, with the condition that

parking plots are established for each unit and limited to two vehicles per unit, was made by Commission member Elkins and seconded by Commission member Johns. Etten said the ordinance requires a minimum of two spaces per unit. Elkins said the rule is to limit the number of cars and that ownership policies often do that.

City of Lewisburg  
Planning Commission  
Meeting Minutes ~ Sept. 5, 2019  
Page 2

The motion was then amended by Commission member Johns to allow a total of six on-site parking spaces on the property. The second came from Commission member Elkins. With four (4) in favor, two (2) opposing and three (3) absent, the recommendation did not reach a quorum and will be presented to the City Council to be weighed one way or another.

There were no comments from the Zoning Officer or the Planning Commission members.

**ADJOURNMENT:** The meeting was adjourned at 8:50 p.m. in a motion by Commission member Johns and seconded by Commission member Harless.

Respectfully submitted,  
Peggy Mackenzie  
Recording Officer