

**MINUTES OF THE MEETING OF THE TOWN OF VINTON PLANNING COMMISSION  
HELD ON THURSDAY, JANUARY 31, 2008, AT 6:30 P.M., IN THE COUNCIL CHAMBERS AT  
THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET.**

**MEMBERS PRESENT:** Bruce Mayer, Chairman  
Dave Jones  
Dawn Michelsen  
Bob Patterson

**MEMBERS ABSENT:** Joan Drewery, Vice Chairperson

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

**OTHERS PRESENT:** Richard Cranwell, Vinton

**WORK SESSION AGENDA**

- I. Call to Order**
- II. Proposed Zoning Ordinance Amendment Pertaining to Two-family Dwellings**
- III. Planning Commission Tentative Meeting Dates for 2008**
- IV. Other Business**
- V. Adjournment**

The meeting of the Vinton Planning Commission was called to order at 6:30 p.m. by Chairman Mayer. All members, except Ms. Drewery, were present.

Chairman Mayer mentioned that he would later like to discuss new uses that could be added to the RB District and some that could be removed. Ms. McMillan stated that the district needed to be studied to see which uses should be allowed. Chairman Mayer added this discussion of the uses in the RB District to the agenda.

Next, he asked Ms. McMillan for a summary of the proposed amendment pertaining to two-family dwellings in the RB District. Ms. McMillan gave a brief summary of the request initiated by Mr. Richard Cranwell from her staff report, a copy of which will be made a part of the official record of this meeting. Ms. McMillan mentioned that she had never talked directly with Mr. Cranwell about the request as he had dealt directly with Kevin Boggess, the Town Manager. She stated that his request is that the RB District be amended to allow duplexes where a lot doesn't meet the requirements of the zoning ordinance by special use permit. She recommends that the Planning Commission not only look at the RB District, but also the R-2 and R-3 Districts as well. Chairman Mayer mentioned that duplexes are uses by right if the lot size is 12,000 square feet. Ms. McMillan said that, in order to convert to a duplex, the lot area and width requirements must be met. She stated that Mr. Cranwell would also be required to complete a change of use per the Building Commissioner's requirements. Chairman Mayer asked what Mr. Cranwell's lot size is. The lot is 54 feet in width and 7,000 square feet in area. The required lot size is 12,000 square feet and 75 feet in width. Ms. McMillan mentioned that Town Council had updated the ordinance concerning duplexes in 1995 and again in 2002. It was updated to encourage owner-occupation of structures. Chairman Mayer recalled that the Planning Commission had recommended the required lot size be 10,000 square feet. Ms. McMillan stated that Town Council had increased it to 12,000 square feet

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instead. Ms. Dillon took the opportunity to mention that variances are usually the way to go for this type of request. However, she stated that, under current state law, it is very difficult to get a variance. She confirmed that it is not illegal to change the ordinance to the way Mr. Cranwell has requested and that the decision on that would be left totally up to the Town. Chairman Mayer wanted to know, if the decision was to recommend the ordinance change, if they should also put a minimum square footage in the recommendation as well. Ms. Dillon said that would be up to the Town to decide upon. Mr. Cranwell stated that he had been a town attorney and is familiar with land use law. He stated that he could apply for a variance and will if he is asked to by the Vinton Planning Commission. He handed out a packet of papers to each Commissioner that included a copy of the zoning ordinance pertaining to the RB District and a copy of the real estate GIS data for his property. Mr. Cranwell also provided suggested wording for the ordinance change, which he suggested be added special uses in Section 4-23 (b) (8). He suggested this wording: "Two-family dwellings that do not comply with the lot area and lot width requirements of Section 4-25 (b) of this Appendix B-Zoning of Town Code". He mentioned that transitional zoning areas are there because things do change and that transitional areas should allow transitional uses. He stated that land use planning is in place to protect stable neighborhoods. Mr. Cranwell briefly mentioned each of the uses and businesses that are located on all the surrounding properties near his property. He stated that the property he had purchased had been a duplex for years with only one electric meter. He said that the Planning Commission and Town Council have the flexibility to allow the special use permit in the transitional district. He asked them who would be harmed by a duplex in that location. Mr. Cranwell stated that he probably could obtain a variance if necessary. He mentioned that the building will look a lot nicer than it has in the last 15 years once he finishes the work on it. He said he thinks that, in the RB District, the Town should allow the upgrading of single-family homes to duplexes. He stated that his duplex will be fixed up and will be an asset to the Town. As he was speaking about fixing up properties, he mentioned that he thought that the downtown area needed to be revived. About his property, he went on to say that he had purchased it because it is next to his office and it has been used as a duplex for a long time. Chairman Mayer asked if the house has three bedrooms. Mr. Cranwell said it has two kitchens, four bedrooms, and two entrances. He repeated that he would apply for a variance if they wanted him to do so. Ms. McMillan asked if he understood why the lot size requirements were in the ordinance. Mr. Cranwell said he knew that Councilman Billy Obenchain had been the architect of them and that Mr. Obenchain thinks they are good. Chairman Mayer stated that the lot sizes for duplexes were increased because there are two families living in one building. He said it puts more people in a smaller area. He mentioned that each duplex would likely have four cars, four adults, and some children. Mr. Cranwell asked that they not deny people the choice of where to live. Chairman Mayer expressed concerns about having a two-family house on a lot of that size. Ms. McMillan asked Mr. Cranwell if he could possibly get proof from the previous owner that the property had been used as a duplex prior to his purchase of it. It was not clear as to whether any proof could be obtained. Mr. Jones stated that he liked Mr. Cranwell's presentation and he had guessed he would do one like that. Mr. Jones said he was surprised that when the comprehensive plan was updated there was not one mention of this type of thing by Mr. Poore, who was in charge of the update. Mr. Cranwell recommended that the next time the Town hires a land use planner that they call him for a recommendation first. Chairman Mayer said he thought that the members of the Planning Commission are concerned about this issue. He said it worries him that, if they don't do some lot size limit, it could be difficult to decide on each request. Mr. Cranwell said that was fine, but it would limit their flexibility. He stated that, from a planning standpoint, they need to make Vinton more desirable for people to come live here. He also said they need flexibility. Ms. Michelsen said she could see both sides of the issue. She stated that she was a welfare mother at one time, but now lives in a nice house on a

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hill. She said some of the points that had been brought up are valid, but also sees the value of past decisions that had been made. She said she was not ready to make any recommendations on this matter yet because she wanted time to think about it in relation to the comprehensive plan. Chairman Mayer stated that they were planning to revisit all the RB District uses, and that this request could go with that work item. Mr. Jones said it did not mean that they were against it, but that it needed further study. Mr. Cranwell asked them what they wanted him to do with his property, even offering to board it up several times. He mentioned that the Town needed to attract young people with rental properties. He thanked the Commissioners for their time and then excused himself from the meeting. Chairman Mayer said that perhaps they could have a special use provision for a property that is at least 10,000 square feet. Speaking from past experience, he said that Mr. Cranwell has a lot of hurdles to surpass including obtaining a change of use for the property. Ms. Dillon stated that, if he could provide proof that the property was previously used as a duplex, the issue would go away. Ms. McMillan showed the Commissioners a copy of the zoning map so that they could see the extent of the RB District. Ms. Michelsen made a motion to table the matter for further study in preparation for the revisit of the RB District. Mr. Jones seconded the motion. A roll call vote was taken, and all members who were present voted in favor of the motion. Chairman Mayer asked for a report showing how many single-family homes and vacant lots there are in the RB District and the lot sizes for those properties to be given out at their next meeting. Mr. Jones mentioned that Council was in charge of this and that they seem to want larger lots for duplexes. Chairman Mayer stated that Council is trying to reduce the number of rental properties by requiring duplexes to be on larger lots.

In other business, the next work session of the Planning Commission was tentatively scheduled for March 19, 2008, at 6 p.m. Ms. McMillan mentioned that there would be a farewell reception prior to the Council meeting on February 5, 2008, for Kevin Boggess, who has taken the City Manager's job in Salem. With there being no further business, the meeting was adjourned at 8:03 p.m.

Respectfully Submitted,

Anita McMillan  
Planning Commission Secretary