

V I R G I N I A:

At a joint recessed meeting of the Washington County Board of Supervisors held Wednesday, April 5, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

James T. Osborne, Chairman  
Dulcie M. Mumpower, Vice Chairman  
Kenneth G. Mathews  
Bobby D. Ingle  
Joe W. Derting  
Maurice H. Parris

Bruce E. Bentley, County Administrator  
Joseph B. Lyle, County Attorney  
Cecile M. Rosenbaum, Legal Assistant/Personnel Administrator

ABSENT

Jackson H. Barker, Jr.  
Sandra M. Hatfield, CPS, Executive Secretary  
Mark W. Seamon, Director of Accounting

In attendance from the Washington County Planning Commission were:

PRESENT:

Randy Lowe  
Ruddy Duty  
Mickey Tyler  
Donna Clay  
Richard T. Gardner

ABSENT:

W.D. Young, Jr.  
Bill Canter, Chairman

In attendance from the Washington County Board of Zoning Appeals were:

PRESENT:

Lacy Love  
Warren McCray

ABSENT:

Robert Vinyard  
W.D. Young, Jr.  
Buellah S. Lambert

Invited and in attendance from the Washington County Health Department were Scott Honaker and Ed Reeterbusch.

\*\*\*\*\*

1. Call to Order

The meeting was called to order by Mr. James T. Osborne, Chairman of the Board who welcomed everyone in attendance.

It is noted that the Planning Commission members did not call their meeting with the Board of Supervisors to order.

It is also noted that the Board of Zoning Appeals did not have a quorum and their meeting with the Board of Supervisors was not called to order.

\*\*\*\*\*

2. Invocation and Pledge of Allegiance

Mr. Bobby D. Ingle gave the Invocation and led in the Pledge of Allegiance.

\*\*\*\*\*

3. Purpose of Meeting

Mr. Osborne explained that this was a combined meeting of the Health Department, the Planning Commission, the Board of Zoning Appeals, and the Board of Supervisors to discuss proposed zoning etc., (finish purpose shown on agenda). He asked Mrs. Mumpower to begin by explaining why she requested the meeting.

Mrs. Mumpower explained that she had some problems with the proposed ordinance and thought it would be beneficial for the boards to come together to discuss the ordinance for the benefit of the citizens. Mrs. Mumpower then asked Cathie Freeman, County Planner to introduce who was in attendance and further explain the proposed ordinance. Ms. Freeman pointed out a letter from BZA member Robert Vinyard explaining that he had a business trip out of town and would not be able to attend the meeting.

Mrs. Freeman explained that the proposed zoning ordinance Amendment for Single-wide Mobile Homes as Medically Necessary Temporary Accessory Use had been reviewed by the Planning Commission with a recommendation to the Board of Supervisors that it be approved. She went on to advise the boards of the contents of the packets that had been given to the members just prior to the meeting.

Mr. Tyler questioned the need for the change of the ordinance to allow it to be effective in other areas throughout the County. Mr. Lyle explained that the proposed ordinance would make the existing requirements more restrictive.

Mr. Ruddy Duty explained that the history behind the question of placement of a single-wide mobile home came before the planning commission seven (7) to eight (8) years ago with a requesting party wanting to place a single-wide mobile home behind an existing home or trailer in an A-2 zone. When the Planning Commission approved the addition of the single-wide mobile home for medical purposes it amended the ordinance only for the A-2 zone. Mr. Duty expressed that in fairness to the citizens the ordinance should be effective county wide.

Mrs. Freeman commented that the key to the changes in this ordinance was that the placement of the single-wide mobile homes is to be temporary only.

Mr. McCray of the BZA expressed that his concern was for the definition of the term temporary placement. He cited a situation near his residence where a mobile home was placed in 1977 for only six (6) months and it is still in existence.

Mr. Osborne questioned Mr. McCray and Mr. Love as to how the BZA felt about the proposed ordinance change. Mr. McCray responded he felt that if the mobile home is placed on someone's property with a medical excuse to take care of a sick family member, then when that family member no longer requires medical attention that the trailer should be moved as that is the only reason the trailer was placed there initially.

Several members of the Board of Supervisors spoke with regard to the limitations of the present ordinance being effective only in the A-2 and Village districts. Mrs. Mumpower commented that Mr. Honaker of the Health Department had some good comments at a preliminary meeting and asked that he bring forth some comments and concerns from the Health Department.

Mr. Honaker thanked all the boards for asking the Health Department to be present and for asking for their input into the ordinance in question. He first pointed out that the Virginia Department of Health does not recognize temporary sewage disposal systems. The permits they issue are permanent unless they are abused or exceeded. He went on to say that there is currently a code on the books that restricts the movement of mobile home without the proper permits. He stated the Health Department would like to enter into an agreement to secure the proper paperwork for a necessary sanitary facilities for any single-wide mobile home. Mr. Honaker stated that the bottom line for placement of single-wide mobile homes should be that the requesting parties should have to obtain all of the necessary permits before placing the home. If all permits are not obtained then the placement of the home could not take place.

Discussion ensued among the members regarding who was in support of the changes in the proposed ordinance and what the consensus of the members was with regard to the proposed ordinance. Mrs. Mumpower then questioned the panel as to whether the change was really necessary. Mr. McCray of the BZA expressed that he thought the change was necessary. Mrs. Mumpower questioned the Planning Commission as to whether they had previously encountered problems with the present ordinance as it stands now.

Mr. Lowe of the Planning Commission pointed out they feel that

they have made the proposed ordinance broader for county wide inclusion instead of only allowing medical necessary mobile home placement in A-2 and Village Districts. He continued to say that they suggested a form be adopted that must be completed by the physician of the ill individual requesting the medical permit. The form would have to state what mental and physical limitations the person had that would constitute having to have a family member move in a mobile home on that sick persons property in order for them to receive proper assistance.

Mrs. Freeman gave a brief history of the ordinance in question.

Mr. Osborne requested that she read the letter from Bob Vinyard that was included in the packet the members received.

Discussion ensued among the members regarding several aspects of the proposed ordinance including an individual's right to appeal staff decisions to the BZA. Mr. Lyle informed the members that if the Board of Supervisors did not pass the proposed ordinance with its changes that an individual would not be able to appeal that decision to the Board of Zoning Appeals.

Mr. Ingle commented that he thought it would be better not to "have had the problem at all than to create the problem" with regard to temporary placement of single-wide mobile homes. He further stated the rights of the neighbors involved need to be considered and the question needs to be addressed about how to enforce the regulations set forth in the proposed ordinance.

Mr. Tyler of the Planning Commission narrowed the issue down to the fact that the present ordinance either needs to be stricken from the code totally or it needs to be made effective County wide.

Mrs. Mumpower suggested that the Board of Supervisors send the ordinance back to the Planning Commission for further consideration with a future recommendation to the Board of Supervisors.

Mr. Bentley commented that as he understood it that if the Board repealed the present ordinance then someone could request a medical use permit and go to the Board of Zoning Appeals for determination. Mr. Lyle informed the members that medical issues were not subject to consideration by the Board of Zoning Appeals.

Mrs. Mumpower made a recommendation that the proposed ordinance be sent back to the Planning Commission for further consideration and future recommendation to the Board of Supervisors.

Mr. Bentley pointed out that the proposed ordinance would need to be readvertised.

At this time Mrs. Mumpower made a formal motion, with a second by Mr. Ingle, to refer the proposed ordinance back to the Planning Commission and ask the Commission members to review the existing ordinance and the proposed ordinance and that another recommendation be made to the Board of Supervisors.

Prior to this vote, Mr. Derting left the room and was not present to vote on the motion and the adjournment.

The vote on this motion was as follows (5-0):

Mr. Mathews	Aye	Mr. Ingle	Aye
Mr. Osborne	Aye	Mr. Parris	Aye
Mrs. Mumpower	Aye		

#### 4. Adjournment

On motion of Mr. Parris, second by Mr. Mumpower, it was resolved to recess the meeting until 7:00 p.m. on Thursday, April 6, 1995 at which time the Board of Supervisors would meet with the School Board at Greendale Elementary School for the purpose of discussing the budget.

The vote on this motion was as follows (5-0):

Mr. Mathews	Aye	Mr. Ingle	Aye
Mr. Osborne	Aye	Mr. Parris	Aye
Mrs. Mumpower	Aye		

---

James T. Osborne, Chairman