

Mr. O'Connor inquired about deferral of the case from the previous meeting due to the requirement for the restroom.

Mr. Meadows stated that Building Safety and Permits stipulates that the restroom is required because this is a commercial operation.

Mr. Meadows stated that port-a-johns would not be permitted and that this is a way to satisfy the requirement short of building another structure on the property.

Mr. O'Connor inquired if one of the residences on Parcel No. 1 were used for the office and restroom, would the residence fall under the SUP. Mr. Holt confirmed that it would be part of the SUP.

Mr. Haldeman inquired about the effect of selling Parcel No. 3 separately.

Mr. Meadows stated that Parcel No. 1 would, then, require construction of or designation of restroom facilities.

As no one further wished to speak, Mr. Haldeman closed the Public Hearing.

Mr. Krapf stated that he will reluctantly support the application; however, he has concerns about the effects of the commercial activities on neighbors.

Mr. Rose stated that he has concerns about being able to ensure that any use of the equipment on the property is purely personal.

Ms. Leverenz stated that she understands the need to maintain a property and that such maintenance can create temporary impacts. Ms. Leverenz stated that she believes the application should be taken at face value and the applicant should be trusted to comply with the terms of the SUP. Ms. Leverenz stated that she will support the application.

Mr. Polster stated that he appreciates the efforts of the applicant to improve the appearance of the property and the residences on Parcel No. 1. Mr. Polster noted that he does have concerns about the impacts on the neighbors. Mr. Polster stated that the required fencing and screening should mitigate the impacts. Mr. Polster stated that he will support the application.

Mr. O'Connor stated that he appreciated that the applicant is trying to come into compliance. Mr. O'Connor noted that he is concerned about including Parcel No. 3 in the application. Mr. O'Connor further stated that he does not find the use to be a limited commercial facility and that it does not meet the criteria of supporting the residential area where it is located. Mr. O'Connor stated that he does not intend to support the application.

Ms. Leverenz stated that the commercial use is supportive of the surrounding community. Ms. Leverenz noted that the applicant often uses his equipment to assist neighbors during snow storms or wind storms.

Mr. Haldeman stated that he intends to support the application.

Mr. Polster made a motion to recommend approval of the application.

On a roll call vote, the Commission voted to recommend approval of SUP-19-0012. Tiki Tree and Landscape. (5-2)

3. SUP-20-0001. 2898 Lake Powell Road Tourist Home

Nays: O'Connor, Rose

Mr. Thomas Leininger, Planner, stated that Mr. Frank Berggren has applied for an SUP to allow for the short-term rental of an entire 3-bedroom home located at 2898 Lake Powell Road. Mr. Leininger stated that this use is considered a Tourist Home because the owner will live offsite during the time of rentals. Mr. Leininger stated that the property is zoned R-2, General Residential, is designated Low Density Residential on the 2035 Comprehensive Plan land Use Map, and is located inside the PSA.

Mr. Leininger stated that if granted, the SUP would allow short-term rentals throughout the year. Mr. Leininger further stated that the home is currently occupied by the applicant as a vacation home and would be rented short-term when they are not there. Mr. Leininger stated that no changes to the footprint of the home are proposed.

Mr. Leininger stated that staff considered the home's location, parking provisions, and appearance to be favorable factors in the evaluation of this application. Mr. Leininger further stated that staff is recommending conditions intended to mitigate the impacts of the use and preserve the residential character of the home. Mr. Leininger stated that the conditions include restrictions on commercial signage and lighting. Mr. Leininger stated that any future expansions of the use would require an SUP amendment.

Mr. Leininger stated that staff finds the proposal to be compatible with the Comprehensive Plan, Zoning Ordinance, and surrounding development, and recommends that the Planning Commission recommend approval of this application to the Board of Supervisors subject to the proposed conditions.

Mr. O'Connor inquired how staff determines if a buffer or screening should be added to the SUP conditions.

Mr. Paul Holt, Director of Community Development and Planning, stated that from all external appearances, a tourist home should retain the appearance of a single family residence. Mr. Holt further stated that in the instances where screening is required, the property is in close proximity to another dwelling.

Mr. Haldeman called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.

Mr. Franklin Berggren, Applicant, 5821 Painted Leaf Lane, Naples, Florida stated that his family intends to use the property as a vacation home, with the goal of moving to James City County in the future. Mr. Berggren stated that he would like to rent the property short-term when he is not there.

Mr. Krapf inquired if the applicant would have a property management company checking on the house regularly.

Mr. Berggren stated that he would be in town several times a month to check on the property.

As no one further wished to speak, Mr. Haldeman closed the Public Hearing.

Mr. O'Connor stated that he researched the sale price history of the property, which fell well

within the affordable housing range. Mr. O'Connor stated that allowing short-term rental properties does not support the Comprehensive Plan goals and, further, removes affordable homes from the housing stock. Mr. O'Connor stated that he will not support the application.

Ms. Leverenz made a motion to recommend approval of the application.

On a roll call vote the Commission voted to recommend approval of SUP-20-0001. 2898 Lake Powell Road Tourist Home. (5-2)

4. SUP-20-0002. 3374 Ironbound Road Tourist Home

A motion to Approve was made by Rich Krapf, the motion result was Passed.

AYES: 5 NAYS: 2 ABSTAIN: 0 ABSENT: 0

Ayes: Haldeman, Krapf, Leverenz, Null, Polster

Nays: O'Connor, Rose

Mr. Thomas Wysong, Senior Planner, stated that Ms. Jeanette Brady has applied for an SUP to allow for the short-term rental of an entire four-bedroom home as a tourist home. The property is located at 3374 Ironbound Road, is zoned R-8, Rural Residential, is designated Mixed Use Five Forks on the 2035 Comprehensive Plan Land Use Map, and is located inside the PSA.

Mr. Wysong stated that if granted, the SUP, would allow short-term rentals throughout the year. Mr. Wysong stated that no changes to the footprint of the home are proposed. Mr. Wysong stated that the owner will live off-site.

Mr. Wysong stated that staff considered the home's location, parking provisions, and appearance to be favorable factors in the evaluation of this application. Mr. Wysong further stated that staff is recommending conditions intended to mitigate the impacts of the use and preserve the residential character of the home. Mr. Wysong stated that conditions include restrictions on commercial signage and lighting. Mr. Wysong stated that any future expansions of the use would require an SUP amendment.

Mr. Wysong stated that staff finds the proposal to be compatible with the Comprehensive Plan, the Zoning Ordinance, and surrounding development, and recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions.

Ms. Leverenz inquired if it is a single-family residence.

Mr. Wysong stated that the structure was built in 2003 and that, to his understanding, it has always been a single-family residence.

Mr. O'Connor inquired if the applicant intended to employ anyone to care for the property.

Mr. Wysong stated that he would defer to the applicant.

Mr. Haldeman called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.