

MINUTES OF THE STRASBURG PLANNING COMMISSION MEETING HELD ON TUESDAY, AUGUST 22, 2023 AT 7 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.

PLANNING COMMISSIONERS PRESENT: Chairperson Poling, Commissioners Foster, Nicholson, Rhodes, Zeimet and Vice Mayor McCorn. Absent: Commissioner Dean

STAFF PRESENT: Planning & Zoning Administrator Otis and Substitute Clerk Delaina Stroop.

Chairperson Poling called the meeting to order and reviewed the agenda.

Approval of Agenda:

The agenda was approved unanimously with a motion by Commissioner McCorn and the second by Commissioner Poling.

Public Hearings (if needed):

- To receive public comment on a Special Use Permit application (SUP2023-0007) requested by FIDUM COMPANY, owner, for property identified as Tax Map 025A201B059 004 located at 395 Stonewall Street fifty feet north of the intersection of Stonewall Street and Thompson Street and containing 0.138 acres. The request is to permit short-term rental use within the existing detached single-family dwelling.
- **Public Hearing: Chairperson Poling** opened the public hearing at 7:05 p.m. With no one in the audience, he declared the public hearing closed immediately (no speakers).
- **Staff Report – Planning & Zoning Administrator Otis** reviewed the location, number of bedrooms, and size of the lot. The challenge with this is that the ordinance requires one parking space per guest room. This is a three bedroom house and there are only two parking spaces. The applicant has stated they will apply for a zoning permit to widen the driveway to allow for additional parking. Adding the space will be challenging due to the setback requirements and underground utilities. It might work, but he is not completely sure.

Staff made recommendations based on what is in the UDO at this time. Approval is recommended with the following conditions:

1. The applicant provides the name, address, and phone number of the local representative on the zoning occupancy application.
2. The property shall be rented with only 2 guest rooms available.
3. The advertisement for rental shall indicate the 2 sleeping/guest rooms.
4. If the owner obtains a zoning permit for driveway expansion, and the work has been completed/inspected, the property can be utilized and advertised with 3 sleeping/guest rooms.
5. Advertisements shall include an image of the front of the dwelling to identify the location of the rental unit.

6. If any condition listed above is violated, the SUP shall be made null and void. He added that if they were to rent as three guest rooms before the additional parking is approved and added, the SUP would be null and void.

Chairperson Poling said his understanding is no one is living at this house. **Planning and Zoning Administrator Otis** said he could not confirm this statement. In previous meetings, the applicant had said they resided there, but he had a conversation with their attorney who said they do not live at that address. **Chairperson Poling** said the reason the Commission recommended denial previously was because of insufficient parking.

Commissioner Zeimet said if they are not occupying the resident, can we ask that they lock a bedroom. **Planning & Zoning Administrator Otis** said yes, this can be asked. Many times, homes are rented at beaches that have rooms locked off where the owners keep their personal belongings, so we can definitely ask it to be locked.

Vice Mayor McCorn said since we started addressing the Short Term Rental issue, one of the main tenets that this Commission and Council, as well, wanted to do was to protect the integrity of our neighborhoods. Applications approved thus far have been either in a commercial building or along a commercial corridor, or they are in the historic district and adjacent to the downtown area. The property in question is different in that it is in a residential neighborhood and is not along a commercial corridor or in a historic or tourism area. Because of this, she is unable to offer support for this SUP.

Chairperson Poling moved to recommend to Town Council approval of the SUP with the six listed conditions in the staff report and the addition of a seventh that any unused bedrooms be locked. In addition, this motion is premised on the fact that the house be unoccupied; this would be the eighth condition. **Commissioner Zeimet** offered the second to the motion.

Discussion:

Vice Mayor McCorn said she will not be supporting this motion for reasons already stated.

On a roll call vote, the motion passed with the following results:

Chairperson Poling	Aye
Commissioner Foster	Nay
Commissioner Nicholson	Aye
Commissioner Rhodes	Aye
Vice Mayor McCorn	Nay

Citizen Comments on non-agenda items:

Action Items:

1.) Approval of Minutes

Description: Approval of Minutes of the July 25, 2023 Planning Commission Meeting

The minutes of the July 25, 2023 Planning Commission meeting were approved unanimously with one correction of a misspelled word on a motion by Vice Mayor McCorn and the second by Commissioner Foster.

Staff Updates:

Planning and Zoning Administrator Otis said Council approved the Village at Cedar Creek rezoning. He is now waiting on plans. He also received plans for Royal Farms yesterday which he is currently reviewing. Taco Bell was initially to open August 1st but does not know what the holdup is. There is still a lot of landscaping that needs to be done.

Old Business:

Planning and Zoning Administrator Otis said the zoning ordinance rewrite is moving forward. He has a couple of topics to bring before the Commission and Council to get further recommendations on. Special Event permits are one of those topics, as well as uses on public sidewalks. It has been challenging to keep on top of some of these. Some of the questions have been businesses having planters on either side of their entrance and flower boxes under windows – is this allowed? He would like to have some language that allows some aesthetics such as these.

New Business:

Chairperson Poling said the ordinance that deals with Short Term Rentals needs to be reviewed and some changes put in place or eliminated and something else put in its place. Personally, he would recommend Town Council look at this and revise ordinances. He agrees with the comments made by **Vice Mayor McCornyn** about the location of the approval they just made; this is not the place for a STR. Yes, he made the motion for approval, but he really didn't know how to not block the approval. He agreed with **Vice Mayor McCornyn** and **Commissioner Foster** and their vote, but until the ordinance is changed, he doesn't see how to not move forward.

Planning and Zoning Administrator Otis said he could speak to Council on this to let them know there is a concern.

Chairperson Poling began making a motion to recommend to Town Council that they review the ordinances for Short Term Rentals. **Commissioner Zeimet** asked to amend the motion so that the owner lives no more than 30 minutes away. **Chairperson Poling** doesn't feel that is something for the motion as the motion is to just review the entire ordinance. What **Commissioner Zeimet** speaks of is one of the things he feels needs to be reviewed, as well as what district the STR could be located in.

Chairperson Poling moved to recommend to Town Council that they review the ordinances for Short Term Rentals; Vice Mayor McCornyn offered the second. With no discussion, the motion passed unanimously.

Planning and Zoning Administrator Otis since this sets the standard that all agree that this needs to be reevaluated, and one of the concerns is location, so by approving this, it sets the standard. He doesn't know how long it would take to get language together to change the ordinance, but maybe the language of the entire ordinance could be removed temporarily until the details are worked out.

Chairperson Poling moved to recommend to Town Council to do an emergency ordinance to prohibit the issuance of any further Special Use Permits for short term rentals; second by Commissioner Zeimet. With no further discussion, the motion

passed unanimously.

Commissioner Nicholson moved for adjournment; second by Commissioner Foster. With no discussion, the motion passed unanimously, and the meeting adjourned at 7:29 p.m.