



Elkton Town Council

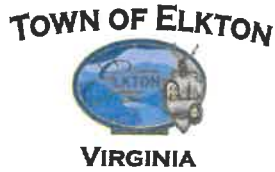
Town Hall Community Meeting

Town Hall - 173 W. Spotswood Avenue - Elkton, VA 22827

August 7, 2023 – 5:30 p.m.

Unless otherwise indicated or unless relocated by the Council, agenda items will be taken in order. The Council reserves the right to remove, add, and/or relocate agenda items as necessary. Public Hearings will begin promptly at the advertised time.

1. CALL TO ORDER – ROLL CALL
2. ADOPTION OF AGENDA
3. NEW BUSINESS
 - a. Planning Commission recommendation to hold a joint public hearing with the Elkton Town Council on a request from Kai Li for the issuance of a special exception permit for a short-term rental at 17140 Mt. Pleasant Road, Elkton, Virginia.
 - b. Planning Commission recommendation to hold a joint public hearing with the Elkton Town Council on a request from Tucker Wood, on behalf of The Family Business, LLC, for the issuance of a special exception permit for a short-term rental at 133 North Street, Elkton, Virginia.
4. COMMUNITY MEETING COMMENTS/QUESTIONS
5. CLOSED SESSION
 - a. Pursuant to Virginia Code § 2.2-3711.A.7 for, "Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter."
 - b. Pursuant to Virginia Code § 2.2-3711.A.1 for, "Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body."
6. ADJOURNMENT



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: August 7, 2023

SUBJECT/TOPIC: Adoption of Agenda

BACKGROUND: Council may add items to the agenda.

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Reports <input type="checkbox"/>
Action Item <input checked="" type="checkbox"/>	Public Hearing <input type="checkbox"/>	Closed Session <input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
 Amount: N/A
 Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: That Council adopt the Agenda as presented.

APPROVAL:  

 Greg Lunsford, Town Manager

ATTACHMENTS: None

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.



Item # 3a

Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: August 7, 2023

SUBJECT/TOPIC: Schedule a joint public hearing with the Elkton Planning Commission to receive comments on a request from Kai Li at 17140 Mt. Pleasant Road for issuance of Special Exception Permit for a Short Term Rental.

BACKGROUND: On August 1, 2023 the Elkton Planning Commission voted unanimously to recommend a joint public hearing with Town Council to receive comments on a request from Kai Li for the issuance of Special Exception Permit §110-605 C (11) Short Term Rental in compliance with code §110-715 Short-term rentals.

ACTION REQUESTED:

Information Only	<input type="checkbox"/>	Discussion	<input type="checkbox"/>	Report	<input type="checkbox"/>
Action Item	<input checked="" type="checkbox"/>	Public Hearing	<input checked="" type="checkbox"/>	Closed Session	<input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	No Financial Impact	<input checked="" type="checkbox"/>
Amount:					Positive Financial Impact	<input type="checkbox"/>

If fund expenditure or positive revenue generation is expected, the amount and the line item name/number must be stated. If required funds for an expenditure are not available in the appropriate line item but they are available in a different line item within the department, you must state from which line item name/number you propose to transfer the funds.

STAFF RECOMMENDATION:

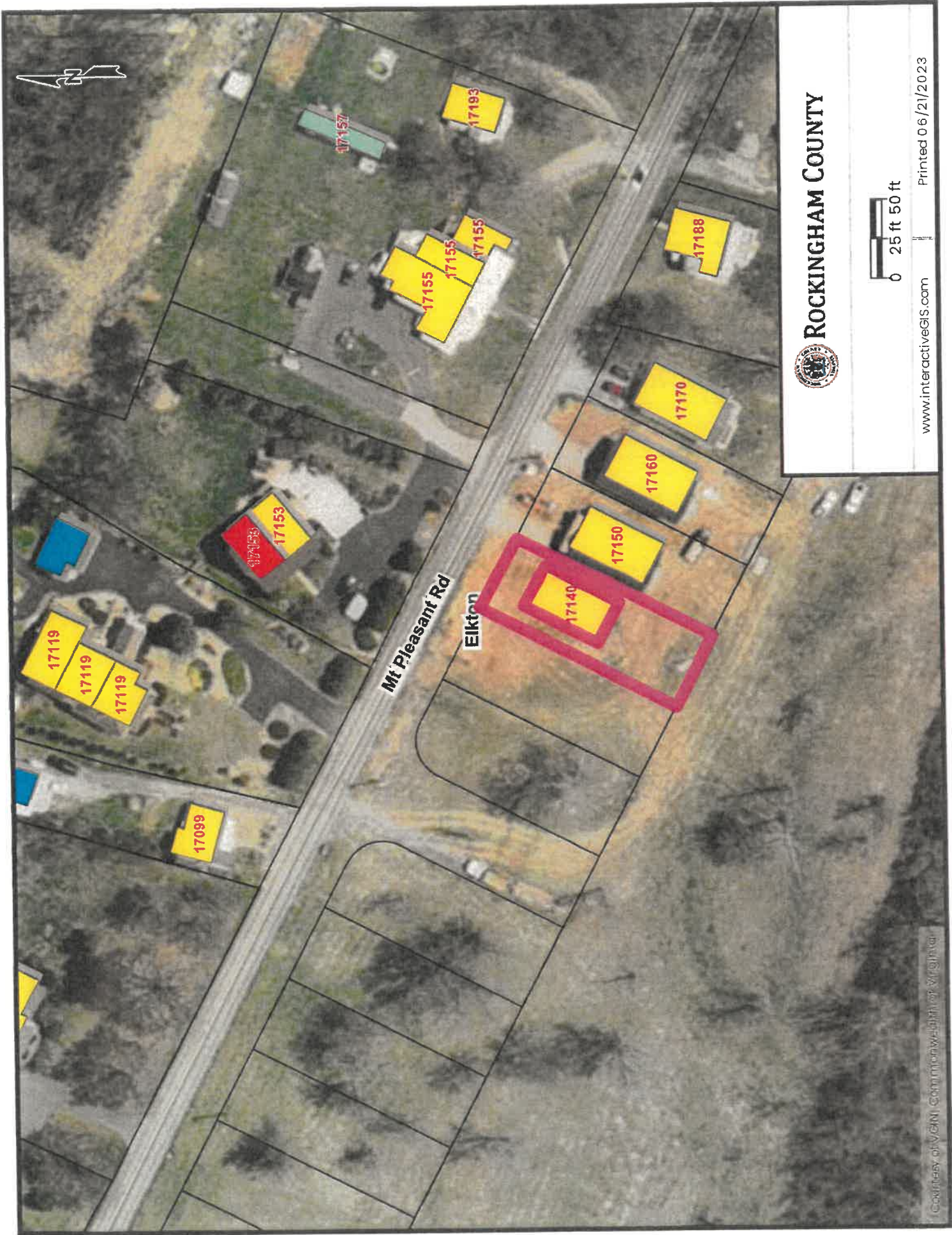
TOWN MANAGER APPROVAL:


Greg Lunsford

ATTACHMENTS:

1. GIS Plat of location
2. Zoning application
3. §110-605
4. Management Plan
5. Evacuation Plan

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.



TOWN OF ELKTON ZONING PERMIT FOR BUSINESS

ZP 2023-066
This permit shall be posted in a conspicuous place

Application is hereby made for a Zoning Permit and Certificate of Zoning Compliance in accordance with the description and for the purpose hereinafter set forth. This application is made subject to all local and state laws and ordinances, which are hereby agreed to by the undersigned and which shall be deemed a condition entering into the exercise of this permit.

Property owner

Name Kai Li Phone Number 757-839-9204
Address 1737 13th St S City Arlington State VA Zip 22204

Applicant

Builder ☐ Builder VA License _____ Exp date _____
Name _____ Phone Number _____
Address _____ City _____ State _____ Zip _____
Business Owner ☒ Owner Business License _____ Exp date _____
Name Kai Li Phone Number _____
Address 1737 13th St S City Arlington State VA Zip 22204

Property Information

Tax Map/Parcel Number 131-114)-L11 Zoning Lat II Elk Run SD
Address 17140 Mc Pleasance Rd
Existing Structures (Number & Type) _____
Water supply source? Sewage disposal source?
Municipal ☒ Private Well ☐ Cistern ☐ Municipal ☒ Septic Tank ☐
Is public water and sewer available? ☒ Yes ☐ No

Type of Permit Requested Check all that apply!

☐ Addition
☐ Commercial / Industrial Structure
Specify _____
☐ Sign
☐ Accessory Bldg. Size _____

☒ Other
Specify Short term rental application
☐ re-roof
☐ Special Exception Permit
specify _____

For the above: Provide an Official Plat map including location on property where buildings/additions will be located also show locations of present buildings. Provide an elevation of building (front and one side).

Please provide brief description of this project :

Please print or type all information

Please see addendum

I Certify that:

- I have the authority to make the foregoing application, that the information given is correct, including any attached plans or drawings and that all construction will conform with all applicable State, County and Town Laws, ordinances and regulations with regard to zoning, health and building. **FAILURE TO DO SO** will automatically render this permit invalid.
- Two copies of a plot plan or (a signage plan for signs) must be submitted with this application.
- Construction requires a building permit issued by the Rockingham County Building Officials.
- I agree to give advanced notification to the Town when footer inspection is to be performed by County Inspectors.
- I agree to give advanced notification to the Town when a final inspection is to be performed by County Inspectors.
- A separate application must be made for Water & Sewer connections.
- All contractors must register with the Town prior to commencing work.
- I agree to repair any damages to sidewalks, streets, and utilities caused during construction.
- I agree to pay an inspection deposit and notify the Zoning Administrator within (10) days of completion of the work for an inspection and issuance of a Certificate Of Zoning compliance.
- Failure to do so may result in the forfeiture of the deposit, which in no way relieves me of any obligation to comply with all Town requirements.
- Land may not be used or occupied, and buildings structurally altered or erected be used or changed in use until the Certificate of Zoning Compliance is issued.

Date

4/19/23

Print Name

Kai Li

Signature

**** FOR TOWN USE ONLY ****

Lot and Zoning verification performed

sig _____

date _____

Is Parcel in the flood plain?

☐

Yes

☐

No

Refer to Planning Commission

☐

Yes

☐

No

Approved

☐

Yes

☐

No

sig _____

date _____

Refer to Town Council

☐

Yes

☐

No

Approved

☐

Yes

☐

No

sig _____

date _____

Public Hearing Required

☐

Yes

☐

No

Public Hearing date: _____

Requires Advertisement

☐

Yes

☐

No

First Advertisement

Date _____

Second Advertisement

Date _____

Zoning Administrator

☐

Approved

☐

Disapproved

☐

Approved with conditions (See Attachments).

Fee paid

\$100.

Signature (Zoning Administrator) _____

Date _____

§ 110-605 **Residential District R-4.**

A. Purpose of Residential District R-4. The purpose of the R-4 Residential District is to protect the residential character of established neighborhoods and communities. The regulations for this district tend to reflect and protect established neighborhoods which reflect on long-standing character.

B. Permitted uses. Within the Residential District R-4 the following uses are permitted:

(1) Single-family detached dwellings.

(2) Two-family dwellings, provided that the intent of this district is maintained in the design and use of two-family dwellings.

(3) Public utilities.

(4) Public water and sewage facilities.

(5) Public service or storage buildings.

(6) Modular homes.

[Added 3-25-1991; amended 12-18-2000]

(7) Single-family attached dwellings, provided that no more than two dwelling units shall be permitted in each single-family attached dwelling.

[Added 1-18-2010]

C. Special exceptions. When, after review of an application and hearing thereon, in accordance with Article **VIII** herein, the following uses may be permitted by special exception permit:

[Amended 3-25-1991]

(1) Schools.

(2) Churches and other places of worship with attendant educational and recreational facilities. No recreational facility shall be located closer than 100 feet from any residential lot.

(3) Public parks, playgrounds, recreational facilities, tennis courts, public swimming pools and outdoor recreational activities, all of a noncommercial nature. No swimming pool or structure shall be located closer than 100 feet from any residential lot.

(4) Child-care centers and family day-care homes. The main structure shall not be located closer than 50 feet from any residential lot.

(5) Family care homes, foster homes or group homes serving the mentally retarded, developmentally disabled or others, rest homes, homes for adults, or nursing homes, provided that licensing requirements are met.

(6) Commercial radio wave towers.

(7) Bed-and-breakfast facilities, limited.

(8) Cemeteries.

(9) (Reserved)¹¹ **[1]** *Editor's Note: Former Subsection C(9), home occupations, was redesignated as an accessory use 4-18-2005. See now Subsection **D(10)**.*

(10) Other uses of the same general character as those listed above and deemed appropriate by the Planning Commission and in accordance with Article **VIII**.

(11) Short-term rental in single-family detached dwellings. Short-term rentals are not allowed in multifamily dwellings, duplexes, townhouses, or apartments.

[Added 9-17-2018]

(12) Accessory apartment, subject to the provisions of § **110-716**.

[Added 1-28-2020]

D. Accessory uses. Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized, including but not limited to the following:

[Amended 11-18-1991]

(1) Living quarters of persons principally employed on the premises.

(2) Travel trailers, which may be stored within the minimum yard requirements and shall be prohibited from occupancy.

(3) Temporary buildings of office trailers for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work.

(4) Signs as provided for in Article **VII**.

(5) Parking as provided for in Article **VII**.

(6) Private parking garage.

(7) Shelter for house pets.

(8) Private swimming pool.

(9) Satellite antenna.

(10) Home occupations in accordance with § **110-705**.

[Added 4-18-2005]

E. Lot regulations.

(1) Main building:

(a) Minimum lot size:

[1] 6,250 square feet with public water and sewer. If two-family dwelling, 6,250 square feet for first unit and 3,000 square feet for additional unit, making a total of 9,250 square feet.

[2] 21,000 square feet with other facilities.

[3] Maximum density is eight units per acre.

(b) Setback: 25 feet.

(c) Frontage at setback: 50 feet.

(d) Side yard:

[1] One side: five feet.

[2] Two sides: 15 feet.

[3] Add 15 feet for corner lots.

[4] Minimum side yard requirement of this chapter, for yards facing streets, shall not apply to any lot where the average side yard on developed lots within the same blocks and zoning district and fronting on the same street is less than the minimum. In such cases, the side yard on such lot may be less than the required side yard, but not less than the existing side yards on the developed lots, plus 15 extra feet for corner lots.

[Amended 11-18-2013]

(e) Rear yard: 25 feet.

(f) Maximum height: 35 feet.

[1] The height limit for dwellings may be increased up to a maximum of 45 feet and up to three stories, provided that each side yard is 20 feet, plus one foot or more of side yard for each additional foot of building height over 35 feet.

[2] A public or semipublic building, such as a school, church, or library, may be erected to a height of 60 feet from grade, provided that required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet.

[3] Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antenna and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.

[4] For buildings over 45 feet in height, approval shall be obtained from the Zoning Administrator. Chimneys, flues, cooling towers, flagpoles, radio or communication towers, or their accessory facilities, not normally occupied by workers are excluded from this limitation. Parapet walls are permitted up to four feet above the limited height of the building on which the walls rest.

(2) Accessory buildings and uses: 10 feet from main building.

(a) Side yard: five feet.

[1] Add 15 feet for corner lots.

[2] Minimum side yard requirement of this chapter, for yards facing streets, shall not apply to any lot where the average side yard on developed lots within the same block and zoning district and fronting on the same street is less than the minimum. In such cases, the side yard on such lot may be less than the

required side yard, but not less than the average of the existing side yards on the existing developed lots.

(b) Rear yard: five feet.

(c) Height: 35 feet.

[1] Accessory buildings over one story in height shall be at least 10 feet from any lot line. All accessory buildings shall not exceed the main building in height.

F. See § **110-701**, Area regulations.

G. See § **110-708**, Nonconforming uses.

Short term rental intent and management plan

1741 Mt Pleasant Rd

Elkton, VA 22827

Owner: Kai Li - 757-839-9204

Intent: part-time short-term rental on AirBNB and VRBO

Property management plan:

1. Guests will be carefully screened to prevent bookings which may result in neighborhood disturbance
2. I will manage all guest communication and bookings.
3. Smartcode lock will be installed to allow seamless check-in without impact to neighbors
4. I will coordinate with cleaning crew who will access and inspect the property after each guest. They will clean up garbage after each booking.
5. Noise level detectors will be installed inside which will alert me. Any disturbances I will contact the guest immediately and address them
6. Strict rules will be provided to guests and enforced to be respectful to the property and not disturb the neighbors
7. There will be a maximum of 2 guests per bedroom per town guidelines
8. Emergency evacuation will be through the front and back doors. Plan will be posted inside the building.
9. Guest parking will be on property driveway, not on public street

Local contact: Tom Schroeder – 540-578-0385

All lodging taxes will be paid duly according to the Town Code.

This property will be registered annually to the Zoning Administrator.

Sincerely,

Kai Li



4/19/2023

17140 MT PLEASANT RD. ELKTON, VA
Emergency Evacuation Plan

150 4' 6"

Roofs 2 ft 2x10

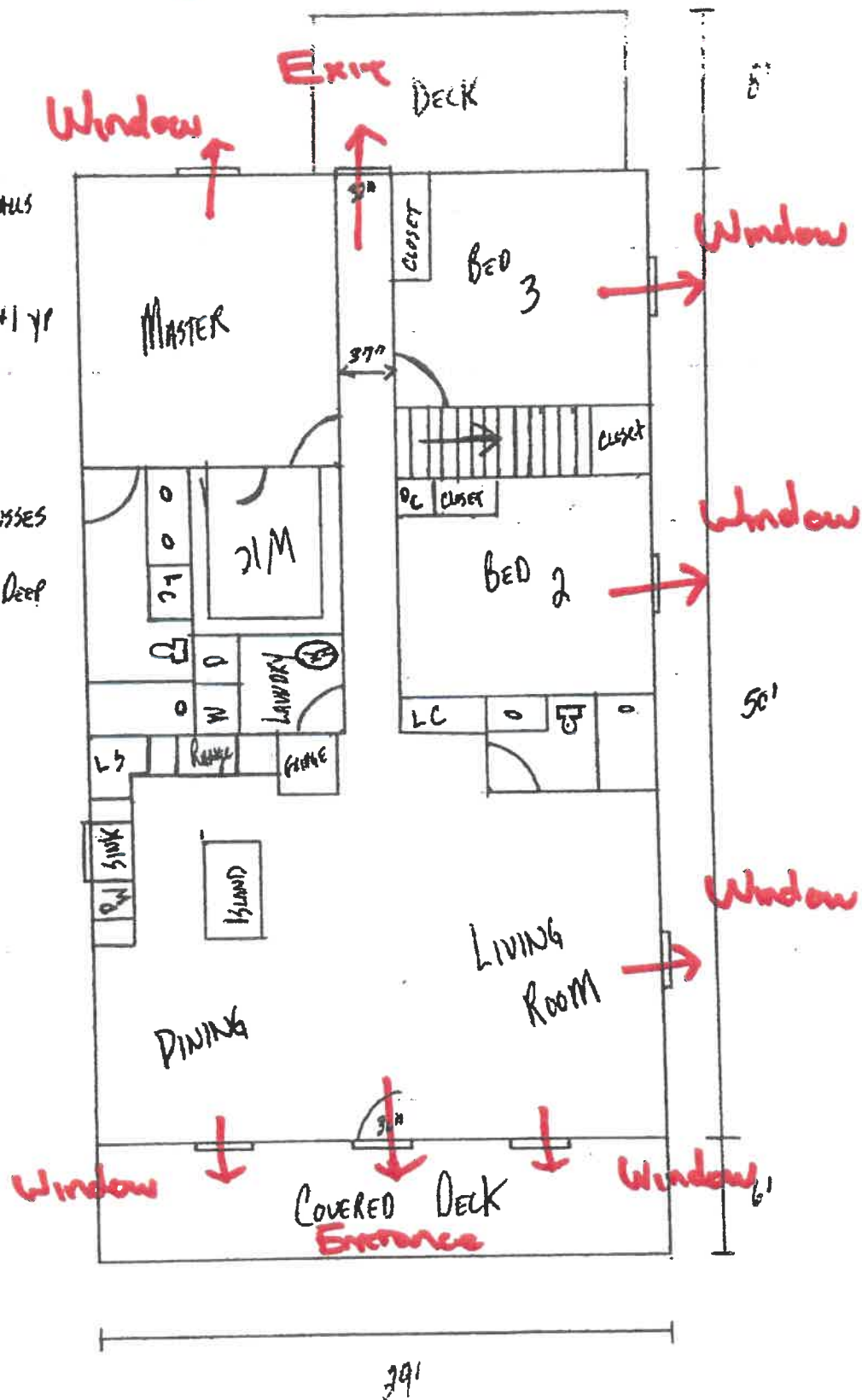
INTERIOR AND EXTERIOR WALLS
 8' Tall 16" OC

FLOOR SYSTEM 2x10 #1 YR
 16" OC

8" CMU FOUNDATION

ENGINEERED ROOF TRUSSES

PEAKS 16" x 16" 8" Deep
 8.34' OC



SCALE 1/8" = 1'



Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: August 7, 2023

SUBJECT/TOPIC: Schedule a joint public hearing with the Elkton Planning Commission to receive comments on a request from The Family Business at 133 North Street for issuance of Special Exception Permit for a Short Term Rental.

BACKGROUND: On August 1, 2023 the Elkton Planning Commission voted unanimously to recommend a joint public hearing with Town Council to receive comments on a request from Tucker Wood and the Family Business LLC for the issuance of Special Exception Permit §110-604 C (12) Short Term Rental in compliance with code §110-715 Short-term rentals.

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Report <input type="checkbox"/>
Action Item <input checked="" type="checkbox"/>	Public Hearing <input checked="" type="checkbox"/>	Closed Session <input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES <input type="checkbox"/>	NO <input type="checkbox"/>	No Financial Impact <input checked="" type="checkbox"/>
Amount:		Positive Financial Impact <input type="checkbox"/>

If fund expenditure or positive revenue generation is expected, the amount and the line item name/number must be stated. If required funds for an expenditure are not available in the appropriate line item but they are available in a different line item within the department, you must state from which line item name/number you propose to transfer the funds.

STAFF RECOMMENDATION:

TOWN MANAGER APPROVAL:

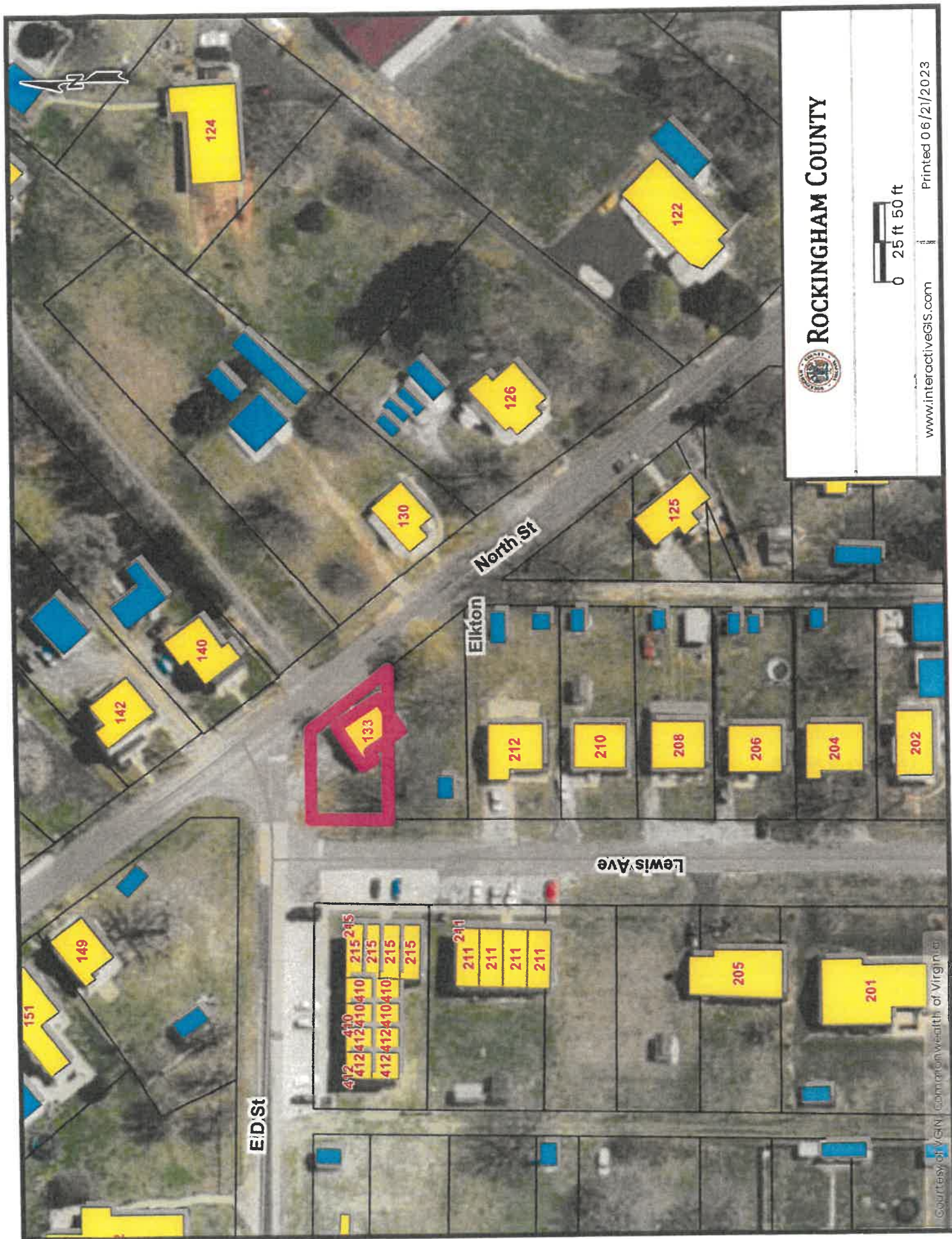


Greg Lunsford

ATTACHMENTS:

1. GIS Plat of location
2. Zoning application
3. §110-604
4. Emergency Guide
5. Evacuation Plan

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.



TOWN OF ELKTON **ZONING PERMIT FOR BUSINESS**

ZP

2023-065

This permit shall be posted in a conspicuous place

Application is hereby made for a Zoning Permit and Certificate of Zoning Compliance in accordance with the description and for the purpose hereinafter set forth. This application is made subject to all local and state laws and ordinances, which are hereby agreed to by the undersigned and which shall be deemed a condition entering into the exercise of this permit.

Property owner

Name

The Family Dining LLC

Phone Number

540-810-4607

Address

706 Wood Haven Ln

City

Elkton

State

VA

Zip

2827

Applicant

Builder

☐

Builder

VA License

Exp date

Name

Phone Number

Address

City

State

Zip

Business Owner

☒

Owner

Business License

Exp date

Name

Phone Number

Address

City

State

Zip

Property Information

Tax Map/Parcel Number

131B2-01-B63 L1, L2

Zoning

R-3

Address

133 North Street Elkton VA 2827

Existing Structures (Number & Type)

Home 1 building

Water supply source?

Sewage disposal source?

Municipal

☒

Private Well

☐

Cistern

☐

Municipal

☒

Septic Tank

☐

Is public water and sewer available?

☒

Yes

☐

No

Type of Permit Requested Check all that apply!☐

Addition

☐

Commercial / Industrial Structure

Specify

☐

Sign

☐

Accessory

Bldg. Size

☐

Other

Specify

☐

re-roof

☒

Special Exception Permit

specify

Short term

For the above: Provide an Official Plat map including location on property where buildings/additions will be located also show locations of present buildings. Provide an elevation of building (front and one side).

Please provide brief description of this project :

Please print or type all information

Application for short term rental of property

I Certify that:

- I have the authority to make the foregoing application, that the information given is correct, including any attached plans or drawings and that all construction will conform with all applicable State, County and Town Laws, ordinances and regulations with regard to zoning, health and building. **FAILURE TO DO SO** will automatically render this permit invalid.
- Two copies of a plot plan or (a signage plan for signs) must be submitted with this application.
- Construction requires a building permit issued by the Rockingham County Building Officials.
- I agree to give advanced notification to the Town when footer inspection is to be performed by County Inspectors
- I agree to give advanced notification to the Town when a final inspection is to be performed by County Inspectors.
- A separate application must be made for Water & Sewer connections.
- All contractors must register with the Town prior to commencing work.
- I agree to repair any damages to sidewalks, streets, and utilities caused during construction.
- I agree to pay an inspection deposit and notify the Zoning Administrator within (10) days of completion of the work for an inspection and issuance of a Certificate Of Zoning compliance.
- Failure to do so may result in the forfeiture of the deposit, which in no way relieves me of any obligation to comply with all Town requirements.
- Land may not be used or occupied, and buildings structurally altered or erected be used or changed in use until the Certificate of Zoning Compliance is issued.

Date

3-27-2023

Print Name

Tucker N Wood

Signature

[Signature]**** FOR TOWN USE ONLY ****

Lot and Zoning verification performed

sig _____

date _____

Is Parcel in the flood plain?

☐ Yes ☒ No

Refer to Planning Commission

☒ Yes ☐ No Approved ☐ Yes ☐ No sig _____ date _____

Refer to Town Council

☒ Yes ☐ No Approved ☐ Yes ☐ No sig _____ date _____

Public Hearing Required

☒ Yes ☐ No Public Hearing date: _____

Requires Advertisement

☒ Yes ☐ No First Advertisement _____ Date _____
Second Advertisement _____ Date _____

Zoning Administrator

☐ Approved
☐ Disapproved
☐ Approved with conditions (See Attachments).

Fee paid

\$100.00

Signature (Zoning Administrator)

Date _____

§ 110-604 **Single-Family Residential District R-3.**

A. Purpose of Single-Family Residential District R-3. The purpose of the R-3 Single-Family Residential District is to encourage residential neighborhoods and to stabilize and protect the essential character of such neighborhoods. The regulations for this district tend to protect against encroachment of commercial or industrial uses and other uses likely to generate noise, crowds, concentrations of traffic, light, dust, odors, smoke, or other obnoxious influences.

B. Permitted uses. Within the Single-Family Residential District R-3 the following uses are permitted:

(1) Single-family detached dwellings.

(2) Public utilities.

(3) Public water and sewage facilities.

(4) Public service or storage buildings.

(5) Modular homes.

[Added 3-25-1991]

(6) Accessory apartment, subject to the provisions of § **110-716**.

[Added 1-28-2020]

C. Special exceptions. When, after review of an application and hearing thereon, in accordance with Article **VIII** herein, the following uses may be permitted by special exception permit:

[Amended 3-25-1991]

(1) Schools.

(2) Churches and other places of worship with attendant educational, and recreational facilities. No recreational facility shall be located closer than 100 feet from any residential lot.

(3) Public parks, playgrounds, recreational facilities, tennis courts, public swimming pools, and outdoor recreational activities, all of a noncommercial nature. No public swimming pool or structure shall be located closer than 100 feet from any residential lot.

(4)

Child-care centers and family day-care homes. The main structure shall not be located closer than 50 feet from any residential lot.

(5) Family care homes, foster homes, or group homes serving the mentally retarded, developmentally disabled or others, rest homes, homes for adults, or nursing homes, provided that licensing requirements are met.

(6) Bed-and-breakfast facilities, limited.

(7) Homes for adults.

(8) Commercial radio wave towers.

(9) Cemeteries.

(10) Professional offices.⁽¹⁾

[Added 6-7-2021]

*[1]Editor's Note: Former Subsection C(10), home occupations, was redesignated as an accessory use 4-18-2005. See now Subsection **D(10)**.*

(11)

Other uses of the same general character as those listed have and deemed appropriate by the Planning Commission and in accordance with Article **VIII**.

(12) Short-term rental.

[Added 9-17-2018]

D. Accessory uses. Where a lot is devoted to a permitted principle use, customary accessory uses and structures are authorized, including but not limited to the following:

[Amended 11-18-1991]

(1) Living quarters of persons principally employed on the premises.

(2) Travel trailers which shall be stored within the minimum yard requirements and shall be prohibited from occupancy.

(3) Temporary buildings or office trailers for uses incidental to construction work; such buildings shall be removed upon completion or abandonment of the construction work.

(4) Signs as provided for in Article **VII**.

(5) Parking as provided for in Article **VII**.

(6) Private parking garage.

(7) Shelter for house pets.

(8) Private swimming pool.

(9) Satellite antenna.

(10) Home occupations in accordance with § **110-705**.

[Added 4-18-2005]

E. Lot regulations.

(1) Main building:

(a) Minimum lot size:

[1] 10,000 square feet with public water and sewer.

[2] 21,000 square feet with other facilities.

[3] Existing lots of 6,250 square feet or greater may be developed in the R-3 Residential Single-Family, R-4 Residential, and R-5 Residential Districts. All

subdivision of parcels into lots less than 6,250 square feet shall be prohibited in all districts, except for R-4 and R-5 Residential Districts. The R-1 and R-2 Districts will remain the same, but the R-3 Residential Single-Family District will require lot sizes of a minimum of 10,000 square feet.

[Amended 6-17-1997]

(b) Setback: 25 feet.

(c) Frontage at setback: 50 feet.

(d) Side yard:

[1] One side: five feet.

[2] Two sides: 15 feet.

[3] Add 15 feet for corner lots.

[4] Minimum side yard requirement of this chapter, for yards facing streets, shall not apply to any lot where the average side yard on developed lots within the same blocks and zoning district and fronting on the same street is less than the minimum. In such cases, the side yard on such lot may be less than the required side yard, but not less than the existing side yards on the developed lots, plus 15 extra feet for corner lots.

[Amended 11-18-2013]

(e) Rear yard: 25 feet.

(f) Maximum height: 35 feet.

[1] The height limit for dwellings may be increased up to a maximum of 45 feet and up to three stories, provided that each side yard is 20 feet, plus one foot or more of side yard for each additional foot of building height over 35 feet.

[2] A public or semipublic building, such as a school, church, or library, may be erected to a height of 60 feet from grade, provided that required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet.

[3] Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antenna and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.

[4] For buildings over 45 feet in height, approval shall be obtained from the Zoning Administrator. Chimneys, flues, cooling towers, flagpoles, radio or communication towers, or their accessory facilities, not normally occupied by workers are excluded from this limitation. Parapet walls are permitted up to four feet above the limited height of the building on which the walls rest.

(2) Accessory buildings and uses: 10 feet from main building.

(a) Side yard: five feet.

[1] Add 15 feet for corner lots.

[2] Minimum side yard requirement of this chapter, for yards facing streets, shall not apply to any lot where the average side yard on developed lots within the same block and zoning district and fronting on the same street is less than the minimum. In such cases, the side yard on such lot may be less than the required side yard, but not less than the average of the existing side yards on the existing developed lots.

(b) Rear yard: five feet.

(c) Height: 35 feet. Accessory buildings over one story in height shall be at least 10 feet from any lot line. All accessory buildings shall not exceed the main building in height.

F. See § **110-701**, Area regulations.

G. See § **110-708**, Nonconforming uses.

The Family Business, LLC

The property at 133 North Steet Elkton, VA 22827 is to be managed and listed by The Family Business, LLC as a short term rental. Renters will have access to all parts of the property. They will be required to follow quiet hours, curfews, and rules regulated by the Town of Elkton. Little to no contact with neighbors and property owners is expected. The Family Business, LLC will be responsible for maintaining the appearance of the property, cleaning, and picking up/and or removing garbage. There shall be no more than 4 occupants at any time in the 2-bedroom home. There is off-street parking available for up to 3 vehicles. Rules and instructions will be posted in the rental, as well as an emergency evacuation plan and contact information.

Any questions, comments, or concerns shall be directed to The Family Business, LLC. The contact address is 706 Wood Haven Lane Elkton, VA 22827. The contact phone number is (540) 810-4607.

Where you'll sleep

Bedroom 1

1 queen bed

Bedroom 2

1 bunk bed

Living room

1 sofa bed

What this place offers

Kitchen

Wifi

Free parking on premises

Pets allowed

40" HDTV with Roku

Free washer – In unit

Free dryer – In unit

Central air conditioning

Bathtub

Private patio or balcony

Show all 40 amenities

Entire home hosted by Timothy

1. 5 guests
2. · 2 bedrooms
3. · 4 beds
4. · 1 bath



Self check-in
Check yourself in with the keypad.

Every booking includes free protection from Host cancellations, listing inaccuracies, and other issues like trouble checking in.

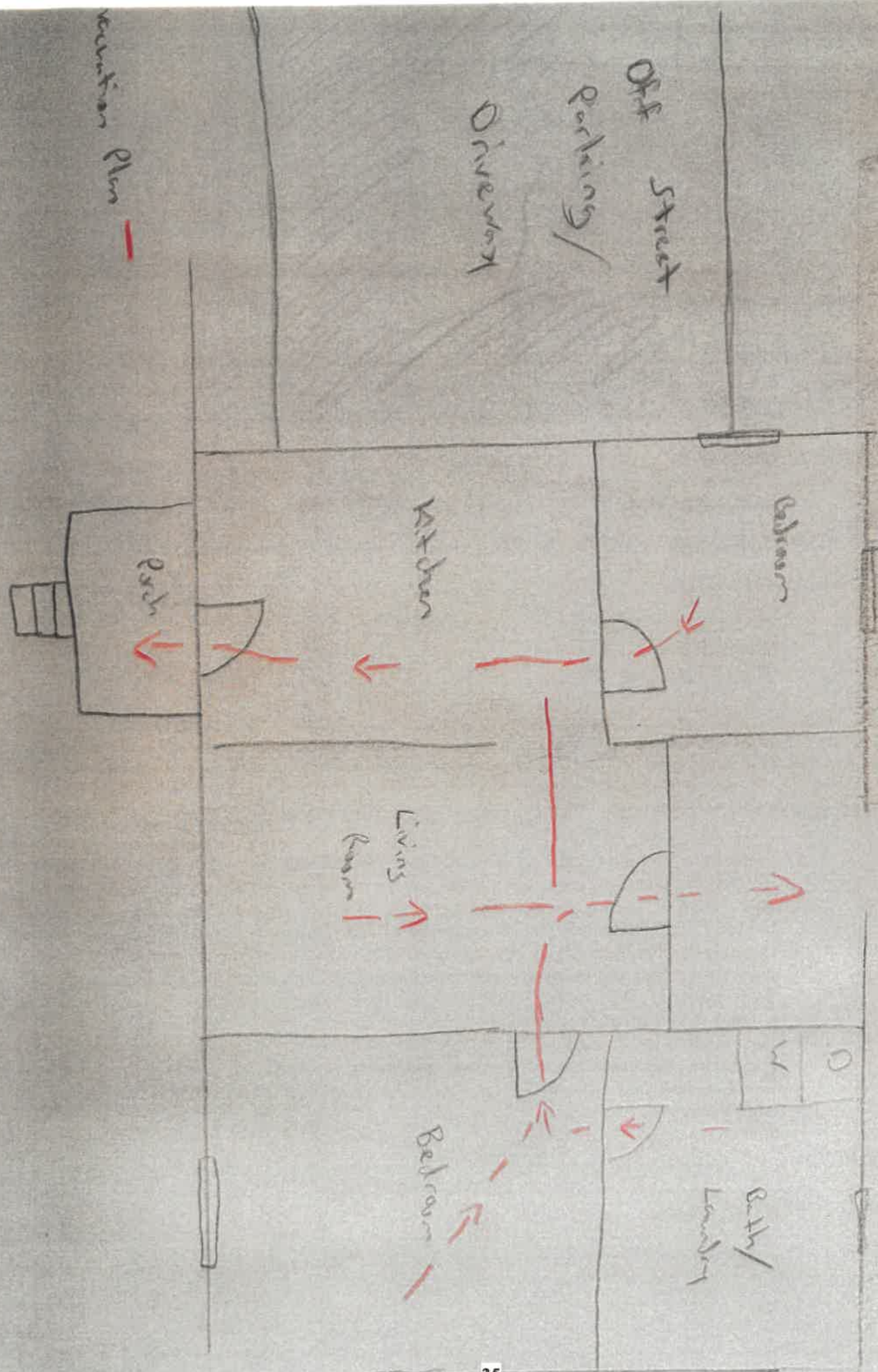
[Learn more](#)

A peaceful place the whole family would love to stay. We can be your home away from home! You can enjoy a home cooked meal in our fully stocked kitchen, or kick back and listen to classic songs on our vintage record player. Don't forget to check out the local attractions either. Whether that's the waterpark at Massanutten Resort, hiking in the Shenandoah Park, or visiting the local breweries/wineries. There is something for everyone to enjoy!

The space

The main bedroom has a queen bed. The spare bedroom has a bunkbed with a full on the bottom and twin on the top. The futon in the living room can also be used as a bed. There are no extra linens provided for that though.

Evacuation Plan -





Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: August 7, 2023

SUBJECT/TOPIC: Closed Session pursuant to Virginia Code § 2.2-3711.A.7 and § 2.2-3711.A.1

BACKGROUND: N/A

ACTION REQUESTED:

Information Only	<input type="checkbox"/>	Discussion	<input type="checkbox"/>	Reports	<input type="checkbox"/>
Action Item	<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	Closed Session	<input checked="" type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☐
Amount: N/A
Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: That Council go into a Closed Session pursuant to the following:

- a. Pursuant to Virginia Code § 2.2-3711.A.7 for, "Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter."
- b. Pursuant to Virginia Code § 2.2-3711.A.1 for, "Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body."

APPROVAL: 
Greg Lunsford, Town Manager

ATTACHMENTS: None

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.