

Town of Hurt, Virginia
Board of Zoning Appeals Meeting Minutes
August 9, 2023

Hurt Board of Zoning held a business meeting Wednesday August 9, 2023, at Hurt Fire Department. The meeting opened at 7:00PM by Paul Johnson with a quorum present.

Roll Call:

Members present: Mr. Paul Johnson, Mr. Jeffry Blaesing, and Mr. Kenneth Crews.
John Eller also attended along with Jeff with Lynchburg Mobile Estates, LLC.

New Business: None

Old Business: Continuing consideration of a variance Application submitted by Lynchburg Mobile Estates, LLC, operators of Pine Acres Mobile Home Park located on Dogwood Lane in Hurt.

Public Hearing:

Jeff, representing Lynchburg Mobile Estates, LLC, stated that he had been cutting tree limbs and had moved out (5) old mobile homes and moved in (2) new ones. Jeff noted the limb cutting had been an issue and still had some work to do. A number of limbs are still laying around the park in a number of areas. Jeff also noted that he was having trouble getting the grass cut due to not paying enough to keep good help although the grass had to be cut (3) times over the last week due to so much rain.

Jeffry Blaesing stated he had drove through the park and there were no permits on the (2) new mobile homes that had been moved in which is required.

Jeff responded stating he had permits but the permits had been taken off of the mobile homes by someone other than Lynchburg Mobile Estates. He had noticed this and had the permits put back up. He stated maybe some kids had removed them. Jeff said he did not have a manager living in the park so there is no way to monitor what goes on late at night. We hope to be able to get the people in the park to give us a call when they see something that needs attention.

John Eller stated anyone could ride through the park and see that there are a number of things that need attention to get to a full clean standard and all the homes need to meet this.

Paul asked what date could we expect the beautification of the park could be completed so Lynchburg Mobile Home Estates, LLC could be held accountable for keeping it in shape per the contract signed by all people living in the mobile home park.

Jeff said to get all the brush moved and get the blocks straightened up he could have this done by the 25th.

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John asked how about the other trailers that have junk all around them. John noted where one trailer had been pulled away and a deck was still there looking like it was going to fall down.

Jeff stated there should be (2) decks like this because plans were to be reused.

Paul noted a few yards had toys and other items just all over the yard clearly not stored as required by the contract everyone had signed. Paul read the agreement/contract clarify to all that even toys should be stored if not being used.

John noted that if the homes were not kept up as required by the signed agreement the park would continue to go down and the people would be more likely to do bad things and if things are nice and neat people are going to act better.

Kenneth noted that is what we are concerned about because this park has gone down hill for sometime and this is an opportunity to get this park headed in the right direction.

Paul noted, from the tenant agreement, that the home owner is expected to keep yard neat or management reserves the right to assess the tenant a fee and if not maintained by tenant will be maintained by management. He read all expectations of the tenant per the agreement that they signed.

John asked why the mobile homes wouldn't be painted before selling them and Jeff replied that he would have to ask \$1500 more for the mobile home and it would be harder to sell. The new owner would be given an allotted amount of time to paint the home if needed.

John asked if the mobile home owner didn't follow the guidelines what power did Lynchburg Mobile Estates have. Jeff replied, they will be evicted after being given a warning.

Paul asked if a mobile home was sold and in the agreement the new owner was to paint the home and did not do so what would be done.

Jeff stated they would be taken to court just like if they missed a payment. He used a couple past examples to explain. At that point they could lose their down payment.

Jeffry asked if there were any plans to do any road improvement at the park.

Jeff stated that it was some planned although there were only a few pot holes.

Jeffry noted that there is a drain pipe going under the road and the road had a dip in it.

Jeff is going to look at this.

Paul asked the question, would the beautification be done by Friday August 25th?

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Specifics were discussed.

Kenneth noted that due to Jeff signing the agreement that the town could back charge Lynchburg Mobile Estates if the home owner didn't take care of their property and the town had to get the work done. This would assure the property should stay in good shape and not cost the town.

Jeff said that he was fine with that and at this point he would be the point person.

Kenneth asked Jeff for a date that Jeff could hold the people living in the park accountable for keeping their homes up to expectations. Jeff gave a date of September 1st. Kenneth asked John if an agreement could be written up stating if there are issues not being dealt with, per Lynchburg Mobile Estates' tenant agreement that we can send an e-mail to Jeff with the expectation he would take care of it and if he doesn't at that time the town would get it taken care of and back charge (LME).

John said this would not be a problem and he just needed a copy of the tenant agreement.

There was a discussion on what date Jeff could hold the tenants accountable to following the tenant agreement.

John stated that we need to be specific in what we think needs to be done to get the park to a point that (LME) can be held accountable. He also suggested the Zoning Board take a trip to the park and walk around with Jeff to list all that we see that does not meet the standards put forth in (LME)'s tenant contract.

The Zoning Board is now scheduled to meet on Wednesday August 16, 2023 at 5 PM at Lot #22 in the Mobile Home Park to do a walk through with Jeff. John said he may be able to be there.

Jeffrey stated that he had a concern about some of the tenants may not have the money to conform to the tenant agreement terms, like purchasing a building to store items, and be evicted with no place to live.

Paul noted that items like a grill would be considered stored if a grill cover is used and stored in a neat and orderly manner, requiring very little expense.

Kenneth noted that he had a heart also but if we have to be concerned about the tenants having enough money to honor the contract, that they signed, and this being the only leverage we have to improve the park we may as well stop. This is a chance for us to clean up the park by using the tenant agreement and being able to hold (LME) accountable for the cost if the tenants fail to do so. We have to go by the tenant standard or not.

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Jeffrey stated we may not agree on what all needs to be done to follow the tenant contract and we agreed but also agreed that we felt sure we would agree on most items.

Kenneth stated that the way he looked at the park was people not caring more so then being a money problem.

John reviewed a few of the written violations to a number of tenants and said this was great and specific.

The standards were discussed and everyone agreed the tenant contract was great but everyone has not been following the terms.

Jeff stated that up to now he had not been very involved but starting now he would be the contact person, point person, for us to deal with in case issues come up. Jeff also discussed a number of specific items he had done here and other parks.

John stated he felt at this point we were not ready to approve the variance until we evaluated the park together and listed the items we all feel needs to be corrected and set up another meeting to review where we stand.

The Zoning Board is now scheduled to meet on Wednesday August 16,2023 at 5 PM at Lot #22 in the Mobile Home Park to do a walk through with Jeff. John said he may be able to be there. Jeff will be expected to provide feedback in our next meeting scheduled for September 6,2023 at 6 PM on status on items we find on August 16,2023.

John asked for clarification on what lots a variance is being asked for. Jeff stated that the variance request is on lot # 14,18 and 22.

Meeting Adjourned at 8:10

Kenneth Crews

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