

**Town of Broadway  
Planning Commission  
Special Called Meeting Minutes  
Monday, March 24, 2025  
7:00 p.m.**

The Broadway Planning Commission met in the Council Chambers of the Broadway Town Hall on Monday, March 24, 2025 for a special called meeting. Planning Commission members present were Eddie Long, Tim Schmoyer, Liz Fawley, Scott Campbell, and Joan Shifflett. Council Member Beverly L. London was present as well as staff member, Town Clerk, Donna Lohr.

Chairman Eddie Long called the meeting to order at 7:00 p.m. and established a quorum with all members present.

**Approval of Minutes:**

**Ms. Joan Shifflett made a motion to approve the minutes from the February 10, 2025, meeting of the Planning Commission, as presented. Mr. Tim Schmoyer seconded the motion which passed with the following recorded voice vote of members:**

<b>Eddie Long</b>	<b>Aye</b>	<b>Tim Schmoyer</b>	<b>Aye</b>
<b>Liz Fawley</b>	<b>Aye</b>	<b>Scott Campbell</b>	<b>Aye</b>
<b>Joan Shifflett</b>	<b>Aye</b>		

**Presentation by Council Representative Beverly L. London**

Chairman Eddie Long proceeded to the next item on the agenda which was a presentation by Council Member Beverly London. Mr. Long advised that Ms. London is going to go over some issues and proposed changes to the residential zoning requirements for roof pitch. Mr. Long reminded Planning Commission members that since this was a Special Called meeting, the only item that could be discussed was this item, as listed on the agenda.

Ms. London then presented the item for discussion. She advised that in January 2025, a Council Member was contacted by a citizen regarding a “trailer” that was positioned on a lot on West Springbrook Road. After checking with Clayton Homes, who was the company that set the modular home on the lot, as well as Rockingham County Building officials, Ms. London received documentation that the modular home was allowed to be set on the property. Ms. London advised that really the only way that type of home can be prohibited from being delivered is to change the roof pitch so that the Town has some control over the aesthetics of the home. The Town of Broadway does not want to overregulate the types of homes that are built but changing the roof pitch would prevent this type of home from being brought into the Town. In order to prevent this from happening again, Rockingham County recommended that the Town require a 6:12 roof pitch. Ms. London advised that another thing that should be kept in mind is that the residential building code now requires R-49 or R-90 in roof insulation, as of last year. Roof insulation must go out over the double top plate. Ms. London advised that if something has a 3:12 pitch, it is nearly impossible to meet that requirement and have ventilation in the attic. The only way to meet these requirements is to make a text amendment to the zoning ordinance. Ms. London advised that an identical structure, brought in by the same manufacturer, was set in 2011 on North Sunset Drive. Permits were issued by the Town and the County at that time also.

Mr. Long asked if the new insulation requirement will force Clayton homes to no longer have 3:12 roof pitch on their houses. Ms. London responded in the negative, as Clayton homes can do an aggregate of the entire structure so they can add it all together, average it out, and meet the requirement.

### **Open Discussion**

Mr. Tim Schmoyer asked how changing the roof pitch changes anything. He questioned if the double wide that had been brought in had a 6:12 roof pitch, how would that have affected the controversy?

Ms. London advised that the controversy is because it looks like a trailer or a double wide. Clayton Homes has advised that it is built to statewide building code and is a modular home. Planning Commission members discussed the manner in which the house was brought in and whether it was a manufactured or modular home. Mr. Eddie Long advised that the requirement for the Town of Broadway, or Rockingham County, is that the house must be on a permanent foundation. The permanent foundation for the house under discussion took longer to be put in place due to inclement weather.

Planning Commission members discussed whether this limits the allowance of other types of roofs and if this regulation would affect additional structures such as accessory structures, attached garages or additions to existing houses. Would those be required to have 6:12 roof pitch also?

Ms. London answered in the negative and advised it could be stated that additions or accessory structures must only match the existing roof pitch of the primary structure.

Mr. Long advised that there are very few lots left in Broadway that are not part of a development. There are already covenants in place that state what a person can do with their property. Mr. Long asked at what point a builder will find out about restrictions on the type of house that can be built. Ms. London responded that most builders read the zoning before they proceed with plans to build it.

Ms. Fawley asked what the requirement is currently for roof pitch in R-1 zoning district.

Ms. London responded that there is currently no requirement stated.

Mr. Campbell explained that the pitch of the roof stipulates the type of surface of the roof.

Mr. Long asked how a regulation like this will affect the development currently going on in Coyote Run, as the two-story houses that are currently being built there are 4:12.

Ms. London advised that the builder would have to follow the 6:12 roof pitch requirement.

Ms. Shifflett asked how many lots there are that this regulation might affect.

Ms. London answered that there are likely under twenty lots that would be affected.

Mr. Long remarked that this is considered an "aesthetic mandate". He read the following:

"Unlike the various building codes which outline safety, durability, and efficiency, aesthetic mandates simply impact the appearance of homes. These mandates are often tied to land use decisions made at the local level. Aesthetic mandates violate the basic principles of the free market. Instead of aesthetic and style decisions driven by property owners, a unit of government restricts consumer choice via local or state government mandates. Often with these mandates, existing homes undergoing renovations are exempt which raises concerns over equal application of the law. These mandates also draw criticism for their exclusionary aspect. While often embraced and supported by product manufacturers in their trade associations, these local mandates function as a form of regulatory marketing." Mr. Long advised this article was written in 2024 and originated from the State of Minnesota. He then posed the question, with the few lots that are left for development, is it worth it to affect the future of the town over four or five potentials? He went on to remark that one of the people who complained about the property in

question was on the Town Council at the time that the house on North Sunset was brought in in 2011 and nothing was said at that time.

Ms. Fawley asked why the proposed regulation is for a 6:12 roof pitch, rather than a 4:12.

Ms. London responded that it is due to the new insulation regulations.

Planning Commission members discussed the insulation regulations, the cost to increase roof pitch from 4:12 to 6:12, whether the regulation could be applied only to "manufactured" or "modular" homes and the possibility for variances.

Ms. Fawley advised that it was her understanding that those lots on West Springbrook were sold with guidelines in place for what could be built on each lot. Mr. Eddie Long advised that there are no guidelines in place for those lots, which he knew from personal experience, as he had been approached about purchasing one of those lots at one time.

Mr. Long then reminded Planning Commission members that regardless of what the Planning Commission recommends, Council can still vote to approve or not approve the 6:12 roof pitch.

Ms. Shifflett advised that she does not believe it is worth it to regulate roof pitch for twenty lots.

Mr. Schmoyer asked why this is even coming before the Planning Commission. He stated that some people are going to complain no matter what. Mr. Long agreed and advised that there are developments that offer protective living for residents, and they have covenants in place to provide for that. It is not up to the town to provide that environment for everybody.

Mr. Campbell asked if anyone had researched what roof and house requirements are in place in other localities. He advised that he could not find any. Mr. Long responded that Harrisonburg does not have anything in place.

Mr. Long then asked Planning Commission members if they wish to make a motion regarding this issue.

**Ms. Joan Shifflet made a motion not to recommend proceeding with the zoning text amendment.** She advised that this seems to be a slippery slope and if the Town starts regulating things like this, it is unclear where regulations should cease. She advised that if it were more lots in question and if it prohibited manufactured homes, then it might be different. **Mr. Tim Schmoyer seconded the motion not to recommend proceeding with the zoning text amendment.**

Under discussion, Mr. Campbell asked if a new development is created, would those developments be guided by town regulations or if an HOA would supersede that. Ms. Fawley asked if there would be any consideration of a 4:12 roof pitch instead of a 6:12 roof pitch. Mr. Long advised that there seems to be reluctance to put a requirement on roof pitch.

**With no further discussion, the motion not to recommend proceeding with the zoning text amendment passed on the following unanimous 5-0 roll call vote:**

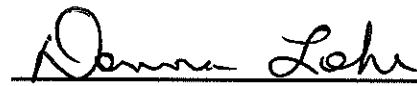
<b>Eddie Long</b>	<b>Aye</b>	<b>Tim Schmoyer</b>	<b>Aye</b>
<b>Liz Fawley</b>	<b>Aye</b>	<b>Scott Campbell</b>	<b>Aye</b>
<b>Joan Shifflett</b>	<b>Aye</b>		

Mr. Long asked Ms. Shifflett to report on this vote at the next Town Council meeting.

Ms. Lohr advised that she would notify Mr. Matt Light, Town Attorney, and Mayor David Jordan of the results of this meeting and they could decide on next steps for the Town Council, if any.

#### **Adjournment:**

With no further business to discuss, **Chairman Eddie Long adjourned the Planning Commission meeting at 7:56 p.m.**

A handwritten signature in cursive script, reading "Donna Lohr". The signature is written in black ink and is positioned above a horizontal line.

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Donna Lohr, Town Clerk/  
Secretary to the Planning Commission