

**RICHMOND COUNTY PLANNING COMMISSION
MEETING MINUTES**

April 10, 2017

The Richmond County Planning Commission held its regularly scheduled meeting on Monday, April 10, 2017, in the Public Meeting Room, County Administrative Building, Warsaw, VA.

The following members were present:

Walter Ball

Vice-Chairperson Glenn Bowen

Chairperson Jesse Clark

Rick Cox

Cassandra Jackson

John W. Lewis

Harry Smith, Jr.

Clifton Jenkins

Martha Hall

The following member was absent:

Darnell Clayton

Also present:

D. Barry Sanders

Richard English

Hope Mothershead

Donna Jackson, Northern Neck News

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Chairperson Clark called the meeting to order at 7:00 p.m. Rick Cox gave the invocation and Chairperson Clark led everyone in the Pledge of Allegiance.

PUBLIC COMMENT

There was no additional public comment.

APPROVAL OF MINUTES – MARCH 6, 2017 MEETING

Chairperson Clark asked if there were any additions or corrections to the minutes from the March 6, 2017 meeting. Walter Ball made a motion to approve the minutes, as presented. Martha Hall seconded the motion and they were approved unanimously.

PUBLIC HEARING – MR. CLIFTON JENKINS / RE-ZONING REQUEST

In accordance with Section 15.2-2204 of the Code of Virginia, 1950 as amended and pursuant to Sections 15.2-2285 and 15.2-2310 of the Code of Virginia, 1950 as amended, the Richmond County Planning Commission hereby gives notice that a Public Hearing will be held starting at 7:00 p.m., Monday, April 10, 2017 in the Richmond County Public Meeting Room, 101 Court Circle, Warsaw, Virginia 22572. The purpose of the Public Hearing is to consider the following applications:

Clifton L. Jenkins of 442 Strangeway Road, Warsaw, VA 22572, proposes to rezone Tax Map No. 15-16, located at 134 Newland Road, Warsaw, VA, from Residential, Limited (R-1) to Residential, General (R-2).

Chairperson Clark shared the following recommendation from the staff:

**STAFF RECOMMENDATION FOR REZONING OF 1.00 ACRE PARCEL
FROM RESIDENTIAL, LIMITED (R-1) TO RESIDENTIAL, GENERAL (R-2)
TAX MAP NO. 15-16**

Background:

- Mr. Clifton L. Jenkins owns a 1.00 acre, more or less, parcel of land located at 134 Newland Road, Warsaw, VA
- Due to the nature of the residence at the time of purchase, the home has two separate dwelling spaces.
- Mr. Jenkins is interested in being able to use each space as a proposed rental area (dwelling).
- The parcel of real estate is currently zoned Residential, Limited (R-1) therefore only allowing for a single-family dwelling.
- Mr. Jenkins has applied for a re-zoning to Residential, General (R-2), which would ultimately allow him to use each dwelling space as a separate rental unit (ie: two-family dwellings)

Staff recommends granting the re-zoning request based on the following:

- Under the Zoning Ordinance, Section 2-4-2 (2), allows for two-family dwellings in a Residential General District.
- The staff has not received any negative feedback from the adjoining property owners regarding the re-zoning request.

- Mr. Jenkins has agreed to construct the proper fire wall between the two rental units and also follow any additional building code and health department requirements necessary.

Chairperson Clark opened the floor to the public.

With no comments heard, Chairperson Clark closed the floor to the public.

Richard English described the layout of the property to the Commissioners with aerial and street side view pictures. Barry Sanders suggested that a well agreement be prepared between Mr. Jenkins and the neighboring property. Mr. Sanders recommended that a well agreement be signed and recorded prior to the Board of Supervisors voting on the re-zoning.

Martha Hall made a motion to approve the requested re-zoning, contingent upon the recorded well agreement. Harry Smith seconded the amended motion. The motion carried with a vote of 8-0 (*John W. Lewis – yay; Harry Smith – yay; Glenn Bowen – yay; Rick Cox – yay; Cassandra Jackson – yay; Walter Ball – yay; Jesse Clark – yay; Martha Hall – yay; Clifton Jenkins - abstain*).

PUBLIC HEARING - ZONING ORDINANCE AMENDMENT

In accordance with Section 15.2-2204 of the Code of Virginia, 1950 as amended and pursuant to Sections 15.2-2285 and 15.2-2310 of the Code of Virginia, 1950 as amended, the Richmond County Planning Commission hereby gives notice that a Public Hearing will be held starting at 7:00 p.m., Monday, April 10, 2017 in the Richmond County Public Meeting Room, 101 Court Circle, Warsaw, Virginia 22572. The purpose of the Public Hearing is to consider the following applications:

To receive public comment on a proposed amendment to the Richmond County Zoning Ordinance. The updated language modifies the provisions for allowance of equine in an Agricultural District.

Chairperson Clark shared the amended language with the Commissioners (#6 to be added as a part of Section 16.)

3-15 ACCESSORY USES

3-15-1 Accessory uses and structures shall be permitted in any zoning district, unless qualified herein, but only in connection with, incidental to, and on the same lot with a principal use or structure (*or on a lot adjoining and under the same ownership as the lot with the principal use structure*) that is permitted within such district. (*Amended November 8, 2007*)

A. The following accessory uses shall be permitted in conjunction with residential uses:

(15) Farm animals (such as cows, pigs, hogs, goats, sheep, mules, horses and other livestock, chickens and other fowl, bees, and similar utilitarian animals), *with the*

exception of equine and chickens, shall not be permitted in the Residential, Limited (R-1) or Residential, General (R-2) Districts. Farm animals in the Residential, Mixed-Use (R-3) District may be allowed if adequate space and other provisions are included in the plan of development for the project. (Amended July 10, 2008 and October 13, 2016)

- (16) Equine may be permitted in the Agricultural, General (A-1), Residential, Limited (R-1), and/or Residential, General (R-2) Districts *subject to the following provisions:*
1. *Residential (R-1) and (R-2) parcels must have a minimum of five (5) acres.*
 2. *Minimum of one and one-half (1.5) acres designated for pasture and housing per horse.*
 3. *Housing must be a minimum of one hundred (100) feet from adjoining parcels.*
 4. *Pastures must be enclosed with adequate fencing.*
 5. *Manure management is required so as not to adversely affect adjoining properties (ie: use of manure harrow bi-annually). (Amended October 13, 2016)*
 6. Equine upon parcels less than five (5) acres in size located within the Agricultural, General (A-1) District must be approved by a special exception considered in accordance with DMP-b as specified in Section 3-1-2b and Section 3-14, provided provisions 2-5 above can also be met.

Chairperson Clark opened the floor to the public.

With no comments heard, Chairperson Clark closed the floor to the public.

Barry Sanders indicated that the Board of Supervisors approved a change to the Equine allowance in October of 2016 but has since asked for another layer of protection. A suggestion has been made for a special exception for lots less than five (5) acres in size.

Cassandra Jackson made a motion to approve the zoning ordinance amendment as presented. Martha Hall seconded the amended motion. The motion carried with a vote of 9-0 (*John W. Lewis – yay; Harry Smith – yay; Glenn Bowen – yay; Rick Cox – yay; Cassandra Jackson – yay; Walter Ball – yay; Jesse Clark – yay; Martha Hall – yay; Clifton Jenkins - yay*).

OTHER BUSINESS

FRACKING

John W. Lewis reported to the Commissioners that the Board of Supervisors were interested in further research/information on the subject of fracking. The Fracking Committee, consisting of

Rick Cox, John W. Lewis and Glenn Bowen began research. Glenn Bowen presented the three options available as follows:

1. Do nothing.
2. Develop regulations for fracking activity similar to King George and Westmoreland.
3. Refuse fracking within Richmond County.

John W. Lewis added that he would be present at the April Board of Supervisors meeting to give an update and would see which direction the Board wishes for the committee to proceed.

ADJOURNMENT

There being no further business, Chairperson Clark adjourned the meeting.

Respectfully submitted,

Hope Mothershead
Commission Secretary