

**RICHMOND COUNTY PLANNING COMMISSION
MEETING MINUTES**

November 7, 2016

The Richmond County Planning Commission held its regularly scheduled meeting on Monday, November 7, 2016, in the Circuit Court Courtroom, Warsaw, VA.

The following members were present:

Walter Ball
Glenn Bowen
Jesse Clark
Vice Chairman Darnell Clayton
Rick Cox
Chairperson Martha Hall
Cassandra Jackson
John W. Lewis
Harry Smith, Jr.
Clifton Jenkins

Also present:

D. Barry Sanders
Hope Mothershead
Taylor O'Bier
Tom Weschler

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES – JULY 11, 2016 MEETING

Jesse Clark asked for removal of the “have since been” on page 2 and the addition of “a” on page 5 to complete the sentences. Chairperson Hall asked for the omittance of “forceability” and replacement with “enforceability” on page 7. Cassandra Jackson made a motion to approve the minutes, as amended. Jesse Clark seconded the motion and they were approved unanimously.

PUBLIC HEARING – WESCHLER RE-ZONING REQUEST

Chairperson Hall declared the opening of the Public Hearing and turned the meeting over to Barry Sanders to hear the following:

Thomas M. Weschler, Sr. and Teresa L. Weschler of 17309 MacDuff Avenue, Olney, MD 20832, proposes to rezone 2.00 acres (further identified as Tax Map No. 29A(3)B4) located on Lambs Lane, Warsaw, VA, from Residential Limited (R-1) to Agricultural General (A-1).

Barry Sanders addressed the Planning Commission Members to explain that the application was to rezone a parcel of land on Lambs Lane from residential to agricultural. The parcel is currently zoned residential but has agricultural parcels on three sides. The land owners intend to acquire a rescue horse to have on the property once it is re-zoned. Mr. and Mrs. Weschler understand that they must have 1.5 acres designated for the pasture and the stable must be at least 100 feet from the adjoining property owners. Mr. Sanders stated that the adjoining property owners have been notified without any negative responses and the staff recommends that the re-zoning request be granted.

Chairperson Hall confirmed that the Board of Supervisors has already approved the change in the language to the zoning ordinance in reference to horses and now Mr. and Mrs. Weschler wish to rezone their property.

Chairperson Hall asked if there were any questions from the Commissioners.

John W. Lewis asked if there was any response from the neighbors. Barry Sanders indicated that he had spoken to Rich Gouldin to discuss the project but there were no other responses. Mr. Sanders confirmed that the neighbors were notified properly.

Darnell Clayton asked if only one horse would be housed on the property. Chairperson Hall confirmed that with a 2 acre parcel, only one horse would be permitted.

Chairperson Hall opened the floor to the public. Mr. Weschler commented that he was available for questions. With no further questions, Chairperson Hall closed the floor to the public.

Walter Ball made a motion to rezone 2.00 acres (further identified as Tax Map No. 29A(3)B4) located on Lambs Lane, Warsaw, VA, from Residential Limited (R-1) to Agricultural General (A-1). Cassandra Jackson seconded the motion. The motion carried with a vote of 9-0 (*Chairperson Hall – yay; Clifton Jenkins – yay; John W. Lewis – yay; Harry Smith – yay; Glenn Bowen – yay; Rick Cox – yay; Cassandra Jackson – yay; Walter Ball – yay; Jesse Clark – yay*).

PUBLIC HEARING – AMENDMENT TO ZONING ORDINANCE

Chairperson Hall declared the opening of the Public Hearing to hear the following:

To receive public comment on a proposed amendment to the Richmond County Zoning Ordinance. The updated language modifies the provisions for allowance of chickens in Residential Districts.

Chairperson Hall indicated that the proposed language was included in the packet to each commissioner and is as follows:

(16a) Chickens may be permitted in Residential, Limited (R-1) and Residential, General (R-2) subject to the following provisions:

1. No more than six (6) chickens.
2. No roosters allowed.
3. Pens and housing shall not be permitted within the front yard setback and must maintain a minimum of fifteen (15) feet setback from rear and side property lines.
4. Chickens must not roam as to be a nuisance to adjoining properties.
5. Manure management is required so as not to adversely affect adjoining properties.

Barry Sanders added that this change would give his office some measures of enforcement when complaints are received.

Darnell Clayton asked if landowners with roosters would be notified about the ordinance amendment. Mr. Sanders confirmed that it would be complaint driven.

Chairperson Hall opened the floor to the public. With no further comments, Chairperson Hall closed the floor to the public.

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

REPORT FROM NOMINATING COMMITTEE

Ms. Cassandra Jackson reported for the Nominating Committee and presented the following Slate of Officers for 2017:

Jesse Clark – Chairman

Glenn Bowen – Vice Chairman
Hope Mothershead – Secretary

There were no other nominations from the floor.

Cassandra Jackson made a motion to approve the presented Slate of Officers for 2017. Harry Smith seconded the motion and the motion carried with a vote of 9-0 (*Chairperson Hall – yay; Clifton Jenkins – yay; John W. Lewis – yay; Harry Smith – yay; Glenn Bowen – yay; Rick Cox – yay; Cassandra Jackson – yay; Walter Ball – yay; Jesse Clark – yay*).

OTHER BUSINESS

DISCUSSION ON COVERED BOAT SLIP ALLOWANCE

Barry Sanders informed the Commission that a Board of Supervisors member had expressed interest in the allowance of covered boat slips in Richmond County. Richmond County is the only County in the Northern Neck that does not allow covered boat slips. Mr. Sanders stated that economically it would help the county by allowing covered boat slips. A list of criteria has been provided to each commissioner setting forth requirements from surrounding localities. Mr. Sanders alerted the commission that he felt certain there would be some conservation groups who would be opposed to the allowance. Chairperson Hall would like to see a draft of the proposed ordinance change at the next meeting but wanted to hear comments or specific guidance from the Commissioners. Clifton Jenkins added that he thought Richmond County should not allow covered boat slips because it may upset many residents. Rick Cox feels that if the allowance is granted for covered boat slips, the requirements should be as close to VMRC and the Code of Virginia as possible. Chairperson Hall asked if there is a distinction between a boathouse and covered boat slip. Barry Sanders noted that the boat house would have enclosed sides but the covered boat slip is only a roof. Chairperson Hall suggested that the “boathouse” name be removed and the allowance be for only covered boat slips, to not obstruct the view of others. Mr. Sanders noted that his office would have an administrative permit and would require a letter from neighbors agreeing to the covered boat slip.

Rick Cox would like to see the square footage for pier appendages also revised to match the state allowance of 400 square feet. The ordinance for Richmond County now only allows for 160 square feet.

Barry Sanders will proceed by preparing a sample draft ordinance amendment with requirements for covered boat slips and square footage for piers.

SIDEYARD SETBACK FOR PIERS AND DOCKS

Barry Sanders informed the commission that questions had arisen on the sideyard setback for piers and docks. Currently the setback for piers is thirty (30) feet from side property lines. However, accessory structures may encroach into the side and rear yard areas to within five (5) feet of the property lines for lots recorded prior to August 10, 1989, which are 100 feet or less in width. Mr. Sanders proposes the following changes (in italics) to the Sideyard Setback Ordinance:

G. Sideyard Setback

Docks shall be setback a minimum of thirty (30) feet from side property lines, except that community *and shared* piers and docks may be located ~~adjacent to or~~ upon a side property line when mutually agreed to by contract with the owners of the adjacent property, a copy of which must be filed with the application for permit. *For lots recorded prior to August 10, 1989, which are 100 feet or less and 50 feet or less in width, the side yard setback shall be reduced to 15 feet and 10 feet respectively.*

Chairperson Hall does not see a problem with reducing the sideyard setback and wishes to announce the change for a public hearing in December. There were no other comments.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

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

Respectfully submitted,

Hope Mothershead
Commission Secretary