

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, SEPTEMBER 16, 1997, IN THE BOARD ROOM OF THE  
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: Fred S. Crittenden, Pinetop District  
Kenneth W. Williams, Pinetop District  
John D. Miller, Jr., Saluda District  
Lenora O. Weber, Saluda District  
Frank Jessie, Jamaica District

Charles M. Culley, Jr., County Administrator  
Michael T. Soberick, County Attorney

**CALL TO ORDER**

The meeting was called to order at 7:30 p.m. by the Chairman, Mr. Crittenden, and opened with a prayer.

**PUBLIC HEARING -- ZONING ORDINANCE AMENDMENT – AM-97-006**

Tim Wilson, Planning Director, updated the Board with action taken by the Planning Commission on the above referenced application to increase the maximum area of on-premise signs in the Village Community Zoning District. The Commission voted to revise the Board's suggestion for using building square footage as a basis for sign size, and recommended sign size be based on the width of building frontage or linear feet. Mr. Wilson explained that Planning Commission Chairman, John England, had reviewed requirements for Virginia Beach and based his recommendation on the following: consideration of what is visible from the road, ability to administer, and application process for applicant. Mr. Wilson confirmed that it would be easier on both the applicant and administration to determine linear feet of buildings or store fronts rather than square footage.

After much discussion, a motion adopting the following allowances for on-premise signs in a Village Community District, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously:

<u>Linear Feet (Frontage)</u>	<u>Sign Footage Allowed</u>
less than 35'	26 square feet
36' to 70'	38 square feet
71' to 105'	52 square feet
106' and above	64 square feet

Mr. Wilson noted that the Planning Commission recommended an entire review of the Zoning Ordinance, in particular, the sign regulations.

**PUBLIC HEARING – ZONING ORDINANCE AMENDMENT, APPLICATION AM 97-007, TAMMY BALLENTYNE, APPLICANT**

Mr. Williams noted that he would be abstaining from any comments or vote on this application, as he was related to the applicant.

Mr. Wilson presented the application submitted to amend the Zoning Ordinance to include "mini-storage business" as a permitted use in Low Density Rural Zoning Districts. The Planning Commission recommended approval of the request. Staff further recommended that the use be listed as "self storage center", as this is a term already used by the ordinance and defined in the same.

Mr. Crittenden opened the public hearing for comments from the public. There being none, the public portion of the hearing was closed. The motion to approve the

application was made by Mr. Miller, seconded by Mr. Jessie and carried by a vote of 4-0, with one (1) abstention (Williams).

**PUBLIC HEARING, REZONING APPLICATION - R-97-004, OSCAR BARBER, T/A DELAWARE CORPORATION**

Mr. Wilson presented a request submitted by Delaware Corporation to rezone Tax Map 37-4, 20.3 acres, from Low Density Rural (LDR) to General Business (GB), for the purpose of establishing a warehouse and trucking distribution center. Existing land use is currently a single-family dwelling and buildings of former Pine Top Nursery business, with surrounding land uses of a church, single-family residences and agricultural land. The Comprehensive Plan Future Land Use Map designates the general location of this property as being outside any planned development area. The Planning Commission recommended denial of the application. The applicant also requested consideration of rezoning this property to Village Community; this also was recommended for denial.

The Chairman opened the hearing for comments from the public. There being none, the public portion of the hearing was closed. The motion to deny the rezoning request was made by Mr. Williams, seconded by Mrs. Weber and carried unanimously.

**PUBLIC HEARING, REZONING APPLICATION R-97-005, ROGER HARSHBARGER**

Mr. Wilson presented an application to reclassify Tax Map 30-32, parcels 3, 4 and 5, a combined size of approximately three (3) acres, from Low Density Rural to General Business. Proposed development of the property is with General Business uses, retail shops and would be consistent with and an expansion of the Rappahannock Crossing Shopping Center approved earlier this year on adjoining property. Existing and surrounding land uses include a mix of industrial, business, and residential uses and undeveloped parcels. The Planning Commission recommended approval of the application.

The Chairman opened the hearing for comments from the public. There being no comments, the public portion of the hearing was closed. The motion to approve the reclassification of the referenced property to General Business was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

**PUBLIC HEARING – SPECIAL EXCEPTION APPLICATION, SP-97-005, HARVEY COX, APPLICANT**

Mr. Wilson presented the above application to replace an existing, dilapidated single family dwelling with a new manufactured home in a Village Community Zoning District. The proposed use would be placed on an 18.14 acre parcel, an interior lot with a private access. Mr. Wilson saw the application as no detriment to surrounding property uses, and the applicant would be required to post a \$500 bond, to be released upon removal of the existing single-family dwelling. Approval of the application was recommended.

The Chairman opened the hearing for comments from the public. There being no comments, the public portion of the hearing was closed. The motion to approve the application allowing for the placement of a new manufactured home in a Village Community District was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

In addition, the Planning Commission recommended consideration and approval of special exception applications such as this and those for second dwellings in Low Density Rural Districts, be designated to the Planning Director. It was the consensus of the Board that the Board would continue to be the approving body for these applications.

### **MINIMUM LOT SIZE IN LOW DENSITY RURAL DISTRICTS**

Mr. Wilson informed the Board of discussions by the Planning Commission at their September 9<sup>th</sup> meeting regarding the issue of minimum lot size requirements in the LDR District. The Commission recommended the Board consider increasing the minimum lot size to 2.5 acres, with a minimum lot size requirement of one (1) acre being permitted for a single division of property for an immediate family member. It was further recommended that should the Board deem formal consideration of such change advisable, that the Board initiate the ordinance amendment.

After much discussion, the motion for the Board of Supervisors to initiate a Zoning Ordinance amendment to increase the minimum lot size requirement in a LDR District to 2.5 acres, with a 1 acre minimum allowed for a single division of property for an immediate family member, and recommending a revision of the subdivision ordinance to require applications for major subdivisions be rezoned to a residential zoning classification, was made by Mrs. Weber and seconded by Mr. Williams. The motion carried by a vote of 4 to 1, with Mr. Jessie opposed.

### **REQUEST TO WAIVE FEES**

The motion to waive the zoning and building fees associated with Upper Middlesex Volunteer Fire Department's roof replacement was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

### **APPOINTMENTS**

#### ***Chesapeake Bay Agency on Aging:***

No action was taken regarding the ending of Dr. Robusto's term on the Agency Board. Mrs. Weber indicated she would discuss reappointment with Dr. Robusto.

#### ***Airport Committee:***

No action was taken regarding a replacement for the term of Patrick Clifton, who resigned from representing the Jamaica District on the Airport Committee.

### **FUEL CONSUMPTION/PRICING**

Mr. Culley presented information regarding fuel consumption by school vehicles and county vehicles and the need to upgrade existing fuel facilities. Mr. Culley was advised to advertise for above ground and underground replacements of the fueling facility at the School Bus Shop.

### **VIRGINIA ASSOCIATION OF COUNTIES, REGIONAL REPRESENTATIVE**

The motion to endorse the nomination of Mr. W. D. Gray from Richmond County as our Regional representative on the VACo Board was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

### **NEW BUSINESS**

#### ***Chesapeake Bay Local Assistance Board:***

Mr. Wilson briefed the Board on the letter from the Chesapeake Bay Local Assistance Board indicating that specific deliverables, including Comprehensive Plan revisions and Zoning Ordinance Amendments, were not received for the end of the grant period. Mr. Wilson commented that he will be corresponding with CBLAD regarding their request.

***Regional Airport:***

Mr. Culley will be attending the next meeting of the Regional Airport Task Force, on September 18.

**EXECUTIVE SESSION**

The motion to convene in executive session for consultation with legal counsel, per Code of Virginia, Section 2.1-344.a7, and personnel matters, per Code of Virginia, Section 2.1-344.a1, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

Upon reconvening in open session, the following motion was made by Mr. Williams, seconded by Mr. Miller and carried unanimously:

- To the best of the members' knowledge, only public business matters lawfully exempted and identified in the motion by which the executive meeting convened were discussed in executive session.

Action:

- There was no action as a result of the Executive Session.

**ADJOURN**

There being no further business, the Chairman adjourned the meeting until October 7, 1997, at 9:00 A.M..

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Fred S. Crittenden, Chairman  
Board of Supervisors