



FLUVANNA COUNTY PLANNING COMMISSION

WORK SESSION AND REGULAR MEETING AGENDA

Fluvanna County Morris Room

April 9, 2019

6:00 PM (Morris Room)

7:00 PM (Morris Room)

TAB AGENDA ITEMS

WORK SESSION

A – CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

B – PLANNING DIRECTOR COMMENTS

C – PUBLIC COMMENTS (Limited to 3 minutes per speaker)

D – WORK SESSION

Rural Cluster Subdivisions—Brad Robinson, Senior Planner

REGULAR MEETING

1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

2 – DIRECTOR'S REPORT

3 – PUBLIC COMMENTS #1 (3 minutes each)

4 – MINUTES

Minutes of March 12, 2019

5 – PUBLIC HEARING

None

6 – PRESENTATIONS

None

7 – SITE DEVELOPMENT PLANS

None

8 – SUBDIVISIONS

None

9 – UNFINISHED BUSINESS


None

10 – NEW BUSINESS

Affordable Housing Summit

11 – PUBLIC COMMENTS #2 (3 minutes each)

12 – ADJOURN


Planning/Zoning Administrator Review

Fluvanna County...The heart of Virginia and your gateway to the future!

*For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.*

PLEDGE OF ALLEGIANCE

I pledge allegiance to the flag
of the United States of America
and to the Republic for which it stands,
one nation, under God, indivisible,
with liberty and justice for all.

ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman shall be the judge of such breaches, however, the Commission may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

PUBLIC HEARING RULES OF PROCEDURE

1. PURPOSE
 - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
 - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
 - Speakers should approach the lectern so they may be visible and audible to the Commission.
 - Each speaker should clearly state his/her name and address.
 - All comments should be directed to the Commission.
 - All questions should be directed to the Chairman. Members of the Commission are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
 - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
 - Speakers with questions are encouraged to call County staff prior to the public hearing.
 - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
 - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
 - The Commission will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
 - Further public comment after the public hearing has been closed generally will not be permitted.

Fluvanna County...The heart of Virginia and your gateway to the future!

*For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.*



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

To: Fluvanna County Planning Commission
From: Jason Stewart, AICP
Date: April 9, 2019
Re: Planning Director's Report

Board of Supervisors Actions:

March 20, 2019

SUP 19:01 National Communication Towers – A request for a special use permit to construct a 199' Self-Support Tower, with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. The property is located off of West River Rd. (State Route 6), approximately 0.6 miles northeast of the intersection with Rockfish Run Rd. (State Route 683). The parcel is zoned A-1 Agricultural, General and located within the Rural Preservation Planning Area and the Fork Union Election District. **(Approved 5-0)**

April 3, 2019
None

Board of Zoning Appeals Actions:

March 19, 2019

BZA 19:01 – Todd and Casey Robinson – A request for a variance to Fluvanna County Code Sec.22-4-3(E) of the Zoning Ordinance to allow for the reduction of the minimum front setback required along a public road, from 125 feet to 80 feet and, for the purpose of constructing an attached garage to their existing home and bringing the existing home into compliance with the front yard setback requirements for Tax Map 19, Section 13, Parcel 16. **(Approved 5-0)**

Technical Review Committee for March 14, 2019:

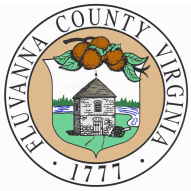
None

CODE COMPLIANCE VIOLATION STATISTICS**March - 2019**

Scott B. Miller, CZO, Code Inspector, Building Site Inspector

Case No.	Tax Map Number	Property Owner	Address	Date of Complaint	Violation Type	Status*	Deadline	District
1611-01	18-(A)-25B	Stevens, Roger	Thomas Farm La. (Vacant)	11/3/2016	Junk/Inoperable Vehicle	Court Agreement 4/05/2018	Additional time to abate violation, Court 04/22/2019	Palmyra
1709-03	4-(A)-114	Herrion, Vernon L.	15 Blue Ridge Dr.	09/20/2018	Violation of SUP 04-10	Permit Pend	04/20/2019	Palmyra
1801-05	36-(A)-97	Patterson, Hilton & Carolyn	1404 West River Rd.	01/26/2018	Junk/Debris	Extended	04/02/2019	Cunningham
1803-01	4-(12)-1	Meredith, White Et Al	251 Country La.	03/02/2018	Inoperable Vehicles	Extended	04/02/2019	Palmyra
1804-03	4-(A)-109A	Bahr, Kenneth	3180 Richmond Rd.	04/10/2018	Violation of SDP 06-009	Cleared	03/19/2019 Defendant Guilty	Palmyra
1809-02	10-(A)-33	Edwards, Catherine	17934 James Madison Hwy.	09/14/2018	Site Plan required for SUP	Pending	04/14/2019 Site Plan Submitted	Columbia
1810-02	49-(A)-10A	Thomas, Willis L. Jr. & Bertha	2438 & 2390 Shores Rd.	10/17/2018	Inoperable Vehicles	Pending	04/17/2019	Fork Union
1811-01	54A-(1)-77,78B, 95, 95A	Harry, Richard T. & Donna M.	436 Saint James St.	11/09/2018	Non-permitted use, "junkyards", salvage & scrapyards"	Pending	04/09/2019 Substantial Improv.	Columbia
1811-02	9-(A)-14B	Crofton Group, Inc.	106 Crofton Plaza	11/16/2018	Amended Site Plan required	Pending	04/16/2019	Palmyra
1901-01	30-(1)-A1	Newton, Eleanor T.	1116 Thomas Jefferson Pkwy	01/07/2019	Garbage, Debris, Junk	Pending	04/07/2019	Fork Union
1901-03	30-(A)-49	Ross, Kyeasha & Scruggs	2430 Shiloh Church Rd.	01/29/2019	Garbage, Trash	Pending	04/28/2019	Fork Union
1903-01	County Wide	Rural Virginia News Paper	County Wide	03/04/2019	Trash, Litter	Pending	04/04/2019	County Wide
1903-02	31-(A)-67, 31-(A)-67A	Norcross, Robert L.	3127 & 3171 Courthouse Rd.	03/18/2019	Garbage, Refuse & Waste	Pending	04/17/2019	Columbia
1903-03	3-(10)-9	Cline, Donald K.	103 Mechunk Creek Dr.	03/18/2019	Garbage, Refuse & Waste	Pending	04/17/2019	Palmyra
1903-04	18A-(8)-32	McLaughlin, Daniel & Gail L.	15 Albano Ct.	03/20/2019	Garbage, Junk	Cleared	n/a	Cunningham
1903-05	8-(A)-31	CP Burns Properties, LLC.	677 Lake Monticello Rd.	03/21/2019	Junk, Inoperable Vehicles	Pending	04/21/2019	Palmyra
1903-06	17-(A)-20	Haney, David S., Sr.	6251 Thomas Jefferson Py.	03/22/2019	Garbage, Refuse & Waste	Pending	04/22/2019	Cunningham
1903-07	30-(1)-A1	Newton, Eleanor T.	1116 Thomas Jefferson Py.	03/25/2019	Garbage, refuse & Waste	Pending	04/24/2019	Fork Union
1903-08	4-(17)-2	Preston, Jessie Lynn	1322 Oliver Creek Rd.	03/25/2019	Garbage, Junk	Cleared	n/a	Palmyra
1903-09	18A-(6)-252	Cox, Robert D. & Frances C.	13 Riverside Dr.	03/25/2019	Garbage, Junk	Cleared	n/a	Palmyra
1903-10	4-(A)-25 & 4-(A)-26	Puopolo, Mike & Bethney	252 Richmond Road	03/28/2019	Nosie, Lighting	Cleared	n/a	Palmyra

STATUS DEFINITIONS*		
Board - Case is pending Board Approval	Court Pending - Summons to be issued	Permit Pending - Applied for Permit to Abate Violation
Cleared - Violation Abated	Extended - Extension Given/Making Progress to Abate Violations	Rezoning - Property is in Rezoning Process
Court - Case is before Judge	Pending - Violation Notice Sent	SUP Pending - SUP Application made to Abate Violation
MISCELLANEOUS ACTIONS / TASKS		
Biosolids Applied and Signs Displayed (Total – 36 Sites)		
Compliance with Tenaska Virginia Sound Levels 03/18/2019		
Signs Removed From Public Rights-Of-Way (Total – 15)		
Placed and removed "Public Hearing Signs" as needed and Deliver packets to BOS, PC Members and Library		
Completed Land Surveying project at Pleasant Grove to establish boundary locations for the "Historical Grant Location-5 Acres" and the "Haden Cemetery"/ all boundary corners marked.		



TRANSACTIONS BY USER REPORT (03/01/2019 TO 04/30/2019) FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

Selected Users: Valencia Porter

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
Valencia Porter					
BR19-0038					
INV-00000900	2% State Surcharge	03/04/2019	Fee Payment	Check #7049	\$14.94
	E&S: Single Family, \$125 per lot	03/04/2019	Fee Payment	Check #7049	\$125.00
	Electrical: Per SqFt	03/04/2019	Fee Payment	Check #7049	\$132.72
	HVAC: Residential (Use Groups R5) - each system	03/04/2019	Fee Payment	Check #7049	\$90.00
	New 9-1-1 Address Fee	03/04/2019	Fee Payment	Check #7049	\$90.00
	One/two fam. dwelling, R5, finished living space	03/04/2019	Fee Payment	Check #7049	\$398.16
	Plumbing flat fee	03/04/2019	Fee Payment	Check #7049	\$30.00
	Plumbing, per fixture	03/04/2019	Fee Payment	Check #7049	\$96.00
	Zoning Permit: \$100.00 Primary Structures	03/04/2019	Fee Payment	Check #7049	\$100.00
BR19-0059					
INV-00000899	2% State Surcharge	03/04/2019	Fee Payment	Check #1308	\$0.90
	Basement, unfinished space	03/04/2019	Fee Payment	Check #1308	\$45.00
BR19-0062					
INV-00000903	E&S: Single Family, \$125 per lot	03/04/2019	Fee Payment	Check #036033	\$125.00
	Gas	03/04/2019	Fee Payment	Check #036033	\$45.00
	New 9-1-1 Address Fee	03/04/2019	Fee Payment	Check #036033	\$90.00
	One/two fam. dwelling, R5, finished living space	03/04/2019	Fee Payment	Check #036033	\$296.82
	Zoning Permit: \$100.00 Primary Structures	03/04/2019	Fee Payment	Check #036033	\$100.00
BR19-0063					
INV-00000959	2% State Surcharge	04/01/2019	Fee Payment	Check #2086	\$13.13
	E&S: Single Family, \$125 per lot	04/01/2019	Fee Payment	Check #2086	\$125.00
	Electrical: Per SqFt	04/01/2019	Fee Payment	Check #2086	\$110.10
	HVAC: Residential (Use Groups R5) - each system	04/01/2019	Fee Payment	Check #2086	\$90.00
	New 9-1-1 Address Fee	04/01/2019	Fee Payment	Check #2086	\$90.00
	One/two fam. dwelling, R5, finished living space	04/01/2019	Fee Payment	Check #2086	\$330.30
	Plumbing flat fee	04/01/2019	Fee Payment	Check #2086	\$30.00
	Plumbing, per fixture	04/01/2019	Fee Payment	Check #2086	\$96.00
	Zoning Permit: \$100.00 Primary Structures	04/01/2019	Fee Payment	Check #2086	\$100.00
BR19-0065					
INV-00000919	2% State Surcharge	03/14/2019	Fee Payment	Check #4386	\$4.28
	Electrical: Base fee	03/14/2019	Fee Payment	Check #4386	\$45.00
	Storage structure, unfinished interior, res SqFt	03/14/2019	Fee Payment	Check #4386	\$118.80
	Zoning Permit: \$50.00 Accessory Buildings	03/14/2019	Fee Payment	Check #4386	\$50.00
BR19-0069					
INV-00000930	2% State Surcharge	03/14/2019	Fee Payment	Check #33254	\$2.90
	Basement, unfinished space	03/14/2019	Fee Payment	Check #33254	\$45.00
	Zoning Permit: \$100.00 Primary Structures	03/14/2019	Fee Payment	Check #33254	\$100.00
BR19-0073					
INV-00000960	2% State Surcharge	04/01/2019	Fee Payment	Check #2086	\$12.10
	E&S: Single Family, \$125 per lot	04/01/2019	Fee Payment	Check #2086	\$125.00

TRANSACTIONS BY USER REPORT (03/01/2019 TO 04/30/2019)

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
	Electrical: Per SqFt	04/01/2019	Fee Payment	Check #2086	\$97.20
	HVAC: Residential (Use Groups R5) - each system	04/01/2019	Fee Payment	Check #2086	\$90.00
	New 9-1-1 Address Fee	04/01/2019	Fee Payment	Check #2086	\$90.00
	One/two fam. dwelling, R5, finished living space	04/01/2019	Fee Payment	Check #2086	\$291.60
	Plumbing flat fee	04/01/2019	Fee Payment	Check #2086	\$30.00
	Plumbing, per fixture	04/01/2019	Fee Payment	Check #2086	\$96.00
	Zoning Permit: \$100.00 Primary Structures	04/01/2019	Fee Payment	Check #2086	\$100.00
BR19-0076					
INV-00000961	2% State Surcharge	04/01/2019	Fee Payment	Check #2086	\$11.29
	E&S: Single Family, \$125 per lot	04/01/2019	Fee Payment	Check #2086	\$125.00
	Electrical: Per SqFt	04/01/2019	Fee Payment	Check #2086	\$87.12
	Gas	04/01/2019	Fee Payment	Check #2086	\$45.00
	HVAC: Residential (Use Groups R5) - each system	04/01/2019	Fee Payment	Check #2086	\$90.00
	New 9-1-1 Address Fee	04/01/2019	Fee Payment	Check #2086	\$90.00
	One/two fam. dwelling, R5, finished living space	04/01/2019	Fee Payment	Check #2086	\$261.36
	Plumbing flat fee	04/01/2019	Fee Payment	Check #2086	\$30.00
	Plumbing, per fixture	04/01/2019	Fee Payment	Check #2086	\$96.00
	Zoning Permit: \$100.00 Primary Structures	04/01/2019	Fee Payment	Check #2086	\$100.00
BR19-0078					
INV-00000962	2% State Surcharge	04/01/2019	Fee Payment	Check #2086	\$12.97
	E&S: Single Family, \$125 per lot	04/01/2019	Fee Payment	Check #2086	\$125.00
	Electrical: Per SqFt	04/01/2019	Fee Payment	Check #2086	\$108.18
	HVAC: Residential (Use Groups R5) - each system	04/01/2019	Fee Payment	Check #2086	\$90.00
	New 9-1-1 Address Fee	04/01/2019	Fee Payment	Check #2086	\$90.00
	One/two fam. dwelling, R5, finished living space	04/01/2019	Fee Payment	Check #2086	\$324.54
	Plumbing flat fee	04/01/2019	Fee Payment	Check #2086	\$30.00
	Plumbing, per fixture	04/01/2019	Fee Payment	Check #2086	\$96.00
	Zoning Permit: \$100.00 Primary Structures	04/01/2019	Fee Payment	Check #2086	\$100.00
BR19-0079					
INV-00000934	2% State Surcharge	03/14/2019	Fee Payment	Check #099	\$16.06
	E&S: Single Family, \$125 per lot	03/14/2019	Fee Payment	Check #099	\$125.00
	Electrical: Base fee	03/14/2019	Fee Payment	Check #099	\$45.00
	HVAC: Residential (Use Groups R5) - each system	03/14/2019	Fee Payment	Check #099	\$90.00
	Manufactured homes: Double Wide	03/14/2019	Fee Payment	Check #099	\$315.00
	New 9-1-1 Address Fee	03/14/2019	Fee Payment	Check #099	\$90.00
	Plumbing flat fee	03/14/2019	Fee Payment	Check #099	\$30.00
	Plumbing, per fixture	03/14/2019	Fee Payment	Check #099	\$8.00
	Zoning Permit: \$100.00 Primary Structures	03/14/2019	Fee Payment	Check #099	\$100.00
BSP19:0002					
INV-00000894	Boundary/Physical Survey, Easement, Correction	03/04/2019	Fee Payment	Check #1900	\$50.00
BSP19:0003					
INV-00000920	Boundary/Physical Survey, Easement, Correction	03/14/2019	Fee Payment	Check #19805	\$100.00
BZA19:0001					
INV-00000754	Sign Deposit for Public Hearing	03/14/2019	Refund	Check #00000	(\$90.00)
BZA19:0002					
INV-00000896	Sign Deposit for Public Hearing	03/04/2019	Fee Payment	Check #2837	\$90.00
	Variance	03/04/2019	Fee Payment	Check #2838	\$550.00
BZA19:0003					
INV-00000951	Sign Deposit for Public Hearing	04/01/2019	Fee Payment	Check #2766	\$90.00
	Variance	04/01/2019	Fee Payment	Check #2767	\$550.00

TRANSACTIONS BY USER REPORT (03/01/2019 TO 04/30/2019)

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
BZA19:0004					
INV-00000955	Variance	04/01/2019	Fee Payment	Check #3711	\$550.00
ER19-0061					
INV-00000881	2% State Surcharge	03/04/2019	Fee Payment	Cash	\$0.90
	Electrical: Base fee	03/04/2019	Fee Payment	Cash	\$45.00
ER19-0066					
INV-00000895	2% State Surcharge	03/04/2019	Fee Payment	Cash	\$0.90
	Electrical: Base fee	03/04/2019	Fee Payment	Cash	\$45.00
ER19-0073					
INV-00000927	2% State Surcharge	03/14/2019	Fee Payment	Cash	\$0.90
	Electrical: Base fee	03/14/2019	Fee Payment	Cash	\$45.00
GP19-0031					
INV-00000956	2% State Surcharge	04/01/2019	Fee Payment	Cash	\$0.90
	HVAC: All other mechanical permits	04/01/2019	Fee Payment	Cash	\$45.00
GP19-0037					
INV-00000907	2% State Surcharge	03/14/2019	Fee Payment	Check #75942	\$0.90
	HVAC: All other mechanical permits	03/14/2019	Fee Payment	Check #75942	\$45.00
MSC19:0001					
INV-00000888	Sign Permit	03/04/2019	Fee Payment	Check #100514	\$155.00
MSC19:0002					
INV-00000916	Sign Permit	03/14/2019	Fee Payment	Check #2891	\$155.00
SP19-0001					
INV-00000908	2% State Surcharge	03/14/2019	Fee Payment	Check #8696	\$3.30
	Swimming Pool: Residential	03/14/2019	Fee Payment	Check #8696	\$65.00
	Zoning Permit: \$100.00 Primary Structures	03/14/2019	Fee Payment	Check #8696	\$100.00
SUB18:0032					
INV-00000892	Subdivision: Street Sign Installation	03/04/2019	Fee Payment	Check #1466	\$1,000.00
SUB19:0003					
INV-00000940	Subdivision: Ordinance of Vacation	03/28/2019	Fee Payment	Check #1917	\$225.00
SUB19:0004					
INV-00000952	Boundary Adjustment	04/01/2019	Fee Payment	Check #5765	\$100.00
SUP19:0001					
INV-00000813	Sign Deposit for Public Hearing	03/14/2019	Refund	Check #0000	(\$90.00)
SUP19:0003					
INV-00000954	Sign Deposit for Public Hearing	04/01/2019	Fee Payment	Check #1121	\$90.00
	Special Use Permit	04/01/2019	Fee Payment	Check #1120	\$800.00
VALENCIA PORTER				TOTAL CASH:	\$183.60
				TOTAL CHECK:	\$11,512.67
				TOTAL REFUND:	(\$180.00)
				NET TOTAL:	\$11,516.27

TRANSACTIONS BY USER REPORT (03/01/2019 TO 04/30/2019)

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
GRAND TOTALS				TOTAL CASH:	\$183.60
				TOTAL CHECK:	\$11,512.67
				TOTAL REFUND:	(\$180.00)
				NET TOTAL:	\$11,516.27

FLUVANNA COUNTY PLANNING COMMISSION
WORK SESSION AND REGULAR MEETING MINUTES
CIRCUIT COURT ROOM—FLUVANNA COUNTY COURTS BUILDING
6:00 p.m. Work Session 7:00 p.m. Regular Meeting
MARCH 12, 2019

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Lewis Johnson
Gequetta “G” Murray-Key
Howard Lagomarsino
Patricia Eager, Board of Supervisors Representative

ALSO PRESENT: Jason Stewart, Planning and Zoning Administrator
Brad Robinson, Senior Planner
Holly Steele, Planner
Fred Payne, County Attorney
Valencia Porter, Senior Program Support Assistant

Absent: None

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

At 6:00p.m., Chairman Bibb called the work session to order

B. PLANNING DIRECTOR COMMENTS:

None

C. PUBLIC COMMENTS (Limited to 3 minutes per speaker):

None

D. WORK SESSION:

Riparian Buffer Discussion—Holly Steele, Planner

- Purpose of discussing an amendment to our riparian buffer regulations is to increase specificity within our RPA modification process; specifically in our growth areas.
- 50’ wide along intermittent streams
- 75’ wide along perennial streams

100’ wide along both sides of the Hardware, Rivanna, and James Rivers

The Subdivision Agent may allow for a modification of the riparian protection area requirements by providing alternative measures for riparian protection, by means of substitution of materials, design, or technique, which the Subdivision Agent determines to provide the same or greater degree of riparian protection compared to such area requirements and is determined by the Subdivision Agent to be reasonably necessary to permit reasonable uses of the property which are otherwise permitted by law.

Required riparian buffer width.

- The width of a riparian buffer abutting a perennial stream shall be at least 100 feet.
- The width of a riparian buffer abutting an intermittent stream or wetlands shall be at least 50 feet.
- Reduction of riparian buffer width. The director may allow development to reduce the minimum riparian buffer width required by subsection a. above by up to 50 percent in the village growth area districts on determining that the development incorporates storm water best management practices that will manage storm water runoff to eliminate or reduce pollution of the stream or wetlands to a degree exceeding that provided by a forested buffer meeting the full minimum width standard.

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE**

At 7:00p.m., Chairman Bibb open the regular meeting of the Planning Commission

2. **DIRECTOR'S REPORT:**

- I. SUP 19:01 National Communication Towers – A request for a special use permit to construct a 199' Self-Support Tower, with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. The property is located off of West River Rd. (State Route 6), approximately 0.6 miles northeast of the intersection with Rockfish Run Rd. (State Route 683). The parcel is zoned A-1 Agricultural, General and located within the Rural Preservation Planning Area and the Fork Union Election District.
- II. SUP 19:02 Amy and Stephen Beyer – A request for a special use permit to convert an existing building into a "low-volume medical clinic" with respect to 3.81 acres of Tax Map 29, Section A, Parcel 89. The property is located off of Thomas Jefferson Pkwy. (State Route 53), approximately 500 feet west of the intersection with Stage Coach Hills Rd (State Route 1010). The parcel is zoned A-1 Agricultural, General and located within the Rural Residential Planning Area and the Fork Union Election District.
- III. SUB 18:25 Rivanna Investments & Steger Investments – A rural cluster major subdivision request with respect to 30.47 acres of Tax Map 9, Section A, Parcels 11, 11B, 11F & 11G. The applicant is proposing 10 building lots with 19.55 acres designated as open space. The property is located along Lake Monticello Road (Route 618), approximately 785 feet west of its intersection with River Run Drive. The parcels are zoned A-1, Agricultural, General and located within the Rivanna Community Planning Area and the Palmyra Election District.

3. **PUBLIC COMMENTS:**

None

4. **APPROVAL OF MINUTES**

January 8, 2019

Motion:

Zimmer made a motion to approve the January 8, 2019 Planning Commission minutes as presented. Seconded by Lagomarsino. The motion was approved by a vote of 5-0. AYE: Bibb, Johnson, Zimmer, Lagomarsino, Murray-Key. NAY: None ABSTAIN: None ABSENT: None

February 12, 2019

Motion:

Johnson made a motion to approve the February 12, 2019 Planning Commission minutes as presented. Seconded by Murray-Key. The motion was approved by a vote of 5-0. NAY: None ABSTAIN: None ABSENT: None

5. **PUBLIC HEARING:**

ZMP18:01—Steven & Codie Peters/ Colonial Circle—Brad Robinson, Senior Planner

SUP18:05 —Steven & Codie Peters/ Colonial Circle Density—Brad Robinson, Senior Planner

Motion:

Zimmer made a motion to approve the deferral request made by the applicant and to move it to the next meeting on April 9, 2019. Seconded by Johnson. The motion was approved by a vote of 5-0. AYE: Bibb, Johnson, Zimmer, Lagomarsino, Murray-Key. NAY: None ABSTAIN: None ABSENT: None

SUP19:01—Jamie Adams/National Communication Towers—Holly Steele, Planner

- Request for a special use permit to construct a 199' self-support tower with an enclosed 80' x 90' fence, with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29;
- Rural Preservation Planning Area;
- Commercial Use tower with a letter of intent to serve from AT&T
- Previous SUP 12:07 was approved by the Planning Commission and Board of Supervisors for 199' monopole and support facilities to be located on this parcel;
- Commercial Use tower that will be able to provide wireless phone coverage, data transmission, and high-speed internet services to the surrounding areas
- This SUP would remain an unlit, 198' tower with a 1' lightning rod, but change to a self-support lattice tower as opposed to a monopole.
- Tower will be able to work in conjunction with the existing towers located at the VFW and County Landfill.

Recommended Conditions

If approved, Staff recommends the following conditions:

- 1) The tower structure shall not exceed 199 feet. This does not include antennae, lighting, lightning rods, and other ancillary equipment, subject to FAA regulations.
- 2) The applicant secures all necessary permits required, and submits structural design and certification by a Virginia Registered Professional Engineer that the proposed facility, as built, will comply with EIA/TIA 222-G for the wind zone for Fluvanna County; Virginia;
- 3) Completion of the NEPA Report with review comments from the Virginia Department of Environmental Quality prior to the issuance of a Building Permit;
- 4) The Applicant should submit the Phase 1 Cultural Resource Survey to The Commonwealth of Virginia Department of Historic Resources and receive comments prior to issuance of the Building Permit;
- 5) The applicant shall secure the necessary permits required by Fluvanna County and VDOT;
- 6) The applicant shall provide space on the TASF for the County's Public Safety antennas and feed lines at the designed elevations. Space for ground level electronic equipment shall also be provided;
- 7) The facility when completed shall be accessible only to authorized personnel;
- 8) The tower shall be a self-support lattice Class III tower;
- 9) The facility shall meet the landscaping and screening requirements of the Fluvanna County Zoning Ordinance;
- 10) If the structures should no longer be needed, the applicant shall remove them, and restore the grounds to the prior condition;
- 11) The support structure is to be sufficient to support antennas of a like design for at least six (6) wireless service providers per Section 22-27-9.8 (10) of the Fluvanna County Zoning Ordinance;
- 12) The tower shall be in the same location as shown in the application;
- 13) Violation of any condition of this permit shall be grounds for revocation of this permit, and;
- 14) The Board of Supervisors, or their representative, has the right to inspect the property for compliance with these conditions at any time.
- 15) The facility shall be constructed and receive final inspection from the Fluvanna County Department of Building Inspections within eighteen (18) months of the date of approval of the special use permit

Planning Commission Discussion:

Murray-Key: Chairman I have a question. When you talked about the beam pointing in different places that are losing connectivity that is an issue that, that is an impact on human being or when you talked about losing connectivity.

Stephen Gallagher, Applicant: It's not an impact to the people, it's an impact to the wireless infrastructure network. It's literally like a laser beam.

Murray-Key: When you talk about tower fail, because I have no knowledge on this process, are you talking about losing internet connectivity or the tower actually coming down?

Stephen Gallagher, Applicant: Yes, we are speaking actually on the tower coming down, clasp itself. With ours we've spent extra money with engineering firm to design it to where it fell into a very control in specific manner

Murray-Key: You said you never had this happen?

Stephen Gallagher, Applicant: No ma'am.

Zimmer: Meaning the wind?

Stephen Gallager, Applicant: Yes, the primary danger, we don't own nor build guide towers.

Public Comment:

None

Motion

Murray-Key made a motion to approve SUP19:01 with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. Seconded by Zimmer. The motion was approved by a vote of 5-0. AYE: Bibb, Johnson, Zimmer, Lagomarsino, Murray-Key. NAY: None ABSTAIN: None ABSENT: None

SUP19:02—Amy and Stephen Beyer/ Medical Clinic—Holly Steele, Planner

- Request for a Special Use Permit to convert an existing building on the property into a low-volume medical clinic, with respect to 3.81 acres of Tax Map 29, Section A, Parcel 89.
- Rural Residential Community Planning Area;
- Applicant wishes to use existing 36 x 44 building with the addition of a handicap ramp, parking spaces, and sign near the driveway entrance
- SUP 13:05 was approved on this parcel in 2013 in order to use the accessory building as a florist.
- Request is to establish a low-volume medical clinic;
- Parcel was previously approved for use as a florist;
- Would provide a much needed service to the surrounding community;
- Building is largely hidden by the existing home and the natural slope of the property
- Appears to meet all County Code requirements.
- 2 additional conditions added since SUP 13:05
 - Eliminates florist as a use
 - Final building inspection within 2 years from approval
- Potential adverse impacts
 - Increased traffic flow to the property

Recommended Conditions

If approved, Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The approval of SUP 19:02 will eliminate the use of the building as a florist and any future plans to revert the building back to a florist will require a new Special Use Permit.
3. The site must meet all Virginia Department of Transportation requirements.
4. The site must meet the requirements set forth by the Virginia Department of Health.
5. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
6. Hours of operation shall be between 8:00 am and 6:00 pm Monday through Saturday.
7. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
8. All outdoor storage of materials shall be screened from the view of public roads, rights-of-way, and adjacent properties as required by Sec. 22-24-7 3. iii of the zoning ordinance.
9. The facility shall be constructed and receive final inspection from the Fluvanna County Department of Building Inspections within two (2) years of the date of approval of the special use permit or the SUP approval will expire and require a new SUP;
10. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit."

Planning Commission Discussion:

Bibb: So this is basically a low volume medical clinic.

Amy Beyer: Yes, sick visits children and adults, primary care, sport physicals, DOT for truck drivers.

Zimmer: Are you the folks who own the flower shop there?

Amy Beyer: No, we just brought this property last year.

Johnson: What hours are you thinking for operation?

Amy Beyer: Start Monday thru Friday, as the business grows hopefully on Saturday's also 8am-6pm.

Johnson: I think it's wonderful that people from county and lives here would want to give back to the community.

Murray-Key: Are you concerned about the traffic there?

Amy Beyer: VDOT did recommend to widen the driveway.

Public Comments:

None

Motion

Johnson made a motion to approve SUP19:02 with respect to 3.81 acres of Tax Map 29, Section A, Parcel 89. Seconded by Lagomarsino. The motion was approved by a vote of 5-0. AYE: Bibb, Johnson, Zimmer, Lagomarsino, Murray-Key, NAY: None ABSTAIN: None ABSENT: None

6. PRESENTATIONS:

None

7. SITE DEVELOPMENT PLANS:

None

8. SUBDIVISIONS:

None

9. UNFINISHED BUSINESS:

None

10. NEW BUSINESS:

None

11. PUBLIC COMMENTS #2:

None

12. ADJOURN:

Chairman Bibb adjourned the Planning Commission meeting of March 12, 2019 at 7:41 pm.

Minutes recorded by Valencia Porter, Senior Program Support Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission