

**King & Queen County
Planning Commission Minutes
August 6, 2018**

The King & Queen County Planning Commission met on Monday, August 6, 2018, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the General District Courtroom for their regular monthly meeting.

Planning Commission Members Present:

Sheila Morton
David Campbell
William Herrin

James Guess
Hunter Richardson

Also in Attendance:

Donna E. Sprouse, Assistant Zoning Administrator
Thomas J. Swartzwelder, County Attorney

Call to Order

Chairman, Mr. Richardson called the meeting to order.

Roll Call/Determination of Quorum

Mr. Campbell took roll call and determined that a quorum was present.

**Approval of Minutes
July 2, 2018**

After review of the minutes, a motion was made by Mr. Herrin to accept the minutes as written, seconded by Mrs. Morton.

Voting For: Morton, Richardson, & Herrin
Voting Against: None
Abstain: Campbell & Guess

Citizens Comment Period

Mr. Richardson opened the floor for citizens comment period.

Hearing no comments, citizens comment period was closed.

New Business

A. **ZA18-04- Article 10, Floodplain Overlay District Ordinance** (*public hearing*)

Mrs. Sprouse noted that this was a text amendment request submitted by staff to amend Article 10, Floodplain Overlay District Ordinance, in its entirety, specifically to remove flood zone designations that are not within the boundary of King & Queen County, remove free board requirement from detached accessory structures, provide less restrictive requirements for detached accessory structures up to 600 sq. ft. (first floor area), and update/add definitions. Mrs. Sprouse noted that the current ordinance as written is more restrictive and by adopting this change, it would allow citizens more flexibility regarding construction in the floodplain. Mrs. Sprouse also provided an email from Charley Banks with DCR, noting DCR's approval of the zoning text amendment, if adopted.

Mr. Richardson opened the floor for public comment.

Mr. John Bland of 195 Shore Drive stated that he has had a difficult time with his request to construct a detached garage in the floodplain. He noted that the process was unclear, long and costly. Mr. Bland reviewed his timeline with the Commission for applying for a building permit for a detached garage and asked that they make the changes necessary to relieve the freeboard requirement for accessory structures not only for him but the citizens of King & Queen.

After much discussion and review of the ordinance sections, Mr. Swartzwelder asked the Chairman to take a 5 minute break to speak with Mrs. Sprouse regarding the question of wet flood proofing a structure if elevated above BFE.

The Commission took a 5 minute break.

The meeting was called back to order by Mr. Richardson.

Mrs. Sprouse noted that after further discussion with Mr. Swartzwelder, it was determined that section 3-238D03 should be reworded so that it only applies to detached accessory structures that are greater than 600 sq. ft. and are elevated to BFE, then they should meet the requirements of section 3-238(c).

Mr. Burns asked the Commission if they were okay that all detached accessory structures, regardless of if commercial or not, meeting the same requirements.

Mr. Herrin and Mr. Guess both said all detached accessory structures should be treated the same in the floodplain.

The Commission had no further comments. The public hearing was closed.

A motion was made by Mr. Herrin recommending approval of ZA18-04 with the following changes:

- (1) Section 3-238D-3 to read as follows... *For detached accessory structures that are greater than 600 square feet (first floor area/footprint) and are elevated at or above to BFE, if not dry flood-proofed, shall also comply with requirements noted in section 3-238 (C);*
- (2) Section 3-241 correcting a grammatical error (grated to granted); and
- (3) Section 3-242 correcting the alphanumeric (there were two CC's)

The motion was seconded by Mr. Guess.

Voting For: Campbell, Herrin, Guess, Morton, Richardson

Voting Against: None

Abstain: None

Old Business

A. CUP12-02 Revocation – Town of West Point & International Training Inc./G4S *(upcoming joint public hearing)*

Mrs. Sprouse informed the Commission that staff is in need of more time as more information has become available regarding ITI/G4S's property and use. She asked the Commission to cancel the joint public hearing with the Board of Supervisors until further notice.

A motion was made by Mrs. Morton to cancel the joint public hearing scheduled for August 13, 2018 with the Board of Supervisors, seconded by Mr. Guess.

Voting For: Morton, Richardson, Campbell, Guess & Herrin

Voting Against: None

Abstain: None

Mrs. Sprouse noted that letters will be mailed to all adjoining property owners and current property owners of the subject properties so they are aware of the cancellation.

Staff's Comments

Mr. Swartzwelder noted that he was going to jump ahead of Mrs. Sprouse for staff comments. He noted that though the floodplain amendment process was not perfect, he wanted the Commission to know that staff put in a lot of hours and time into this ordinance. He noted that Mrs. Sprouse and Mr. Eutsey (Building Official) all worked hard on this topic. Mr. Swartzwelder noted that he was involved in the amendment process as well and facilitated the call with FEMA in attempts of getting our questions answered correctly. He noted that he was proud of staff and their work to make this a better ordinance for not only King & Queen, but believes our new ordinance could be the model for the region.

Mr. Swartzwelder noted that during the Board of Supervisors public hearing for Mt. Glennwood Sand & Gravel project, they approved the applicant's request with a few changes. He stated that the applicant agreed to additional buffers along properties with houses, moved the plant further from houses, and moved the road in the property away from the houses.

Mrs. Sprouse noted that there may be a site plan review for them at their September meeting for the VPPSA maintenance shop off of Clancie Road. She noted that they are close to obtaining all agency approvals.

Commissioner's Comments

Mrs. Morton thanked Mr. Swartzwelder and Mrs. Sprouse for their work on the Floodplain ordinance.

Mr. Herrin agreed with Mrs. Morton's comments.

Mr. Campbell thanked Mr. Swartzwelder and Mrs. Sprouse.

Mr. Guess thanked staff and said he was proud to live in King & Queen.

Mr. Richardson also thanked staff and noted that he is proud of the representation King & Queen has and appreciated the efforts of staff and citizen involvement.

Adjournment

There being no further business, the meeting was adjourned by all present members stating "Aye".

Hunter Richardson, Chairman