

HANOVER COUNTY BOARD OF SUPERVISORS

MINUTES

**Hanover County Administration Building
Board Room**

May 27, 2015

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Board Room of the Hanover County Administration Building on the 27th day of May, 2015, at 6:00 p.m.

Present: Mr. Wayne T. Hazzard, Chairman
Mr. Aubrey M. Stanley, Vice-Chairman
Mrs. Angela Kelly-Wiecek
Mr. W. Canova Peterson
Mr. G.E. "Ed" Via, III
Mr. Elton J. Wade, Sr.
Mr. Cecil R. Harris, Jr., County Administrator
Mr. Sterling E. Rives, III, County Attorney

Absent: Mr. Sean M. Davis

I. Call to Order

Mr. Hazzard called the meeting to order at 6:03 p.m. All Board members were present except for Mr. Sean Davis.

- A. The invocation was given by Mr. Hazzard.
- B. The Pledge of Allegiance was led by Mr. Peterson

II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments. Hearing none, moved to citizens' time.

III. Citizens' Time

The Chairman opened citizens' time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting to come forward.

Seeing none, citizens' time was closed.

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IV. Consent Agenda

Mr. Via made a motion to approve the consent agenda, seconded by Mrs. Kelly-Wiecek.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

IV. A. – Adoption of Proclamation – Eagle Scout Patrick Daniel Elliott, Ashland Magisterial District, Troop 521

Board Sheet Background:

It is requested that the Board of Supervisors adopt the attached proclamation congratulating Patrick Daniel Elliott in attaining the rank of Eagle Scout on November 19, 2014, the highest award granted by the Boy Scouts of America.

Recommended Action:

A motion to adopt proclamation.

PROCLAMATION

WHEREAS the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910; and

WHEREAS the Boy Scouts of America was founded to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS Patrick Daniel Elliott is a resident of the Ashland Magisterial District in Hanover County, Virginia, and a senior at Hanover High School; and

WHEREAS on the 19th day of November, 2014, Patrick Daniel Elliott attained the rank of Eagle Scout, the highest award granted by the Boy Scouts of America; and

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WHEREAS to achieve this high honor Patrick Daniel Elliott carried out a community project on the frontage sign at Our Lady of Lourdes Church on Woodman Road in Henrico County, Virginia, by replacing the dusk-to-dawn lights, installing a retaining wall, and relocating shrubs; and

WHEREAS Patrick Daniel Elliott of Boy Scout Troop 521 which meets at Cool Spring Baptist Church in Mechanicsville, Virginia, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout; and

WHEREAS the Hanover County Board of Supervisors fully supports the programs of the Boy Scouts of America and recognizes the important service they provide to the youth of our Country.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors hereby extends its congratulations to Patrick Daniel Elliott and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

On motion of Mr. Via, seconded by Mrs. Kelly-Wiecek, members of the Board of Supervisors voted to adopt this Proclamation as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

IV. B. - Adoption of Proclamations – Eagle Scout Stephen Ryan Hurd, Chickahominy Magisterial District, Troop 521

Board Sheet Background:

It is requested that the Board of Supervisors adopt the attached proclamation congratulating Stephen Ryan Hurd in attaining the rank of Eagle Scout on September 24, 2014, the highest award granted by the Boy Scouts of America.

Recommended Action:

A motion to adopt proclamation.

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PROCLAMATION

WHEREAS the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910; and

WHEREAS the Boy Scouts of America was founded to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS Stephen Ryan Hurd is a resident of the Chickahominy Magisterial District in Hanover County, Virginia, and a senior at Atlee High School; and

WHEREAS on the 24th day of September, 2014, Stephen Ryan Hurd attained the rank of Eagle Scout, the highest award granted by the Boy Scouts of America; and

WHEREAS to achieve this high honor Stephen Ryan Hurd carried out a community project at the Atlee Little League complex off Whippoorwill Road in Hanover County, Virginia, by constructing a 20-foot concrete walkway and set of steps to access the storage building between Fields 5 and 6; and

WHEREAS Stephen Ryan Hurd of Boy Scout Troop 521 which meets at Cool Spring Baptist Church in Mechanicsville, Virginia, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout; and

WHEREAS the Hanover County Board of Supervisors fully supports the programs of the Boy Scouts of America and recognizes the important service they provide to the youth of our Country.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors hereby extends its congratulations to Stephen Ryan Hurd and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Via, members of the Board of Supervisors voted to adopt this Proclamation as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

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IV. C. -. Budget Supplement and Authorization of Law Enforcement Facilities Renovation (\$110,000) and Capital Transfer (\$190,000) – Asset Forfeiture Funds – Sheriff’s Office

Board Sheet Background:

The Hanover County Sheriff’s Office has received funding through the Federal Asset Forfeiture Sharing Program.

This project is to continue the renovation of the second floor of the Vaughan-Bradley Building where Emergency Communications was formerly housed. These funds will be used to renovate and remodel office space, purchase office furnishings and office equipment necessary for law enforcement operations. These funds will also draw down the remaining Attorney General Asset Forfeiture funds to supplement our vehicle purchases.

The Sheriff’s Office is requesting approval to spend \$110,000 in current year forfeiture funds to continue our Law Enforcement Facilities Renovation project.

If this request is approved, the Sheriff’s Office will have \$137,682.32 remaining in Federal Forfeiture Funds. These funds cannot be appropriated in anticipation of future collections per the following state and federal regulations: US DOJ Forfeiture Guide, Section X. *Uses of Equitable Shared Property*, A.4.b; VA DCJS Forfeited Asset Sharing Manual, Appendix H *Uses of Equitable Shared Money*; and, VA Sheriff’s Accounting Manual, Chapter 8 Forfeited Property – Best Accounting Practices. This request meets the requirements for the use of forfeiture funds.

Additionally, the FY15 appropriation for this renovation project in the current Capital Improvements Program Fund is funded by General Fund assignment. The appropriation request for \$190,000 is an accounting entry to recognize the funding in the General Fund as a pass-through to the Capital Improvements Program. There is no change in the amount or the scope of the project.

The Finance & Management Services Department concurs with this request.

Recommended Action:

Motion to approve the budget supplement and facilities renovations with Asset Forfeiture Funds in the amount of \$110,000 and the Capital Transfer of \$190,000.

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V. Presentation of Proclamation - Eagle Scout Andrew James Bock, Cold Harbor Magisterial District, Boy Scout Troop 533

Mr. Wade called Eagle Scout Bock and his family forward and presented him with the proclamation.

VI. Closed Session - Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of parcel designated as GPIN 7796-95-6346, Atlee Road Extended and Section 2.2-3711(A)(1) of the Code of Virginia - Performance Review of County Administrator and County Attorney

Mr. Stanley moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of parcel designated as GPIN 7796-95-6346, Atlee Road Extended and Section 2.2-3711(A)(1) of the Code of Virginia - Performance Review of County Administrator and County Attorney. The motion was seconded by Mr. Via.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

Board members entered Closed Session at 6:11 p.m. At the conclusion of the Closed Session, all Board members returned to the Board room, and the Chairman called the regular meeting back to order at 7:03 p.m.

Certification of Closed Session

Mr. Stanley moved that the Board of Supervisors certify that during the Closed Session only public business matters lawfully exempted from the open meeting requirement of the Freedom of Information Act and only such public business matters as were identified in the motion for the Closed Session were discussed. The motion was seconded by Mr. Via.

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	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

Mrs. Kelly-Wiecek made a motion that the Board authorize the purchase of parcel designated as GPIN 7796-95-6346 for \$145,650.00 and authorize the County Administrator to take all necessary actions to execute closing documents in a form approved by the County Attorney. The motion was seconded by Mr. Peterson.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

VII. PLANNING PUBLIC HEARINGS

C-2-98(c) - AM. 1-15 - Judith S. Cox Estate, et al., Requests an amendment to the proffers and conceptual plan approved with rezoning request C-2-98(c), Judith Ann and John J. Cox, Sr., on GPINs 8717-42-2334 and 8717-42-4438, consisting of approximately 10.36 acres, zoned AR-6(c), Agricultural Residential District with conditions, and located on the north line of Rural Point Road (State Route 643) approximately 1,200 feet west of its intersection with Georgetown Road (State Route 651) in the **Henry Magisterial District**. The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit a boundary line adjustment between two lots.

Planning Analysis:

- The applicant is proposing a boundary line adjustment between the 2 lots

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- Parcel 1 would have 4.0 acres
 - Parcel 2 would have 6.36 acres
- The existing structures meet setback requirements from the proposed lot line adjustment

Proffers:

- Conceptual Plan
- Boundary Line Adjustment
- Reservation of Right-of-Way

Recommendations:

The Planning Commission and staff recommend approval subject to the submitted proffers and conceptual plan.

Mr. David Maloney, Director of Planning, came forward to give this presentation to the Board.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

ORDINANCE C-2-98(c), AM. 1-15

Owner of Record: Estate of Judith Ann Cox, et al.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of approval of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 27th day of May, 2015, and advertised in the Hanover Herald-Progress once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by amending the original rezoning C-2-98(c), Judith Ann and John J. Cox, Sr., of the property described as GPINs 8717-42-2334 and 8717-42-4438, consisting of 10.36± acres located on the north line of

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Rural Point Road (State Route 643) approximately 1,200 feet west of its intersection with Georgetown Road (State Route 651), (a detailed description is filed with the Board’s papers) currently zoned AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on March 25, 2015, and accepted by the Board:

1. Conceptual Plan. The Property shall be divided in substantial conformity with the conceptual plan, titled “Plat Showing a Boundary Line Adjustment between GPIN 8717-42-2334 and GPIN 8717-42-4438,” dated January 27, 2015, revised March 19, 2015, and prepared by Goodfellow, Jalbert, Beard and Associates, Inc.
2. Boundary Line Adjustment. A boundary line adjustment plat, which is in substantial conformity with the Conceptual Plan, shall be recorded within six (6) months of the date of rezoning approved by the Board of Supervisors.
3. Reservation of Right-of-Way. The Owner agrees to reserve fifty (50) feet of right-of-way from the centerline of Rural Point Road (State Route 643) to the property for the future road widening.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mr. Stanley, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve C-2-98(c) - AM. 1-15 - Judith S. Cox Estate, et al., as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

C-18-14(c) - Dana A. and Thomas E. Preble, Request to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, on GPIN 7863-14-3339, consisting of approximately 8.9 acres, and located on the west line of Rocketts Mill Road (State Route 685) approximately 425 feet north of its intersection with Little Bridge Drive (private road) in the

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Beaverdam Magisterial District. The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit the creation of one additional lot for a family member for a gross density of one (1) dwelling unit per 4.45 acres.

Planning Analysis:

- The subject property is currently in violation of the Zoning Ordinance for having 2 dwellings on 1 lot
- Approval of this rezoning application would bring the property into compliance
- The applicant proposes dividing the 8.9 acre parcel into 2 lots:
 - 6.8 acres
 - 2.1 acres
- Each lot meets road frontage requirements for an individual driveway
 - Currently, both houses share a driveway

Proffers:

- Conceptual Plan
- Family Division
- Submittal and Approval of Family Division Application
- Obtaining a Certificate of Occupancy
- Reservation of Right-of-Way
- Contribution for Road Improvements

Recommendations:

The Planning Commission and staff recommend approval subject to the submitted proffers and conceptual plan.

Mr. Maloney presented the Board with this request. Following the presentation, Mr. Maloney answered questions from Board members and offered clarification on shared road access, road improvement proffers and the presence of the existing dwelling on the property.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

Dana and Thomas Preble, applicants, Beaverdam Magisterial District, came forward to offer clarification on the existing dwelling.

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Seeing no others come forward, the Chairman closed the public hearing.

ORDINANCE C-18-14(c)

Owner of Record: Dana and Thomas Preble

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of approval of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 27th day of May, 2015, and advertised in the Hanover Herald-Progress once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPIN 7863-14-3339, consisting of 8.9± acres located on the west line of Rocketts Mill Road (State Route 685) approximately 425 feet north of its intersection with Little Bridge Drive (private road), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on March 24, 2015, and accepted by the Board:

1. Conceptual Plan. The Property shall be divided in substantial conformity with the conceptual plan, titled "Exhibit Showing a Proposed Division on 8.9± acres of Land Lying on the North Line of Rockets Mill Road, Route 685, Being GPIN 7863-14-3339," dated February 12, 2015, revised and prepared by Koontz-Bryant, P.C.
2. Family Division. The Property shall only be divided for family, in accordance with Chapter 25, Division 5 of the Hanover County Code. Title to the newly created lot shall be held by the family member to whom the property was sold or given for at least five (5) years following approval of rezoning, unless the lot is the subject of an involuntary transfer caused by foreclosure, death, judicial sale, condemnation, or bankruptcy.

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3. Submittal and Approval of Family Division Application. The Property Owner shall submit a complete application for a Family Division within thirty (30) days of rezoning approval. Final approval from the Planning Department shall be obtained within thirty (30) days of submittal.
4. Certificate of Occupancy. Within thirty (30) days of approval of the Family Division, the Property Owner shall request a Certificate of Occupancy from the Building Inspections Department. A Certificate of Occupancy must be obtained within sixty (60) days of submittal.
5. Reservation of Right-of-Way. The Owner agrees to reserve twenty-five (25) feet of right-of-way from the centerline of Rocketts Mill Road (State Route 685) to the property for the future road widening.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mr. Stanley, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve C-18-14(c) - Dana A. and Thomas E. Preble, as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

C-7-91 - AM. 1-15 - (PUD) - Fundamental Golf Properties, Inc., Requests an amendment to the Planned Unit Development (PUD) Agreement and Master Plan approved with rezoning request C-7-91(PUD), Am. 2, William Thomasson, Jr. on GPIN 7841-32-2116, consisting of approximately 102.51 acres, currently zoned A-1(PUD), Agricultural District Planned Unit Development, located on the southeast quadrant of the intersection of Greenwood Church Road (State Route 657) and Cherry Hill Road (State Route 697) in the **South Anna Magisterial District**. The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed rezoning amendment would allow one (1) lot consisting of approximately 2.2 acres to be created and used for residential purposes.

Planning Analysis:

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- The original PUD Agreement for The Hollows stated that no residential parcels may be located within the area of the golf course
- The applicant is requesting an amendment to allow a residential lot within the golf course property
- The existing clubhouse on the proposed lot will either be renovated to use as a dwelling or removed to allow a new dwelling to be constructed
- A maximum of 86 lots is permitted under the PUD Agreement
 - Only 84 lots have been recorded
- The proposed 2.2 acre lot meets the 2 acre minimum lot size
- All the existing structures meet setback requirements from the proposed lot lines
- In lieu of proffers, the PUD ordinance (repealed in 2006) requires that a PUD Agreement between the county and The Hollows Corporation be executed
- The agreement details the specific requirements for the development
- The proposed amendment to the agreement revises the language to allow the requested residential lot on the golf course property

Recommendations:

The Planning Commission and staff recommend approval subject to the amended PUD Agreement and master plan.

Mr. Maloney presented the Board with this request. Following the presentation, Mr. Maloney answered questions from Board members.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

ORDINANCE C-7-91, AM. 1-15 (PUD)

Owner of Record: Fundamental Golf Properties

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of approval of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

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WHEREAS the Board of Supervisors has held public hearings on the 27th day of May, 2015, and advertised in the Hanover Herald-Progress once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended by amending the Planning Unit Development (PUD) Agreement and Master Plan approved with rezoning request C-7-91(PUD), Am. 2, William Thomasson, Jr., of the property described as GPIN 7841-32-2116, consisting of 102.51± acres located on the southeast quadrant of the intersection of Greenwood Church Road (State Route 657) and Cherry Hill Road (State Route 697), (a detailed description is filed with the Board's papers) currently zoned A-1 (PUD), Agricultural District Planned Unit Development.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mr. Hazzard, seconded by Mr. Stanley, the members of the Board of Supervisors voted to approve Ordinance C-7-91, Am. 1-15 (PUD), Fundamental Golf Properties, Inc., as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

CUP-7-08 - AM. 1-15 - Hanover Habitat for Humanity (formerly Diana L. Oakley), Requests to rescind a Conditional Use Permit that was permitted in accordance with Section 26-120.1 of the Hanover County Zoning Ordinance on GPIN 8706-12-2068, consisting of approximately 5.99 acres. The area of the Conditional Use Permit is limited to approximately 8,450 square feet. The property is zoned B-2, Community Business District, and is located on the southwest quadrant of the intersection of Chamberlayne Road (U.S. Route 301) and Atlee Road (State Route 638) in the **Chickahominy**

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Magisterial District. The subject property is designated on the General Land Use Plan Map as Commercial.

Planning Analysis:

- The previous tenant had an approved CUP (CUP-7-08, Am. 1-10, Diana Oakley) for a recreational and day care use
 - Those uses have ceased and the property vacated, but the CUP has not lapsed
- The applicant is requesting CUP-7-08 be rescinded so that it can use the subject space for its retail site

Recommendations:

The Planning Commission and staff recommend rescinding CUP-7-08, Am. 1-15, Diane Oakley as requested by the applicant

Mr. Maloney presented the Board with this request.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

RESOLUTION

WHEREAS after a public hearing held on this 27th day of May, 2015, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Bethlehem Presbyterian Church, Inc. is granted recension of a Conditional Use Permit that was permitted in accordance with Section 26-120.1 of the Hanover County Zoning Ordinance on GPIN 8706-12-2068, consisting of approximately 5.99 acres.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Wade, the members of the Board of Supervisors voted to rescind CUP-7-08 - AM. 1-15 - Hanover Habitat for Humanity (formerly Diana L. Oakley), as follows:

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	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

C-24-14(c) - Edna M. Mitchell (Sheehy Auto Stores, Inc.), Requests to rezone from A-1, Agricultural District, to B-3(c), General Business District with conditions, on GPINs 8714-99-7488 and 8714-99-5533, consisting of approximately 2.62 acres, and located at the terminus of Sujen Court (State Route 1580) approximately 650 feet north of its intersection with Mechanicsville Turnpike (U.S. Route 360) in the **Henry Magisterial District**. The subject property is designated on the General Land Use Plan Map as Commercial. The proposed zoning amendment would permit accessory vehicle storage for the adjacent automobile sales business.

Planning Analysis:

- This rezoning request will allow the site to be used for accessory vehicle storage for the adjacent automobile sales business
- The conceptual plan shows the lot screened with a 6' board-on-board fence
- Permanent hammerhead cul-de-sacs will be constructed at the terminus of both Center Avenue and Sujen Court
- Vehicles will be unloaded onsite at the Center Avenue entrance

Proffers:

- Conceptual Plan
- Use Restrictions
- Right-of-Way Dedication
- Consolidation of the Parcels or Zoning Lot Letter

Recommendations:

The Planning Commission and staff recommend approval subject to the submitted proffers and conceptual plan.

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SE-2-15 - Sheehy Auto Stores, Inc., Requests a Special Exception Permit in accordance with Section 26-336 of the Hanover County Zoning Ordinance to permit a fence taller than permitted in the front yard on GPINs 8714-99-7488 and 8714-99-5533, consisting of approximately 2.62 acres, zoned A-1, Agricultural District (B-3(c), General Business District with conditions, rezoning pending), and located at the terminus of Sujen Court (State Route 1580) approximately 650 feet north of its intersection with Mechanicsville Turnpike (U.S. Route 360) in the **Henry Magisterial District**.

Planning Analysis:

- A vehicle storage lot must be screened from adjacent properties
- A 6' board-on-board screening fence is proposed to run along the perimeter of the storage lot
- This request is to permit a 6' fence along the cul-de-sacs of Center Avenue and Sujen Court, which is taller than the 4' height required for the front yard

Recommendations:

The Planning Commission and staff recommend approval subject to the conditions as outlined in the staff report.

Mr. Maloney presented the Board with both of these requests.

The Chairman opened the combined public hearing for both requests and asked that anyone who wished to speak for or against the matters come forward.

Ms. Jennifer Mullen with Roth, Dunner, Jackson, came forward to speak on behalf of the applicant and offered to answer any questions.

Seeing no others come forward, the Chairman closed the public hearing.

ORDINANCE C-24-14(c)

Owner of Record: Edna M. Mitchell and Eugene Mitchell

Contract Purchaser: Sheehy Auto Stores, Inc.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of approval of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

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WHEREAS the Board of Supervisors has held public hearings on the 27th day of May, 2015, and advertised in the Hanover Herald-Progress once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPINs 8714-99-7488 and 8714-99-5533, consisting of 2.62± acres located at the terminus of Sujen Court (State Route 1580) approximately 650 feet north of its intersection with Mechanicsville Turnpike (U.S. Route 360) (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to B-3(c), General Business District with conditions, subject to the following conditions which were proffered by the Applicant on April 8, 2015, and accepted by the Board:

1. Conceptual Plan. The property shall be developed in substantial conformity with the conceptual plan ("the Plan") attached titled "Sheehy Nissan Vehicle Storage Lot Expansion," dated January 5, 2015, last revised April 3, 2015, and prepared by Balzer & Associates.
2. Use Restrictions. Use of the property shall be limited to accessory vehicle storage.
3. Right-of-Way Dedication. The Property Owner agrees to dedicate the cul-de-sac at the terminus of Center Avenue (State Route 1367) as shown on the Plan, free of cost to the County, upon request of the County or VDOT.
4. Adjacent Property Consolidation or Zoning Lot Letter. Prior to site plan approval, the Property shall either be consolidated with GPIN 8724-09-1124 or a Zoning Lot Letter shall be executed and submitted to the Planning Department.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mr. Stanley, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve Ordinance C-24-14(c), Edna M. Mitchell (Sheehy Auto Stores), as follows:

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	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

RESOLUTION

WHEREAS after a public hearing held on this 27th day of May, 2015, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Sheehy Auto Stores, Inc., is granted a Special Exception Permit in accordance with Section 26-336 of the Hanover County Zoning Ordinance to permit a fence taller than permitted in the front yard on GPINs 8714-99-7488 and 8714-99-5533, consisting of approximately 2.62 acres, zoned A-1, Agricultural District (B-3(c), General Business District with conditions, rezoning pending), and located at the terminus of Sujen Court (State Route 1580) approximately 650 feet north of its intersection with Mechanicsville Turnpike.

On motion of Mr. Stanley, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-2-15 - Sheehy Auto Stores, Inc., as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

VIII. Announcements

There were no announcements.

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IX. Adjournment

At 7:23 p.m. the Chairman adjourned the meeting to June 10, 2015 – Hanover County Administration Building – 2:00 p.m.



Chairman