

September 11, 2006

At a joint public hearing of the Prince Edward County Board of Supervisors and Planning Commission held in the Circuit Court Room of the Courthouse Building on Monday, the 11th day of September 2006, at 7:00 p.m., there were present:

Board of Supervisors

William G. Fore, Jr., Chairman
Pattie Cooper-Jones
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Lacy B. Ward

Planning Commission

W. W. Porterfield, Chairman
Samuel Coleman, Vice-Chairman
S. Garland Carmichael
Donald Gilliam
Jack Leatherwood
Thomas M. Pairet
Clem Richards
Mattie P. Wiley

Also present: Mildred B. Hampton, County Administrator; and Jonathan L. Pickett, Director of Planning and Community Development.

Absent: Supervisor Howard F. Simpson and Planning Commissioner Raymond E. Ligon.

Chairman Fore called the Board of Supervisors to order as a reconvened meeting from September 7, 2006.

Dr. Porterfield called the Planning Commission to order.

In Re: Public Hearing - Prince Edward County Zoning Ordinance

Chairman Fore announced that this was the date and time scheduled for a joint public hearing on proposed changes to the Prince Edward County Zoning Ordinance, notice of which was advertised in the August 25, 2006 and September 1, 2006 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward; and mailed to every property owner outside the corporate limits of the Town of Farmville. He welcomed the approximate 150 persons who were in attendance and turned the meeting over to Dr. W. W. Porterfield, Chairman of the Planning Commission, to offer opening remarks.

Dr. Porterfield explained that the purpose of the meeting was to hear comments from the public with regard to the proposed zoning ordinance. The County's original zoning ordinance was adopted in 1989 and has been amended several times. Dr. Porterfield advised that the State requires every county to have a comprehensive plan and to revise its plan every five years. Working in conjunction with the Board

of Supervisors, the Planning Commission conducted a thorough review of Prince Edward's Comprehensive Plan prior to adopting a revised version in October 2005. The purpose of the zoning ordinance is to implement the land use patterns defined in the comprehensive plan.

In highlighting changes in the new ordinance, Dr. Porterfield advised that it allows for conditional zoning in heavily populated areas whereby the County can request proffers from developers to construct roads, public utilities, etc. It also provides for the rezoning of areas for a specific commercial use. He indicated that in addressing the loss of open space throughout the County, the existing General Agricultural District had been divided into two districts—Agricultural Conservation and Agricultural Residential. The Agricultural Conservation District includes approximately 85% of the County and encompasses the area south of Worsham, east of the Bush River, and west of Buffalo Creek. The minimum lot size in the Agricultural Conservation District is five acres, with a provision for smaller lot sizes for cluster development when a developer can permanently maintain at least 40% of the property in open space. The Agricultural Residential District encourages residential development near the Town of Farmville and in areas where public sewer is available. Developments involving multiple buildings, such as planned communities and mobile home parks, will require the establishment of rezoning.

Following Dr. Porterfield's remarks, the floor was opened for public comment.

Members of the Garland and Fariss families requested that their entire properties be zoned commercial. Both properties are located just north of the 460 bypass and are included in the 300' commercial zone that extends along the Route 15 South corridor.

Board and Commission members also heard a request from Mr. Charles Lindsay to change the proposed zoning of the property on which his sawmill is located from Agricultural Residential to General Industrial. The sawmill is in the vicinity of Dowdy's Corner. Mr. Lindsay indicated he wished to protect the future of his business, and felt persons looking to purchase a building lot in the area should have the advantage of knowing about the existing industry.

Mrs. Evelyn Mavins, Mr. Brian Ritchie and Mr. Jack Houghton, all residents of Crestview Subdivision, requested a change in the 300' commercial district that runs along the Route 15 South corridor and extends into the residential neighborhood. They asked that the commercial district boundary be moved east of Peery Drive and in line with other commercial development in the area.

Mr. L. D. Phaup, representing Hampden-Sydney College, advised that the College had recently acquired several tracts of land. He asked that those properties, as well as several others located between Routes 133 and 15, be included in the College Residential District. Mr. Phaup indicated that some of the properties were currently being used for academic studies, and that all were considered by Hampden-Sydney to be core campus properties.

Mr. Ralph Hines asked that the Away-at-Briery Subdivision, located off Route 15 South, be zoned General Residential. The properties referenced include Tax Map #78A-1-1 through 78A-1-44.

Several citizens asked direct questions concerning how the zoning would affect their individual properties. Chairman Fore invited each of them to contact Mr. Pickett for a specific response to their questions.

The remaining speakers voiced opposition to the lot size, road frontage, setback and side yard requirements in the proposed zoning. Several noted plans to divide their property among their children or grandchildren, indicating that if the proposed requirements were imposed it would prevent them from doing so. Realtors Chuck Benhoff and Dempsey Jones expressed concern that language in the proposed ordinance would take away the rights of landowners, and feared that the regulations and restrictions would increase lot values beyond the means of many County residents. They also questioned the need for VDOT approved entrances, and changes in uses that are now permitted but would require a special use permit under the new ordinance.

Two speakers indicated they had moved to the area to escape large development and would have to trust the Board of Supervisors to enact an ordinance that would be fair to all residents of the County regardless of their social or economic status.

The general consensus of the citizens was that the ordinance, as written, was inappropriate for Prince Edward County, and that major revisions were needed with input from the public.

Following the comment period, Dr. Porterfield advised that the Planning Commission would consider all remarks in making recommendations to the Board of Supervisors. The Board will have the final authority in adopting the ordinance. Citizens asked if a second public hearing would be held once the Planning Commission's recommendations were finalized. They expressed concern that without a second public hearing, residents would not have an opportunity to address the final draft. Supervisor Gilfillan

asked that a legal opinion with regard to a second hearing be provided to the Supervisors during the regularly scheduled meeting on September 12, 2006.

On motion of Mr. Moore and adopted by the following vote:

Aye:	William G. Fore, Jr.	Nay:	None
	Pattie Cooper-Jones		
	Sally W. Gilfillan		
	Robert M. Jones		
	Charles W. McKay		
	James C. Moore		
	Lacy B. Ward		

the meeting was adjourned at 9:55 p.m., subject to the call of the Chairman on such date as may be determined by him.