

PRINCE EDWARD COUNTY  
PLANNING COMMISSION  
March 17, 2015

AGENDA

- 7:00 p.m.
1. Chairman Townsend will call the March meeting to order.
  2. Approval of the Minutes: February 24, 2015 at 7:30 p.m.
  3. Public Hearing: Special Use Permit-Executive Inn
  4. Review Board of Supervisors Actions
  5. Old Business
  6. New Business

Next Meeting: April 21, 2015 at 7:00 p.m.







Aye: Preston C. Hunt  
Mark Jenkins  
Clifford Jack Leatherwood  
Chris Mason  
John "Jack" W. Peery, Jr.  
John Prengaman  
John Townsend, III  
Cannon Watson  
Absent: Donald Gilliam  
Robert M. Jones  
Nay: (None)

**Bylaws Of  
Prince Edward County Planning Commission**

- 1) Meetings shall be held on a monthly basis, normally on the third Tuesday of the month at 7:00 P.M. in the Board of Supervisor's room. The schedule may be altered at any regularly scheduled meeting. Meetings may be cancelled due to lack of business, but the Commission shall meet at least every two months.
- 2) Additional meetings may be held at any time upon the call of the chairman, or by a majority of the members of the commission, or upon request of the Board of Supervisors following at least twenty-four hours' notice to each member of the commission.
- 3) The commission at its regular meeting in January of each year shall elect a chairman and vice-chairman. The recording secretary shall be the Director of Planning and Community Development or a designated alternate, who shall make an audiotape of the proceedings of each meeting and prepare minutes for the permanent records of the commission.
- 4) The duties and powers of the officers of the planning commission shall be as follows:
  - A. Chairman
    - Preside at all meetings of the commission.
    - Call special meetings of the commission in accordance with the bylaws.
    - Sign documents of the commission.
    - See that all actions of the commission are properly taken.
  - B. Vice-Chairman

During the absence, disability, or disqualification of the chairman, the vice-chairman shall exercise or perform all duties and be subject to all the responsibilities of the chairman.
  - C. Recording Secretary
    - Prepare an audiotape of the proceedings of each meeting of the commission.

- Prepare minutes from the audiotape of each meeting in detail sufficient to include the tenor of public comments and the commission's reasoning underlying each decision or recommendation.
  - Circulate a copy of the minutes to each member of the commission before the next meeting.
  - Prepare the agenda for all commission meetings.
  - Be custodian of commission records.
  - Inform the commission of correspondence relating to business of the commission and attend to such correspondence.
  - Handle funds allocated to the commission in accordance with its directives, state law, and county ordinances.
  - Sign official documents of the commission.
- 5) All maps, plats, site plans, and other materials submitted to the commission shall be filed in the office of the Director of Planning and Community Development and maintained for public access until the project to which they relate has been completed or vacated. Minutes of the commission's meetings shall be permanently filed in the office of the planner and maintained for public access.
- 6) Matters referred to the commission by the Board of Supervisors shall be placed on the calendar for consideration and possible action at the first meeting of the commission after the referral and appropriate public notification.
- 7) A majority of the members of the commission shall constitute a quorum for the transaction of business, but no quorum shall be required for informational meetings at which no action is to be taken.
- 8) Reconsideration of any decision of the commission may be taken when the interested party for such reconsideration makes a showing satisfactory to the chairman that, without fault or deliberate omission on his own part, essential facts were not presented to the chairman.
- 9) Roberts Rules of Order for Committees shall govern the commission's proceedings in all cases not specifically ordered by these bylaws.
- 10) Order of consideration of agenda items in a public hearing:
- Director of Planning and Community Development or other staff member presents report including summary of all comments (written, electronic and verbal) received from interested parties and makes a recommendation.
  - Commission members may question the staff member on the presentation.
  - Proponent(s) of the agenda item make presentations as appropriate.
  - Opponent(s) of the agenda item make presentations as appropriate.
  - Applicant make rebuttal of objections not previously covered.
  - Commission members may question applicant, proponents, or opponents or may offer comments on the agenda item.
  - Commission may opt to gather additional information about the matter and take action at a future meeting, or vote on recommendation, whether approving or denying request, to Board of Supervisors.

- 11) Any member of the commission who has any personal or financial interest in any matter before the commission shall declare the nature of that interest and shall if the interest constitutes a legal conflict of interest by Virginia law recuse him/herself from the deliberations on that matter, including lobbying other members, participating in the discussions, or voting on the matter. In cases where the interests do not raise to the level of legal conflict of interest by Virginia law, a member may voluntarily recuse him/herself in the interest of avoiding the appearance of conflict. All commission members shall be sensitive to the importance of impartiality and shall endeavor to always avoid any actual or appearance of conflict of interest.
- 12) Each member of the commission who has knowledge that he/she will be unable to attend a scheduled meeting of the commission shall notify the County Administrator's office at the earliest opportunity. The Director of Planning and Community Development shall notify the chairman if projected absences will produce a lack of quorum. Members who are absent from three consecutive meetings, or who are absent from more than half of the commission's meetings during a calendar year, will be referred to the Prince Edward County Board of Supervisors for possible replacement.
- 13) The vice-chairman shall succeed the chairman if he vacates his office before his term is completed. A new vice-chairman shall be elected at the next regular meeting.
- 14) These bylaws may be recommended for amendment at any meeting having a quorum present by a majority vote, provided that notice of such proposed amendment has been given to each member in writing at least two weeks prior to its consideration. If recommended for approval, proposed amendments must then be adopted by the Board of Supervisors before becoming effective.
- 15) Planning Commission members are strongly encouraged to attend a Virginia Certified Planning Commissioner's Training Program within two years of their appointment to the Planning Commission. This certification course will provide a basic foundation of planning law, history, and technical expertise needed by planning commissioners to maximize their competency and ability to render legally defensible decisions and recommendations. Costs associated with the program will normally be paid by Prince Edward County.

**Approval of Minutes: December 16, 2014:**

Chairman Townsend requested any changes or corrections be made known. Commissioner Mason stated in the "New Business" section, the location of the bridge project is on Lockett Road Bridge over Sailor's Creek.

Chairman Townsend made a motion to approve the December 16, 2014 minutes as corrected; the motion carried:

Aye: Preston C. Hunt  
Mark Jenkins  
Clifford Jack Leatherwood  
Chris Mason  
John “Jack” W. Peery, Jr.  
John Prengaman  
John Townsend, III  
Cannon Watson  
Absent: Donald Gilliam  
Robert M. Jones  
Nay: (None)

**Review of Board of Supervisors Actions**

Mr. Bartlett reported the following items:

- the Board of Supervisors appointed Sam Coleman to the Board of Zoning Appeals. He will replace Mr. Garnett. Per Section 15.2-2308 of the *Code of Virginia* “members of the BZA shall hold no other public office ...” Mr. Garnett serves on the Piedmont Regional Jail Board, and could not also serve on the BZA.
- the Board voted to approve the dissolution of the RC&D Council.
- The Board authorized the preparation of an Enterprise Zone Boundary Amendment. This will include an application period, a public hearing and submission of any changes to the Department of Housing and Community Development (DHCD). Mr. Bartlett stated the focus will be west on the Route 460 Corridor.

Mr. Bartlett introduced Mr. Robert “Rob” Fowler; the new Director of Planning and Community Development has 27 years’ experience and began on January 5, 2015.

Mr. Fowler said he worked in the Hampton area for 11 years and in Lynchburg for 16 years, and looks forward to working with the Commissioners and Prince Edward County.

**Old Business**

Commissioner Mason requested the new contact list. Discussion followed.

**New Business**

Chairman Townsend the sign ordinance was just completed. Mr. Bartlett stated issues have been found with the sign ordinance and it may need to be revisited. Chairman Townsend stated work was coming up on the subdivision ordinance, coordinated with VDOT. The family subdivision ordinance was worked on and may have been included in the main Subdivision Ordinance; nothing was included except to say that



a family subdivision may be done. Mr. Bartlett stated that in the Zoning Ordinance, the family subdivision is exempt, but it is vague and needs to be better defined.

Mr. Bartlett stated the County staff will have more man-hours available to complete various projects. It is the recommendation of the County Staff that the Planning Commission discuss work items that the Commission would like to see accomplished in the next year. Discussion followed regarding the following:

- Review the zoning ordinance to determine if additional amendments or additions are necessary
- Reprinting the zoning ordinance to include all past changes and amendments
- Definition of Conforming Lots
- Distribution of the updated Comprehensive Plan to all members

### **Correspondence / Informational**

Mr. Bartlett reviewed HB1849, which proposes to make substantial changes to the approval of variances by changing the definition of “variance.” The bill is complex and makes major changes to the standards for granting zoning variances, which is a process that has been clarified by years of case law. This bill will make it easier to obtain a variance and changes the rules and procedures for local staff interacting with the Board of Zoning Appeals (BZA). When an applicant has an application for a variance or an appeal of a zoning administrator’s decision, the “non-legal staff” of the locality and the applicant may not talk with BZA members about the matter without the applicant being there. If this rule is violated, the information must be conveyed to the other party; the restriction does not apply to the lawyers for the locality or board. Mr. Bartlett said it still states the burden of proof is on the applicant; he added there is a lot of case law. He added he will advise the Planning Commission of the final outcome.

### **Sandy River Outdoor Adventure, LLC**

Mr. Bartlett reported staff has received concerns about the operation of Sandy River Outdoor Adventures, LLC, located at 185 Monroe Church Road, Rice, (Tax Map #53-A-27C), regarding compliance with the operating hours and conditions approved by the Board of Supervisors on January 17, 2012. April 10, 2012.

Mr. Bartlett reported staff has reviewed materials concerning these issues. Complaints have been focused on two items: 1) Operating past the approved hours of operation and 2) Operating outside the approved “season.”

Mr. Bartlett stated when the Board of Supervisors approved the Special Use Permit, they approved the use per the Planning Commission’s recommendation. One condition imposed stated “the hours of operation will be adhered to per the proposed hours.” The proposal stated the hours would be from 8:00 a.m. – 5:00 p.m. but added, “Special hours by appointment for groups (e.g. birthday parties, church events, college clubs).” After review by the County Attorney, the County was informed that due to this sentence, the business could operate at any time except at night.

Mr. Bartlett stated the season was discussed by the Board of Supervisors and Mr. Smith made it clear the request for special hours for groups also included dates outside the proposed seasons. The Board of Supervisors agreed to this provided the hours were between 8:00 a.m. – 5:00 p.m.

Mr. Bartlett recommended staff send a letter to address the citizen's complaints specifying the Board of Supervisors' actions, authorizing the Sandy River Outdoor Adventure, LLC to operate with groups outside of the regularly scheduled hours.

After some discussion, Chairman Townsend stated that once the Planning Commission has made its recommendation and the Board of Supervisors has taken action to approve or disapprove a special use permit, it is up to County staff to ensure compliance. Staff takes the complaint, determines the steps necessary, and if necessary, go to court. Mr. Bartlett stated a letter will be drafted and sent to the complainant.

Mark and Candace Smith, owners of Sandy River Outdoor Adventure, LLC, were present and provided an overview of their park and the activities it offers. Mr. Smith added the business has promoted tourism in Farmville and Prince Edward County as a whole, and currently employs six full-time employees and eight part-time employees and interns. He added there have been no serious injuries; all staff is trained in CPR and First Aid, with yearly site specific training and rescue procedures.

Chairman Townsend reminded the Commission that the next meeting will be held Tuesday, March 17, 2015 at 7:00 p.m.

Chairman Townsend declared the meeting adjourned at 8:28 p.m.

**Next Meeting:                    March 17, 2015 at 7:00 p.m.**



County of Prince Edward  
Planning Commission  
Agenda Summary

Meeting Date: March 17, 2015  
Item No.: 3  
Department: Planning Commission  
Staff Contact: Rob Fowler  
Issue: Special Use Permit-Executive Inn

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**Summary:**

The County has received a special use permit application to permit the installation of one internally lighted free standing sign and two internally lighted wall signs located at 4070 W. Third Street on tax map parcel 22-A-72A owned by N & N of Virginia, Inc.

The free standing sign will be approximately 15' in height, a 32 square foot message board and a working neon vacancy sign. The wall sign located on the exterior wall facing State Route 15 will be a total of 32 square feet and the wall sign on the front of the building on W. Third Street will be a total of 4 square feet in area. The existing free standing and wall signs will be removed if the request is granted.

The property is currently being used as a motel which is an allowed use in the C1, General Commercial District. Section 3-104.11 of the Prince Edward County Zoning Ordinance permits internally lighted signs by Special Use Permit.

**Attachments:**

1. Public Hearing Notice
2. Original Special Use Permit Application
3. List of Adjoining owners notified of Special Use Application
4. Sample Letter Sent to Adjoining Owners
5. Minutes from the Planning Commission public hearing on February 24, 2015.

**Recommendations:**

The Planning Commission will wish to hold the public hearing and render a decision concerning the Special Use Permit

Motion \_\_\_\_\_  
Second \_\_\_\_\_  
Pregaman \_\_\_\_\_

Mason \_\_\_\_\_  
Townsend \_\_\_\_\_  
Jenkins \_\_\_\_\_

Hunt \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Leatherwood \_\_\_\_\_

Jones \_\_\_\_\_  
Watson \_\_\_\_\_  
Peery \_\_\_\_\_

BOARD OF SUPERVISORS

HOWARD F. SIMPSON  
CHAIRMAN

PATTIE COOPER-JONES  
VICE CHAIRMAN

CALVIN L. GRAY  
ROBERT M. JONES  
CHARLES W. MCKAY  
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JERRY R. TOWNSEND  
JAMES R. WILCK



COUNTY ADMINISTRATOR  
W.W. BARTLETT

POST OFFICE BOX 382  
FARMVILLE, VA 23901

(434) 392-8837 VOICE  
(434) 392-6683 FAX

WBARTLETT@CO.PRINCE-EDWARD.VA.US

**COUNTY OF PRINCE EDWARD, VIRGINIA**

February 25, 2015

RE: Special Use Permit Application at 4070 W. Third Street

To Whom It May Concern:

The Prince Edward County Planning Commission has scheduled a Public Hearing on Tuesday, March 17, 2015 at 7:00 p.m. to consider a Special Use Permit Application by Coy Garris. The Planning Commission meeting will be held in the Board Room on the Third Floor of the Prince Edward County Courthouse. A public hearing gives the Planning Commission the opportunity to gather citizen input prior to considering the special use request.

This Special Use Permit application is a request to install one internally lighted freestanding sign and two internally lighted wall signs for the Executive Inn located at 4070 W. Third Street, identified as Tax Map Parcel 22-A-72A. This request is a use that is allowed in the C1, General Commercial District by a Special Use Permit.

You are receiving this notice because you own land adjacent to this parcel. The Special Use Permit application is available for review in the Prince Edward County Department of Planning and Community Development and on the county web page at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us). If you have any questions about this meeting or the permit application, I encourage you to contact me by calling 434-392-8837 or electronically at [rfowler@co.prince-edward.va.us](mailto:rfowler@co.prince-edward.va.us)

Sincerely,

Robert S. Fowler  
Director  
Planning and Community Development

PRINCE EDWARD COUNTY BOARD OF SUPERVISORS

MISSION STATEMENT

TO REPRESENT ALL CITIZENS, PROVIDE LEADERSHIP, CREATE VISION AND SET POLICY TO ACCOMPLISH EFFECTIVE CHANGE, PLANNED GROWTH AND PROVIDE ESSENTIAL SERVICES WHILE MAINTAINING AND ENHANCING THE QUALITY OF LIFE IN PRINCE EDWARD COUNTY.



March 2, 2015

Please publish the following public hearing notice in THE FARMVILLE HERALD on Wednesday, March 4, 2015 and Wednesday, March 11, 2015.

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#### Notice of Public Hearing

The Prince Edward County Planning Commission will hold a public hearing on Tuesday, March 17, 2015 at 7:00 p.m. in the Board of Supervisors Room located on the 3<sup>rd</sup> floor of the Prince Edward County Courthouse, 111 South Street, Farmville, Virginia, to receive citizen input prior to the Planning Commission making recommendations to the Board of Supervisors on the following:

- 1) Request by Coy Garris for a Special Use Permit to install one internally lighted free standing sign and two internally lighted wall signs which will replace the existing signs on property identified as Tax Map Parcel 22-A-72A, located at 4070 W. Third Street, Farmville, VA, commonly known as The Executive Inn. This is a C1, General Commercial District.

A complete copy of the Special Use Permit application is available for public review in the office of the Prince Edward County Administrator, 111 South Street, 3<sup>rd</sup> Floor, Farmville, VA, or on the county website at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us). It is the County's intent to comply with the Americans with Disabilities Act. Should you need special accommodations, please contact W. W. Bartlett, County Administrator at 434-392-8837.

By Order of the Planning Commission  
of Prince Edward County, Virginia

4070 W. 3RD

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERMIT/APPLICATION NO \_\_\_\_\_  
ZONING DISTRICT \_\_\_\_\_  
MAGISTERIAL DISTRICT \_\_\_\_\_  
DATE SUBMITTED \_\_\_\_\_

*Dipak Patel  
Phone # 547-8745  
owner*

**County of Prince Edward**

PLEASE PRINT OR TYPE

**PRINCE EDWARD COUNTY APPLICATION  
FOR SPECIAL USE PERMIT**

TO: PRINCE EDWARD COUNTY PLANNING COMMISSION      SPECIAL EXCEPTION REQUESTED:  
VIA: ZONING ADMINISTRATOR

The undersigned owner of the following described property hereby applies for a Special Use permit as provided in Section 5-124 of Article V, Site Plan requirements are found in Section 4-100 of Article IV Development Standards of the Zoning Ordinance of Prince Edward County, Virginia.

Applicant's Name: Coy Garris  
Applicant's Address: 4250 Pierce Rd Powhatan Va 23139  
Applicant's Telephone Number: 540 398 6150

Present Land Use: Remove old signs install new ones

Legal Description of Property with Deed Book and Page No. or Instrument No. \_\_\_\_\_

Tax Map # 22-A-72A      Acreage: 2.00

Narrative statement evaluating effects on adjoining properties (noise, odor, dust, fumes, etc.): (Attach additional sheet if necessary.)  
Improvement of Property (Sign, with Internal LED Lights) at EXECUTIVE INN (MGM of Virginia, Inc) 4070 W. 3rd St Farmville VA 23901      *1 FREE STALLING 2 WALL SIGNS*

Statement of general compatibility with adjacent and other properties in the zoning district. (Attach additional sheet if necessary.) \_\_\_\_\_

Height of Principal Building (s): Feet 30'      Stories 1

APPLICANT'S STATEMENT: (if not owner(s) of property):

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Prince Edward County Zoning Ordinance as written and also with the description contained in this permit application.

Coy Garris      1-22-15  
Signature of Applicant (if not property owner)      Date

PROPERTY OWNER(S) STATEMENT:

I hereby certify that I/We own the above described property, that the information given is complete and correct to the best of my knowledge, and the above person(s), group, corporation, or agent has the full and complete permission of the undersigned owner(s) to make application for a Conditional Use permit as set forth in the Prince Edward County Zoning Ordinance as written.

Don McTier      2/5/15  
Signature of Property Owner(s)      Date

\_\_\_\_\_  
Signature of Property Owner(s)      Date

\_\_\_\_\_  
Signature of Property Owner(s)      Date

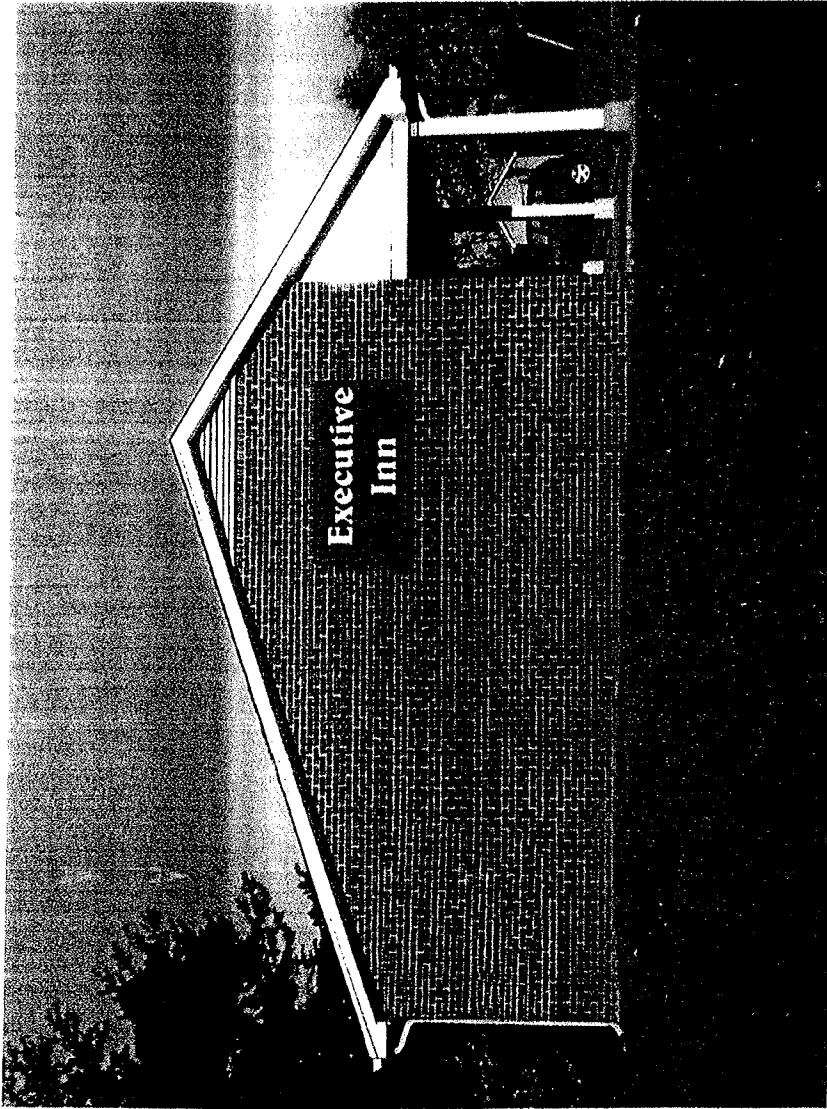
NOTE: THIS PERMIT APPLICATION IS NOT VALID UNLESS ALL PROPERTY OWNER(S) SIGNATURES ARE AFFIXED AND DATED. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Application Fee \$300.00      Fee Received by \_\_\_\_\_      Date \_\_\_\_\_

The above mentioned application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted.

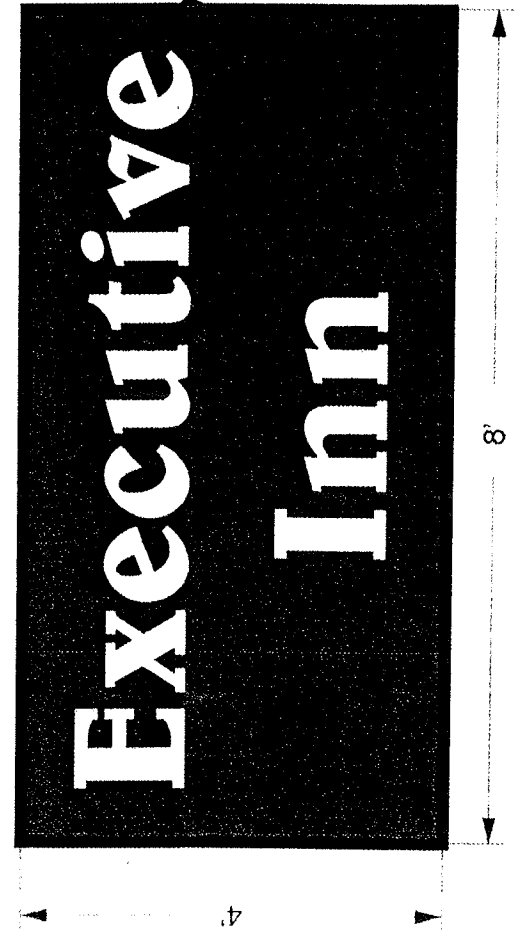
All checks for payment should be made payable to: Treasurer, Prince Edward County, Virginia.

Mail to: Department of Planning &  
Community Development  
P. O. Box 382  
Farmville, VA 23901  
(434) 392-8837



2 retainers

32



		Light box sign, illuminated with LED	Approved by:		
	DESIGNER: Mav/ud DATE: 9/29/2014		Date of Approval:		

32

4070 W. 3rd Str. Farmville, VA 23901

Building sign

New sign

Existing sign

26'  
37'

695

FR





48

OFFICE

12"

48"

**Ganis Signs**  
10000 W. 10th Ave. Suite 100  
Denver, CO 80231  
Call: (800) 535-0150

**R. FULL SERVICE SIGN SHOP**

**LED SIGN SPECIALISTS**

Light box sign,  
illuminated with LED.

Approved by: \_\_\_\_\_  
Date of Approval: \_\_\_\_\_

DESIGNER: *Mamlud*  
DATE: 11/20/2014

UL LISTED

h 8 401



240 Wilson Rd., Rockledge, FL 32955  
 Phone: (888) 398-0150  
 Fax: (888) 398-0684  
 Email: GarrisSigns@gmail.com

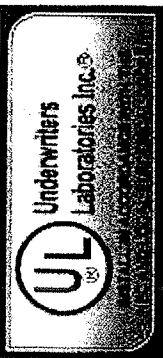
**A FULL SERVICE SIGN SHOP**  
**SPECIALISTS**

Pylon sign.  
 illuminated with LED  
 with working  
 NO VACANCY sign.

Approved by:

Date of Approval:

This is the original and unpublished property  
 of Garris Signs and may not be copied,  
 duplicated or exhibited in any way without  
 written approval of Garris Signs.



110 sq ft 82 sq ft

4" ROWS

Prince Edward County  
Special Use Permit

Applicant: Coy Garris  
4250 Pierce Road  
Powhatan, VA 23139

Date: March 3, 2015

**Schedule B**

List of property owners and mailing addresses adjoin the parcel proposed for Special Use.

The Greek alphabet

Parcel ID	Owner	Address	Note
022-A-7 022-A-8	Chauncey & Irene Stokes	123 Sheppards Road Farmville, VA 23901	
022-A-9	David & Robyn Simpson	P.O. Box M Farmville, VA 23901	
022-A-72	Lindsay Hardwoods, Inc.	P.O. Box 343 Farmville, VA 23901	
022-A-70D	Vicki Terry-Rundstrom	185 Moomba Lake Road Farmville, VA 23901	
022-A-71	Piedmont Alcohol Safety Action	P.O. Box 442 Farmville, VA 23901	
022-A-49	Zaki & Mohammad Homayoon	1812 Woodland Trail Farmville, VA 23901	
022-A-48	Jonathan Voitko	201 Brickett Road Farmville, VA 23901	
022-A-50	Sam Scott	880 Piedmont Drive SE Winter Haven, FL 33880	
022-A-52	MKR Investments, Inc.	3931 Third Street Farmville, VA 23901	
022C-A-7 022C-A-7A 022-A-8	Frances Slayton Anderson	2342 Tuggle Road Farmville, VA 23901	