

Charlotte County Planning Commission
January 28, 2020
Charlotte County Administration Office

Present:

Cornell Goldman	Clark Poindexter
Deborah Haskins	Gladys Reid
Kenny Howard	George Sandridge
Kerwin Kunath	David Watkins, II
W.V. Nichols	Eugene Wells

Absent:

Andrew Carwile

Staff & Board Representatives in Attendance:
Kay Pierantoni, Board of Supervisors Representative
Monica Elder, Assistant County Administrator

Monica Elder, staff representative, called the meeting to order at 7:00 pm and George Sandridge gave the invocation.

Motion was made by David Watkins to approve the agenda as presented. Clark Poindexter seconded the motion and the motion carried with all members present voting yes.

George Sandridge made the motion to elect Deborah Haskins as the 2020 Planning Commission Chairman. Motion was seconded by Kenny Howard. There being no additional nominations, nominations were closed and the motion carried with all members present voting yes.

The meeting was then turned over to Chairman Deborah Haskins.

Cornell Goldman made the motion to elect Clark Poindexter as First Vice-Chairman. Motion was seconded by George Sandridge. There being no additional nominations, nominations were closed and the motion carried with all members present voting yes.

Motion was made by Clark Poindexter to elect William V. Nichols as Second Vice-Chairman. Cornell Goldman seconded the motion. There being no additional nominations, nominations were closed and the motion carried with all members present voting yes.

Motion was made by Kenny Howard to elect Monica Elder as Secretary. The motion was seconded by George Sandridge. There being no additional nominations, nominations were closed and the motion carried with all members present voting yes.

Motion was made by George Sandridge to adopt Robert's Rules of Order for Small Groups amended to require a second for all motions, subject to modification from time to time by a vote of simple majority of the Commissioners in attendance, and with the following standing modification: That the Charlotte County Planning Commission in whole or as individual Commissioners, and at the discretion and approval of the Chairperson, or upon a vote of simple majority of members present, may, during the course of public meetings, solicit input

from persons other than the members present at the meetings, including posing specific questions, where such input is limited to an orderly discussion of an approved agenda item, with the order, timing and duration of such questions, discussion and input at the discretion of the chair. David Watkins seconded the motion and the motion carried with all members present voting yes.

Eugene Wells made the motion to set the regular meeting date for the fourth Tuesday of each month at the Charlotte County Administration Office with meetings beginning at 7:30 pm during daylight savings time (March through October) and all other meetings beginning at 7:00 pm. George Sandridge seconded the motion, and the motion carried with all members present voting yes.

Motion was made by Kenny Howard to approve the December 11, 2019, minutes as presented. Clark Poindexter seconded the motion and the motion carried with all members present voting yes.

No one signed up to speak during the Public Comment period.

Ms. Elder reported that the County Administrator contacted David Waldrep, Environmental Health Manager with the Virginia Department of Health, to obtain his opinion on the development of lots that did not conform to current lot size requirements and the need to limit nonconforming lots that are eligible for development under new regulations to lots that are above a certain size. Mr. Waldrep's comments were as follows:

“If the lot has been surveyed and recorded prior to the 3 acre ordinance taking effect, the owner probably has a good argument for zoning to be approved. I have no issue evaluating lots in that case and issuing a permit if it complies with Health Department regulations. There is no minimum lot size required by our regulations. The Health Department or the Private OSE evaluates the site and soil conditions to determine if sufficient area is available and required setbacks are met to install a sewage disposal system and well on the lot. The 3 acre minimum lot size does make it more manageable in most circumstances to locate a suitable site for the sewage disposal system and well. It can also be argued that reducing the density of rural development in that fashion reduces the risk to public health. Therefore, in my opinion, I feel the 3 acre minimum requirement for new lots being established is a good ordinance.”

After further discussion, Commissioners agreed by consensus that including a minimum size requirement on nonconforming lots that are eligible for development under new regulations could create additional complications. Commissioners requested a recommendation from staff. Ms. Elder recommended the Commission consider Campbell County's Section 22-8 Part B with some edits, including the incorporation of the date current lot size requirements were established and removal of the last sentence, which referenced Campbell County's codes for obtaining a variance.

Campbell County's Section 22-8 Part B

Lots of Record.

Where a lot of record at the time of enactment of the Ordinance does not contain land of sufficient area or width to permit conformity with dimensional requirements of this Ordinance, the following provision shall apply:

Any lot of record, in any district, at the time of enactment or amendment of this Ordinance which is less in area ,or width or both than the minimum required by this Ordinance may be used for a permitted use in that district, provided that setback and requirements other than those applying to area or width or both of the lot shall conform to the regulations for the district in which such lot is located. The required area for permitted uses utilizing individual water supply and/or sewage disposal systems shall be approved by the local Health Department and additional area shall be required if considered necessary for conditions encountered. Modifications pursuant to§22-26. 1 of this Code or variances for setback requirements shall be obtained through original application or upon appeal to either the Zoning Administrator or to the Board of Zoning Appeals, as provided for in Article XII herein.

After additional discussion, George Sandridge made the motion to pursue a zoning ordinance amendment to allow for the development of nonconforming lots using language from Campbell County's Code Section 22-8 B, with the inclusion of the date current lot sizes were established and removal of Campbell County's code references. Cornell Goldman seconded the motion and the motion carried with all members present voting yes.

Chairman Haskins inquired if staff had received any further information from Reuben Stoltzfus regarding his conditional use permit application for log mat assembly. Ms. Elder reported that a letter was sent to Mr. Stoltzfus stating that VDOT driveway approval was needed prior to scheduling a public hearing. However, Mr. Stoltzfus had not responded. Chairman Haskins requested that staff send a follow-up letter.

Commissioners inquired about the status of the Red House Solar I project. Ms. Elder reported that the Board of Supervisors held a work session on January 13th to discuss the project and were expected to vote on it at their February 10th meeting. She also noted that the primary concerns expressed by the Board related to the amount of the decommissioning estimate & impact fees. Supervisor Kay Pierantoni provided an overview of her concerns regarding the decommissioning estimate and the impact fee.

George Sandridge made the motion to adjourn. David Watkins seconded the motion and the motion carried with all members present voting yes.