

**AGENDA**  
**FLUVANNA COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**Circuit Court Room**  
**Fluvanna Courts Building**  
**February 27, 2013 at 7:00pm**

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**1-CALL TO ORDER, PLEDGE OF ALLEGIANCE**

**2-DIRECTOR'S REPORT**

**Ms. Allyson Finchum, Planning Director**

**E**

**3-PUBLIC COMMENTS #1 (3 minutes each)**

**4-APPROVAL OF MINUTES:**

**January 23, 2013**

**F**

**5- PUBLIC HEARINGS:**

**6-PRESENTATIONS (normally not to exceed 10-minute limitation)**

**ZMP 12:02 - Hotel Street Capital, LLC**

An ordinance to amend the Fluvanna County Zoning Map with respect to 222.0 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C (former Rivanna Resort) to rezone the subject properties from R-3 (Residential, Planned Community) with proffers to PUD (Planned Unit Development). The subject property is located within the Palmyra Election District on the western side of U.S. Route 15 (James Madison Highway) at its intersection with State Route 644 (Friendship Road), approximately 0.25 miles north of State Route 661 (Rescue Lane). The proposed amendment would allow a maximum of 1,190 residential units (a mixture of single-family detached units, townhouses, and multi-family units) and 110,000 square feet of commercial space. According to the 2009 Comprehensive Plan, the property is located within the Palmyra Community Planning Area.

**7-SITE DEVELOPMENT PLANS:**

**8-SUBDIVISIONS:**

**9-UNFINISHED BUSINESS:**

**10-NEW BUSINESS:**

**11-PUBLIC COMMENT #2 (3 minutes each)**

**12-ADJOURN**

*For the Hearing-Impaired – there is a listening device available at the Circuit Court Room upon request. TTY access number is 711 to make arrangements.*

*For persons with Disabilities – if you have special needs, please call the County Administrator's Office at 591-1910 and relay your request.*

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**Pledge of Allegiance**

I pledge allegiance to the flag  
of the United States of America  
and to the Republic for which it stands,  
one nation, under God, indivisible,  
with liberty and justice for all.

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**ORDER**

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman and/or the County Planner shall be the judge of such breaches, however, the Commission may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

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***FLUVANNA COUNTY PLANNING COMMISSION  
PUBLIC HEARING RULES OF PROCEDURE***

1. Purpose:  
The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action. A hearing is not a dialog or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. Speakers:  
Speakers should approach the lectern so they may be visible and audible to the Commission.  
Each speaker should clearly state his/her name and address.  
All Comments should be directed to Commission.  
Each speaker is limited to three minutes and time may not be donated from other audience members.  
All questions should be directed to the Chairman. Members of the Commission are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion. Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.  
Speakers with questions are encouraged to contact County staff prior to the public hearing.  
Speakers should be brief and avoid repetition of previously presented comments.  
County residents and taxpayers may be given priority in speaking order.
3. Action:  
At the conclusion of the public hearing on each item, the Chairman will close the public hearing. The Commission will proceed with its deliberations and will act on or formally postpone action on such item prior to proceeding to other agenda items. Further public comment after the public hearing has been closed generally will not be permitted.

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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

To: Fluvanna County Planning Commission  
From: Allyson Finchum, Director of Planning  
Date: February 27, 2013  
Re: Planning Director's Report

1. Board of Supervisors Actions:

February 6, 2013:

*2012 Planning Development Activity Report Presentation.*

February 20, 2013:

*None.*

2. Board of Zoning Appeals Actions:

*No February Meeting.*

3. Technical Review Committee:

February 14, 2013:

**SUP 13:01 – Amy Williams and Greg Palmer**

A request for a special use permit to operate a landscaping materials supply business with respect to 4.48 acres of Tax Map 5, Section A, Parcel 61. The property is currently zoned A-1 (Agricultural, General) and is located on the eastern side of State Route 15 (James Madison Highway) approximately 500 feet south of its intersection with State Route 250 (Richmond Road). The property is located within the Columbia Election District. According to the 2009 Comprehensive Plan, the property is within the Zion Crossroads Community Planning Area.



**FLUVANNA COUNTY BUILDING INSPECTIONS  
MONTHLY BUILDING INSPECTION REPORT  
JANUARY 2013**

USE	Jan-12	VALUE	YTD 12	VALUE	Jan-13	VALUE	YTD 13	VALUE	Jan/Diff	VALUE	YTD	
											PERMITS	VALUE
New Homes	4	600,000	4	600,000	3	533,000	3	533,000	-1	(67,000)	-1	(67,000)
Duplex	0	0	0	0	0	-	0	-	0	-	0	-
Single Family (Attached)	0	0	0	0	0	-	0	-	0	-	0	-
Adds&Alterations	20	192,200	20	192,200	28	363,007	28	363,007	8	170,807	8	170,807
Garages & Carports	0	0	0	-	0	-	0	-	0	-	0	-
Accessory Buildings	1	2,000	1	2,000	2	15,600	2	15,600	1	13,600	1	13,600
Single Wide MH	0	0	0	-	0	-	0	-	0	-	0	-
Swimming Pools	0	0	0	-	0	-	0	-	0	-	0	-
Recreational Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Business Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Industrial Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Other Buildings	1	100	1	100	0	-	0	-	-1	(100)	-1	(100)

<b>TOTALS</b>	<b>26</b>	<b>794,300</b>	<b>26</b>	<b>794,300</b>	<b>33</b>	<b>911,607</b>	<b>33</b>	<b>911,607</b>	<b>7</b>	<b>117,307</b>	<b>7</b>	<b>117,307</b>
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FEES	Jan-12	PREV TOT	YTD 12	Jan-13	PREV TOT	YTD 13	DIFFERENCE	DIFFERENCE YTD
Building Permits	5,446.67	-	5,446.67	5,284.83	0.00	5,284.83	(161.84)	(161.84)
Land Disturb Permits	2250.00	-	2,250.00	1,375.00	0.00	1,375.00	(875.00)	(875.00)
Zoning Permits/Proffers	750.00	-		700.00	0.00	700.00		
<b>TOTALS</b>	<b>8446.67</b>	<b>-</b>	<b>8,446.67</b>	<b>7,359.83</b>	<b>0.00</b>	<b>7,359.83</b>	<b>-1036.84</b>	<b>(1,036.84)</b>

INSPECTIONS	Jan-12	PREVIOUS	YTD 12	Jan-13	PREVIOUS	YTD 13		
	122	0	122	153	0	153	31	31

*Darius S. Lester*  
Building Official

( ) represents a negative

## *Monthly Approval Report for January 2013*

<i>District</i>	<i>Action</i>	<i>ID#</i>	<i>Description</i>	<i>Tax Map</i>	<i>Parcels</i>	<i>Total Acreage</i>	<i>Number of Lots</i>
<b>Columbia</b>							
	<i>Approved</i>						
		SDP 13-001	Minor Site Plan	5	(11)8A	37.858	
		SDP 13-002	Site Plan Amendment	5	(11)7B	5.038	
<b>Fork Union</b>							
	<i>Approved</i>						
		BSP 13-002	Physical Survey	51A	(A)18, 25	0	
<b>Palmyra</b>							
	<i>Approved</i>						
		SDP 12-019	Site Plan Amendment - New Building 32' x 48'	18	(A)68A	26.66	
	<i>Pending Compliance</i>						
		CCE 12-002		3	(A)-31, 32	101.59	

Tuesday, February 19, 2013

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<i>AFD - Agricultural Forestal District</i>	<i>BSP - Boundary Survey Plat</i>
<i>BZA - Board of Zoning Appeals (Variance)</i>	<i>CCE - Code Compliance Enforcement</i>
<i>CPA - Comprehensive Plan Amendment</i>	<i>SDP - Site Development Plan</i>
<i>SUB - Subdivisions</i>	<i>SUP - Special Use Permits</i>
<i>ZMP - Zoning Map Proposal (Rezoning)</i>	<i>ZTA - Zoning Text Amendment</i>

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## Code Compliance Enforcement Activity for Director's Report

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ID#	Tax Map Parcels	Reported Against	Type of Violation	Status	Status Date
<b>Cunningham</b>					
CCE 13-002	27 (17)-8 & 9	Marks, David K. & Sandra M.	Auto	1st Letter Sent	2/7/2013
CCE 13-001	29 (5)-7	Morris, Janet, Melvin & Valerie	Trash	1st Letter Sent	2/6/2013
<b>Fork Union</b>					
CCE 12-001	51A (A)22	JWS Enterprises, LLC (James W. Sherril	Misc.	1st Letter Sent	1/12/2012
<b>Palmyra</b>					
CCE 12-002	3 (A)-31, 32	JWS Enterprises, LLC (James W. Sherril	Misc.	3rd Letter Sent	1/11/2013
CCE 10-013	10 (3)-2B	Eric D. Taylor	SUPs	Awaiting Action	5/8/2012

**FLUVANNA COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Circuit Courtroom  
Fluvanna County Courts  
January 23, 2013  
7:00 p.m.**

MEMBERS PRESENT: Barry Bibb, Chairman  
Patricia Eager, Vice-Chairman  
Samuel Babbitt  
Ed Zimmer  
Joe Chesser, Board of Supervisors Representative

MEMBERS ABSENT: Donald Gaines

ALSO PRESENT: Frederick Payne, Fluvanna County Attorney  
Allyson Finchum, Planning Director  
Steven Tugwell, Senior Planner  
Lauren Ryalls, Senior Program Support Assistant

**CALL TO ORDER**

Ms. Allyson Finchum, Planning Director, called the Planning Commission meeting of January 23, 2013 to order at 7:00 p.m. in the Circuit Court room of the Fluvanna County Courts Building in Palmyra, Virginia.

**2013 Organizational Meeting of the Fluvanna County Planning Commission**

**Election of Chairman** – Ms. Finchum, Planning Director, opened the floor for nominations for the position of Chairman.

Dr. Babbitt nominated Mr. Bibb, seconded by Ms. Eager, for the position of Chairman.

VOTE COUNT: Mr. Bibb 4-0 AYES: Babbitt, Eager and Zimmer  
ABSENT: Gaines

With a unanimous vote, Mr. Bibb was **elected** Chairman.

**Election of Vice-Chairman** – Chairman Bibb opened the floor for nominations for Vice-Chairman.

Dr. Babbitt nominated Ms. Eager, seconded by Chairman Bibb, for the position of Vice-Chairman.

VOTE COUNT: Ms. Eager 4-0 AYES: Babbitt, Bibb and Zimmer  
ABSENT: Gaines

With a unanimous vote, Ms. Eager was **elected** Vice-Chairman.

**Selection of Dates for 2013** – The Planning Commission meetings will be held on the fourth Wednesday of each month with the exception of November and December due to the holidays. For the months of November and December, the meetings will be held on the third Monday of the month at 7:00 P.M.

**MOTION:**

Ms. Eager moved to **adopt** the Planning Commission 2013 regular Meeting Calendar as presented [which does not include any joint meetings or work sessions].

Dr. Babbitt seconded. The motion carried with a vote of 4-0. AYES: Babbitt, Bibb, Eager and Zimmer. NAYS: None. ABSENT: Gaines.

**Resolution of “Organizational Meeting of Fluvanna County Planning Commission 2013”** - The Planning Commission meetings will be held in the Circuit Courtroom of the Fluvanna Courts Building at 7:00pm.

**MOTION:**

Dr. Babbitt moved to **adopt** the resolution entitled “Organizational Meeting of the Fluvanna County Planning Commission 2013,” which solidifies the meeting place and the day and time of the meetings.

Mr. Zimmer seconded. The motion carried with a vote of 4-0. AYES: Babbitt, Bibb, Eager and Zimmer. NAYS: None. ABSENT: Gaines.

**Planning Commission By-Laws for 2013**

**MOTION:**

Dr. Babbitt moved to **adopt** the Fluvanna County Planning Commission By-Laws and Rules of Practice and Procedures as presented.

Mr. Zimmer seconded. The motion carried with a vote of 4-0. AYES: Babbitt, Bibb, Eager, and Zimmer. NAYS: None. ABSENT: Gaines.

### Planning Commission Regular Meeting

Chairman Bibb proceeded with the regular meeting of the Planning Commission for Wednesday, January 23, 2013.

### PLANNING DIRECTOR'S REPORT

Ms. Allyson Finchum, Planning Director, gave the monthly report to the Planning Commission.

#### ➤ **Board of Supervisors**

##### ○ **December 19, 2012**

- *Ms. Allyson Finchum appointed Zoning Administrator.*
- **SUP 12:01 – Clear Signal Towers, LLC (Kidds Store)**

**Deferred** (5-0) a request for a Special Use Permit (SUP) to allow for a 195-foot wireless communications tower with respect to 331.29 acres of Tax Map 39, Section A, Parcel 34. The property is zoned A-1 (Agricultural, General) and is located on the south side of West River Road (State Route 6) near its intersection with Rolling Road South (Route 620). The property is located in the Fork Union Election District and is within the Rural Preservation Planning Area. The property is part of the Kidds Store Agricultural and Forestal District (AFD).

##### ○ **January 2, 2013**

- *None*

##### ○ **January 16, 2013**

- *Mr. Ed Zimmer appointed to the Planning Commission (Columbia District).*

#### ➤ **Board of Zoning Appeals Actions – No January Meeting**

#### ➤ **Technical Review Committee**

##### ○ **January 10, 2013**

- **ZMP 12:02 – Hotel Street Capital, LLC**

An ordinance to amend the Fluvanna County Zoning Map with respect to 222.0 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C (former Rivanna Resort) to rezone the subject properties from R-3 (Residential, Planned Community) with proffers to PUD (Planned Unit Development). The subject property is located within the Palmyra Election District on the western side of U.S. Route 15 (James Madison Highway) at its intersection with State Route 644 (Friendship Road), approximately 0.25 miles north of State Route 661 (Rescue Lane). The proposed amendment would allow a maximum of 1,190 residential units (a mixture of single-family detached units, townhouses, and multi-family units) and 110,000 square feet of commercial space. According to the 2009 Comprehensive Plan, the property is located within the Palmyra Community Planning Area.

- **ZMP 12:03 – Southern Development**

An ordinance to amend one (1) proffer associated with ZMP 04:02 of the Fluvanna County Zoning Map with respect to 44.217 acres of Tax Map 9, Section A, Parcels 13, 14, and 14C, zoned R-3, Residential, Planned Community, District. The affected property is located at the southeast corner of Route 618 (Lake Monticello Road) and River Run Drive. The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

### PUBLIC COMMENTS #1

Chairman Bibb opened the floor for the first section of public comments.

With no one wishing to speak, Chairman Bibb closed the first section of public comments.

### APPROVAL OF MINUTES

#### MOTION:

Dr. Babbitt moved to **approve** the December 17, 2012 Planning Commission meeting minutes as presented.

Ms. Eager seconded. The motion carried with a vote of 3-0-1. AYES: Babbitt, Bibb and Eager. NAYS: None. ABSTAINED: Zimmer. ABSENT: Gaines.

### PRESENTATIONS:

**2012 Development Activity Report** – Mr. Steve Tugwell, Senior Planner, presented the 2012 Development Activity Report to the Planning Commission. The activity report shows construction activity in the County along with approvals by the Board of Supervisors, Board of Zoning Appeals, Planning Commission, Planning Department, and Department of Building Inspections. The report also shows land use comparisons and recent land use activities.

#### MOTION:

Ms. Eager moved to accept the 2012 Development Activity Report as the annual Planning Commission report.

Dr. Babbitt seconded. The motion carried with a vote of 4-0. AYES: Babbitt, Bibb, Eager and Zimmer. NAYS: None. ABSENT: Gaines.

**PUBLIC HEARINGS:**

*None*

**SITE DEVELOPMENT PLANS:**

*None*

**SUBDIVISIONS:**

*None*

**UNFINISHED BUSINESS:**

*None*

**NEW BUSINESS:**

The Planning Commission discussed the comprehensive plan and looking more in depth at the six community planning areas when reevaluating it.

**PUBLIC COMMENTS #2**

Chairman Bibb opened the floor for the second section of public comments.

With no one wishing to speak, Chairman Bibb closed the second section of public comments.

**ADJOURN**

There being no further business, Chairman Bibb adjourned the Planning Commission meeting of January 23, 2013 at 7:57 p.m.

Minutes recorded by Lauren Ryalls.

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Barry A. Bibb, Chairman  
Fluvanna County Planning Commission