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## FLUVANNA COUNTY PLANNING COMMISSION

### REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building  
December 22, 2014, at 7:00 pm

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TAB	AGENDA ITEMS
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<b>1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE</b>
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<b>2 - DIRECTOR'S REPORT</b>
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A Mr. Jason Stewart, Planning and Zoning Administrator
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<b>3 - PUBLIC COMMENTS #1 (3 minutes each)</b>
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<b>4 - APPROVAL OF MINUTES</b>
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B Minutes of November 24, 2014
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<b>5 - PRESENTATIONS</b>
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<b>6 – SITE DEVELOPMENT PLANS</b>
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<b>7 - SUBDIVISIONS</b>
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<b>8 – PUBLIC HEARINGS</b>
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<b>9 - UNFINISHED BUSINESS</b>
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Comprehensive Plan Review Discussion – Continued discussion of Goals and Objectives for all chapters.
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<b>10 - NEW BUSINESS</b>
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Discussion of the Work Session Schedule for 2015
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<b>11 - PUBLIC COMMENTS #2 (3 minutes each)</b>
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<b>12 - ADJOURN</b>
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Planning/Zoning Administrator Review

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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: Jason Stewart, AICP  
Date: December 16, 2014  
Re: Planning Director's Report

1. Board of Supervisors Actions:

December 3, 2014:

None.

December 17, 2014:

**ZMP 14:03 – I&J Homebuilders, LLC** - An ordinance to amend the Fluvanna County Zoning Map with respect to 30.47 acres of Tax Map 9, Section A, Parcels 11, 11B, 11F, and 11G to rezone the same from A-1, Agricultural, General to R-3, Residential, Planned Community. The affected property is located on the south side of Lake Monticello Road (Route 618), approximately 1 ½ miles northwest of its intersection with South Boston Road (Route 600). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

2. Board of Zoning Appeals Actions:

December 2, 2014:

**(Deferred until January 13, 2015)**

**BZA 14:02 – JWS Enterprises LLC**: An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and 22-4-2.1, 22-4-2.2 and 22-22-1 at the property located at Tax Map parcels 3 (A) 31 & 32. The affected property is located in the Palmyra Election District northeast of Union Mills Road on Route 16. The subject property is zoned A-1, Agricultural, General.

**(Deferred until January 13, 2015)**

**BZA 14:03 – JWS Enterprises LLC**: An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and Section 22-17-9 at the property located at Tax Map parcels 51A-A-22. The affected subject property is located in Fork Union Election District at 4985 James Madison Highway Fork Union, VA 23055. The subject property is zoned B-1, Business, General and is located in the Fork Union Community Planning Area.

3. Technical Review Committee:

*December 11, 2014:*

**ZMP 14:04 – Green Springs Timber, LLC** - An ordinance to amend the Fluvanna County Zoning Map with respect to 24.19 acres of Tax Map 5, Section 11, Parcel L5A to rezone the same from A-1, Agricultural, General to I-2, Industrial, General. The affected property is located on the east side of James Madison Highway (Route 15), at the terminus of Cedar Bend Drive, approximately 700 feet southeast of the intersection of Richmond Road (Route 250) and James Madison Highway (Route 15). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.



**FLUVANNA COUNTY BUILDING INSPECTIONS  
MONTHLY BUILDING INSPECTION REPORT  
NOVEMBER 2014**

USE	Nov-13	VALUE	YTD 13	VALUE	Nov-14	VALUE	YTD 14	VALUE	Nov/Diff	VALUE	YTD	
											PERMITS	VALUE
New Homes	3	730,000	70	13,306,483	4	558,180	78	14,803,298	1	(171,820)	8	1,496,815
Duplex	0	0	0	0	0	-	0	-	0	-	0	-
Single Family (Attached)	0	0	12	1,800,000	2	450,000	8	1,200,000	2	450,000	-4	(600,000)
Adds&Alterations	36	265,728	272	3,456,106	25	348,500	277	3,018,100	-11	82,772	5	(438,006)
Garages & Carports	1	15,000	15	463,740	1	5,000	8	438,500	0	(10,000)	-7	(25,240)
Accessory Buildings	0	0	15	371,880	0	-	10	137,800	0	-	-5	(234,080)
Single Wide MH	0	0	2	39,000	0	-	4	113,312	0	-	2	74,312
Swimming Pools	0	0	5	121,600	0	-	3	63,674	0	-	-2	(57,926)
Recreational Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Business Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Industrial Bldgs	0	0	1	50,000	0	-	0	-	0	-	-1	(50,000)
Other Buildings	1	80,000	10	653,905	1	100,000	4	1,643,385	0	20,000	-6	989,480
<b>TOTALS</b>	<b>41</b>	<b>1,090,728</b>	<b>402</b>	<b>20,262,714</b>	<b>33</b>	<b>1,461,680</b>	<b>392</b>	<b>21,418,069</b>	<b>-8</b>	<b>370,952</b>	<b>-10</b>	<b>1,155,355</b>

FEES	Nov-13	PREV TOT	YTD 13	Nov-14	PREV TOT	YTD 14	DIFFERENCE	DIFFERENCE YTD
Building Permits	\$ 5,011.09	94,154.01	99,165.10	\$ 9,739.50	\$ 103,657.97	\$ 113,397.47	4,728.41	14,232.37
Land Disturb Permits	\$ 1,250.00	24,887.50	26,137.50	\$ 2,450.00	\$ 26,912.50	\$ 29,362.50	1,200.00	3,225.00
Zoning Permits/Proffers	\$ 750.00	39,050.00	39,800.00	\$ 950.00	\$ 44,450.00	\$ 45,400.00	200.00	5,600.00
<b>TOTALS</b>	<b>\$ 7,011.09</b>	<b>158,091.51</b>	<b>165,102.60</b>	<b>\$ 13,139.50</b>	<b>\$ 175,020.47</b>	<b>\$ 188,159.97</b>	<b>\$ 6,128.41</b>	<b>23,057.37</b>

INSPECTIONS	Nov-13	PREVIOUS	YTD 13	Nov-14	PREVIOUS	YTD 14		
	133	1,534	1,667	112	1,491	1,603	-21	-64

*Darius S. Lester*  
Building Official

( ) represents a negative

# *Monthly Approval Report for November 2014*

<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>						
		BSP 14-019	Boundary Survey	31	(A)2	0	
		SDP 14-010	additional employee parking	5	(20) 4	6.381	
		SUB 14-019	family subdivision	13	(2) 5 & 6	5	2
		SUB 14-023		10	(A) 36C & 42C	61	
<b>Cunningham</b>							
	<i>Approved</i>						
		SUB 14-024	Boundary Adjustment	38	(A) 59,60	0.546	
<b>Palmyra</b>							
	<i>Approved</i>						
		SUB 14-018	family subdivision--Jennifer Hoppe	4	(A) 95C	9.015	2
	<i>PC Approved</i>						
		SUB 14-020	major subdivision	18	(A) 46	64.154	27

Monday, December 15, 2014

Page 1 of 1

<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>

# Code Compliance Enforcement Activity Report

ID#	Tax Map Parcels	Reported Against	Type of Violation	Comments	Status	Status Date
<b>Columbia</b>						
CCE 13-012	33 (9)-1A	Liberty Homes, LLC, Et Al	Trash	Property address is located west of No.3049 Cedar Lane. Complaint is in regards trash, debris and junk. Site inspection 3-05-2013 noted an accumulation of trash and debris that could be providing a habitat for rodents and vermin. 1st letter sent 4-25-2013. Site inspec. 5-30-2013 noted some progress during new house construction. Monitoring continues.	Awaiting Action	6/27/2013
CCE 13-011	33 (A)-57	Gail Bruce, Et, Al	Trash	Complaint is in regards trash, debris and junk. Site inspection 3-05-2013 noted an accumulation of trash and debris that could be providing a habitat for rodents and vermin. 1st letter sent 4-25-2013. Owner advised 5-30-2013 that her tenant is cleaning up the property. Monitoring continues.	Awaiting Action	6/27/2013
<b>Fork Union</b>						
CCE 12-001	51A (A)22	JWS Enterprises, LLC (James W. Sherrill,	Misc.	4985 James Madison Hwy. Site insp. on 12-20-11 and 1-06-12 noted that the property is being used for general storage which is not a use permitted "by right" or "by SUP". 1st letter sent on 1/12/12. 2nd violation 1/31/12. Letter of intent approved by Darren Coffey 2/29/12. 3rd letter sent by hand delivery 4/09/13. Summons issued 4/29/13. 1st hearing 5-21-13. 2nd hearing 9-10-13.	Pending Court	5/21/2013
<b>Palmyra</b>						
CCE 12-002	3 (A)-31, 32	JWS Enterprises, LLC (James W. Sherrill,	Misc.	Behind 1017 Union Mills Road. Regards to "dumping". Site insp. 1/09/12 noted that contractor type materials are being stored on property. 1st letter sent 1/12/12. 2nd letter sent requesting intentions 1/31/12. Letter of intent approved by Darren Coffey 2/29/12. 3rd letter sent by hand delivery 4/09/13. Summons issued 4/29/13. 1st hearing 5-21-13. 2nd hearing 9-10-13.	Pending Court	5/21/2013

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ID#	Tax Map Parcels	Reported Against	Type of Violation	Comments	Status	Status Date
CCE 10-013	10 (3)-2B	Eric D. Taylor	SUPs	Property is at intersection of Union Mills Road and North Boston Road. SDP 10:09 approved 07/26/11. SDP requirements not implemented as of 9-23-11. 2nd letter sent 9/23/11. 3rd letter sent 1/24/12. Site inspec. 2/3/12 noted newly vegetative screening per/approved SDP. Monitoring conitues.	Awaiting Action	5/8/2012

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## *Transmittal Report November 2014*

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<i>Line Number</i>	<i>Code</i>	<i>Name</i>	<i>ID#</i>	<i>Amount Received</i>
		<i>Subdivision &amp; Plat Review</i>		
			BSP14020	\$50.00
			BSP14021	\$50.00
			<i>Sum:</i>	\$100.00
<b>10000013-318316</b>				
	<i>REZON</i>	<i>Rezoning</i>		
			ZMP14004	\$90.00
			ZMP14004	\$1,799.30
			<i>Sum:</i>	\$1,889.30
<b>10000013-318337</b>				
	<i>SITEPL</i>	<i>Site Plan Review</i>		
			SDP14013	\$1,100.00
			SDP14012	\$1,100.00
			SDP14011	\$1,100.00
			<i>Sum:</i>	\$3,300.00
<b>10000013-318340</b>				
	<i>MISC</i>	<i>Miscellaneous</i>		
			ZMP14003	\$544.32
			<i>Sum:</i>	\$544.32
<b>10000013-318341</b>				
		<i>Subdivision &amp; Plat Review</i>		
			SUB14024	\$100.00
			SUB14025	\$600.00
			SUB14026	\$300.00
			SUB14027	\$100.00
			<i>Sum:</i>	\$1,100.00
<b>10000013-318342</b>				
	<i>SPUSEP</i>	<i>Special Use Permits</i>		

<i>Line Number</i>	<i>Code</i>	<i>Name</i>	<i>ID#</i>	<i>Amount Received</i>
			SUP 04-023	\$200.00
			<i>Sum:</i>	\$200.00
<b>10000013-318348</b>				
	<i>SOIREW</i>	<i>Health Department Review</i>		
			SUB14022	\$300.00
			<i>Sum:</i>	\$300.00
			<i>Total:</i>	\$7,433.62

**FLUVANNA COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES**

**Circuit Court Room--Fluvanna County Courts**

**November 24<sup>th</sup>, 2014**

**7:00 p.m.**

**MEMBERS PRESENT:** Barry Bibb, Chairman  
Patricia Eager, Vice-Chair  
Donald Gaines  
Lewis Johnson  
Ed Zimmer

**ALSO PRESENT:** Jason Stewart, Planning and Zoning Administrator  
Frederick Payne, Fluvanna County Attorney  
Steven Tugwell, Senior Planner  
Jay Lindsey, Planner  
Deidre Creasy, Senior Program Support Assistant

**ABSENT:** Tony O'Brien Board of Supervisors Rep

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Chairman Bibb called the meeting to order at 7:00p.m., after which the Pledge of Allegiance was recited.

**PLANNING DIRECTOR'S REPORT (Mr. Stewart)**

1. Board of Supervisors Actions:

➤ **November 5, 2014: None.**

➤ **November 19, 2014:**

**ZMP 14:03 – I&J Homebuilders, LLC Deferred until December 17, 2014 Board of Supervisors meeting** - An ordinance to amend the Fluvanna County Zoning Map with respect to 30.47 acres of Tax Map 9, Section A, Parcels 11, 11B, 11F, and 11G to rezone the same from A-1, Agricultural, General to R-3, Residential, Planned Community. The affected property is located on the south side of Lake Monticello Road (Route 618), approximately 1 ½ miles northwest of its intersection with South Boston Road (Route 600). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

2. Board of Zoning Appeals Actions: Upcoming Board Meeting **December 2, 2014**

**BZA 14:02 – JWS Enterprises LLC:** An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and 22-4-2.1, 22-4-2.2 and 22-22-1 at the property located at Tax Map parcels 3 (A) 31 & 32. The affected property is located in the Palmyra Election District northeast of Union Mills Road on Route 16. The subject property is zoned A-1, Agricultural, General.

**BZA 14:03 – JWS Enterprises LLC:** An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and Section 22-17-9 at the property located at Tax Map parcels 51A-A-22. The affected subject property is located in Fork Union Election District at 4985 James Madison Highway Fork Union, VA 23055. The subject property is zoned B-1, Business, General and is located in the Fork Union Community Planning Area.

3. Technical Review Committee: NONE

**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 public comment section.

**APPROVAL OF MINUTES**

**MOTION:**

**Mrs. Eager moved to** approve the minutes of the October 22, 2014 Planning Commission meeting as presented, which **Mr. Gaines seconded**. The motion carried **with a vote of 4-0-1**.

**AYES: Bibb, Eager, Johnson, Gaines NAYS: None. ABSTAIN: Zimmer**

**SITE DEVELOPMENT PLANS: None**

**SUBDIVISIONS:**

**SUB 14:20 – Fluvanna County Habitat for Humanity - Rural Cluster Subdivision** – An A-1 major rural cluster subdivision request with respect to 64.154 acres of Tax Map 18, Section A, Parcel 46. The applicant is proposing 27 building lots with one open space lot. The affected property is located at the southeast side of South Boston Road (Route 600), approximately .85 miles northeast of its intersection with Thomas Jefferson Parkway (Route 53). The property is in the Palmyra Election District and within the Rivanna Community Planning Area.

Frederick Payne advised the committee before Senior Planner, Steve Tugwell presented the plan that he has represented the applicant on a matter unrelated to SUB 14:20 approximately 10 years ago and that there was no conflict of interest.

Senior Planner, Steve Tugwell presented the plan and advised that the applicants were in attendance to answer any questions

Mr. Bibb advised that his only concern was that the items discussed by V.D.O.T, the fire department and the department of forestry were complied with.

Senior Planner, Steve Tugwell advised that the planning commission will distribute a preliminary plat to the agencies mentioned for their comments and concerns to be addressed.

Mr. Bibb gave the applicant an opportunity to speak

Mike Hines (applicant): Established that the property would be used for Habitat for Humanity homes in Cedar Ridge, called Houchen's Place. The applicant stated that he was very excited about the project. He established that the homes would be entered in the Earth Craft certification program because of a previous lack of energy efficient homes and all homes will be financed through the USDA. The application process consists of a financial university class that teaches applicants how to budget and helps to improve their credit score to a required minimum of 640. In addition, 150 hours of sweat equity is required for each adult and half of the sweat equity will be education. The applicant will also later propose a recreation area completed with a basketball court and a picnic area.

Bibb: Mr. Houchens is distant cousin of his however he doesn't know him (**Fred Payne advised no conflict of interest**)

Gaines: Directed that approximately 7 or 8 months ago he was contacted to video document the process of one particular applicant going into the Cedar Ridge subdivision and was a lender with a bank that has close ties with Habitat for Humanity. (**Fred Payne advised no conflict of interest**)

Eager: established with the applicant that there will be 8 lots sold on the open market, VDOT and the fire department standards will be followed and sections around the house will be cleared. Eager also questioned lot 16, if it was a buildable area and the applicant advised that it was enough room to build on the lot.

**MOTION:**

**Mrs. Eager moved to** accept the SUB 14:20 – Fluvanna County Habitat for Humanity - Rural Cluster Subdivision, which **Mr. Zimmer seconded**. The motion carried **with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Gaines, Zimmer NAYS: None. ABSTAIN: None**

**Public Hearings**

A proposed Capital Improvement Plan (CIP) for fiscal years 2016 through 2020 (FY2016 – FY 2020) has been prepared by County Staff (County Administration, Parks & Recreation, Public Schools, Public Works, Sherriff's Office, Fire & Rescue, etc.).

Planner Jay Lindsey presented the plan that is 24 projects submitted by several county agencies with the total cost being \$22,960,504. Eight projects were identified by the planning commission as essential to the 2016 fiscal year totaling \$3,292,698 paid for by cash, grants, borrowing and other sources. The list of items is as follows:

1. Information technology: County and Sheriffs new phone system
2. Parks and Rec: Pleasant Grove Multi-Purpose Structure, Farmers Market
3. Parks and Rec: Heritage Museum
4. Sheriff: Evidentiary cameras
5. E911: Server consolidation& disaster recovery project
6. Fire/Rescue: Personal protective equipment replacement
7. Fire/Rescue: Wireless Link upgrade
8. School: Computer Technology infrastructure replacement

Mr. Bibb: The computer technology should go in the regular budget and not in the C.I.P and expressed questions why the school did not plan for this.

Mrs. Eager: Expressed concerns that the county will not get credit for the amount of money that is spent in the C.I.P instead of the operational budget. She advises that she conducted research and some schools budget for those expenses from operational instead of the C.I.P. She also stated that it would make the county look like they don't do enough for the schools if money was pulled from the C.I.P instead of the operational budget.

Zimmer: Expressed concerns similar to Bibb

Steve Nichols: Chimed in as a side bar and advised that he planned to make this issue a concern to the board

Mrs. Eager: Asked Mr. Nichols what were the schools reasoning for budgeting this way?

Steve Nichols: He explained the school believed it increased visibility within the school system and added that there needs to be a clear definition of proffers and what they can be used for. This information needs to be put together formally.

**PUBLIC COMMENTS #2**

Chairman Bibb opened the second opportunity for Public Comments.

There being no one wishing to speak, Chairman Bibb closed the second round of Public Comments.

**MOTION:**

**Mr. Gaines moved to** remove the computer technology infrastructure replacement section out of the proposed Capital Improvement Plan (CIP) for fiscal years 2016 through 2020 (FY2016 – FY 2020), which **Mrs. Eager seconded**. The motion carried **with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Gaines, Zimmer NAYS: None. ABSTAIN: None**

**MOTION:**

**Mr. Gaines moved to** recommend the approval of the proposed Capital Improvement Plan (CIP) for fiscal years 2016 through 2020 (FY2016 – FY 2020), as modified by the previous vote with a list of priorities prepared by the Fluvanna County Planning Commission, which **Mrs. Eager seconded**. The motion carried **with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Gaines, Zimmer NAYS: None. ABSTAIN: None**

**PRESENTATIONS:**

➤ None.

**UNFINISHED BUSINESS:**

The Comprehensive plan- Mr. Bibb established this item be discussed at a work session in December and advised to express the comprehensive plan items in an email and send it to the members.

**NEW BUSINESS: NONE**

**PUBLIC COMMENTS #3**

Chairman Bibb opened the second opportunity for Public Comments.

There being no one wishing to speak, Chairman Bibb closed the second round of Public Comments.

**ADJOURN**

There being no further business, Mr. Bibb adjourned the Planning Commission meeting of November 24<sup>th</sup>, 2014 at 7:53 p.m.

Minutes recorded by Deidre Creasy, Senior Program Assistant.

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Barry A. Bibb, Chairman  
Fluvanna County Planning Commission