

**FLUVANNA COUNTY PLANNING COMMISSION  
MEETING MINUTES  
Morris Room – County Administration Building  
132 Main Street Palmyra, VA 22963  
Tuesday, June 11, 2024  
Regular Meeting 7:00pm**

**MEMBERS PRESENT:** Barry Bibb, Chair  
Kathleen Kilpatrick, Commissioner  
Eddie Shifflett, Commissioner  
Howard Lagomarsino, Commissioner  
Lorretta Johnson-Morgan, Commissioner  
Mike Goad, Representative of Board of Supervisors

**ABSENT:** None

**STAFF PRESENT:** Todd Fortune, Director of Planning  
Dan Whitten, Fluvanna County Attorney  
Kayla Polychrones, Administrative Assistant

**CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**

At 7:00 pm, Chair Bibb, called the June 11, 2024 Regular Meeting to Order, led in the Pledge of Allegiance and then he conducted a Moment of Silence.

**DIRECTOR’S REPORT – Todd Fortune, Director of Planning**

**Announcements and Updates**

- Three solar developers have approached staff expressing interest in potential projects in various districts across the county. They have advised they will likely wait until the Solar Ordinance Committee finishes their work before submitting an application. There is to be a public hearing on June 25 regarding removal of utility scale solar use in A-1 district.
- The 2015 Comprehensive Plan will be readopted with changes to Chapters 2 (Land Use and Community Design), 5 (Economic Development—data only), and 6 (Historic Preservation). The Plan is ready to move to Public Hearing on July 9.
- Staff Update: Joanna Lehtinen, Planner/GIS Technician, resigned from her position effective June 5. The position will be advertised in the next week.

**Upcoming Zoning Cases**

- **ZTA24:02** – Remove Utility Scale Solar Generation Facilities as a permitted use from A-1, Agricultural, General. A public hearing has been set for June 25 to consider this change.
- Zoning Text Amendment proposed in next two months regarding allowed uses for funeral homes/crematoriums. Preliminary discussions between staff and potential business owner have begun, however, no application has been received at this time.
- Rural Cluster Subdivision that may be coming before the Planning Commission in the next few months. This would involve 25 lots on approximately 76.7 acres in the Fork Union District.

**Upcoming Meetings**

- June 25, 2024 – Morris Room
- July 9, 2024 – Morris Room

**PUBLIC COMMENTS #1**

At 7:05 pm, Chair Bibb opened the first round of public comments. With no one wishing to speak, Chair Bibb closed the first round of public comments at 7:05 pm.

**MINUTES OF May 7, 2024**

<b>MOTION:</b>	To Approve the Regular meeting minutes of the Planning Commission of May 7 2024.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>			<b>Seconded</b>	<b>Motion</b>	
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved, as presented</b>				

**PUBLIC HEARINGS**

- **ZMP24:02 – BHL Group LLC, et al** – A request to amend the Fluvanna County Zoning Map to rezone 4.125 acres of Tax Map 5 Section A Parcel 22 from A-1, Agricultural, General to I-1, Industrial, Limited. The property is located on Better Living Drive and is in the Zion Crossroads Community Planning Area and the Columbia Election District.
  - Planning Director stated the owner had requested a Boundary Line Adjustment (BLA) to allow for road access (Better Living Drive) to the property. Due to the layout of the parcel, it is currently not accessible by road. Since this parcel is zoned differently from surrounding parcels, a BLA is currently not allowed. A rezoning of the property is necessary to allow for a BLA that would give the property access to the road. It would also allow the owner to market the property to prospective businesses.
  - Applicant, Mr. J.T. Jakubowski was present and addressed Planning Commission with a signed proffer statement noting the following I-1 by right land uses (Zoning Section 22-11-2.1) to be excluded: Self-storage facilities, Car Washes, Shooting Ranges (indoor and outdoor), Railroad Facilities, Temporary Wood Storage, Permanent Sawmills, aviation facilities, and major utilities. Mr. Jakubowski stated he wanted the parcel to align respectfully with concurring development and direction of the county.
  - Mr. Jakubowski stated he spoke with CEO of Van Der Linde Recycling (adjoining parcel TMP 5-202) and they agreed in favor for the rezoning because it would allow them to utilize more of their property without an A-1 buffer.
  - When viewing the plat, Chairman Bibb asked what the small property outline was on the Northeast corner of the Parcel and staff confirmed it is a private cemetery that is recorded with the Commissioner of Revenue (TMP 5-A-21.) To the owners’ knowledge, there is no markers, headstones, plaques, or fence indicating a cemetery and its existence only noted as such by the surveyor. A private cemetery is a by right use in A-1 and is considered a part of the TMP 5-A-22 according to surveyed plat and deed records. Commissioner Kilpatrick encouraged Jakubowski to reach out to local historical society to have a small marker placed on cemetery. Commissioner Johnson-Morgan agreed that a small fenced enclosure for the cemetery prior to the development would be nice and asked if there is a county code that would require this area to be fenced. County Attorney stated there is no code to enforce on this matter in current ordinance; however, Virginia State code requires public access to cemeteries for descendants of the deceased to visit. Mr. Jakubowski is amenable to putting some kind of marker down prior to development and assured reasonable access to family wishing to pay respects.
  - There were no additional comments from public and the hearing closed at 7:19 P.M.

<b>MOTION:</b>	Motion to recommend approval for ZMP24:02 to rezone from A-1 to I-1				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>			<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Recommended Approval</b>				

**PRESENTATIONS**

None.

**SITE DEVELOPMENT PLANS**

None

**SUBDIVISIONS**

None

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

- **ZMP24:01 Pratap Rai** – A letter of request for a deferral was sent to Planning Commission on May 31, 2024, from Mr. Rai who states he is currently working on coming into compliance with the Virginia Department of Health Requirements.
  - Planning Staff has confirmed with VDH that they are in contact with Mr. Rai and he is actively working on coming into compliance.

<b>MOTION:</b>	Motion to defer ZMP 24:01 to July 9, 2024 pending review from VDH				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>			<b>Motion</b>	<b>Second</b>	
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved Deferral Request</b>				

- **Resolution** – Request for Public Hearing to amend Section 22-17-7 and 19-9-6: Zoning & Subdivision Fees to be held on July 9, 2024.
  - Fees were last amended in 2018. Staff has done comparisons of surrounding counties and their fees and has proposed several Fluvanna County Planning and Zoning fees to increase, decrease, remove, and add new fees to align with surrounding areas.
  - Amending fees could potentially increase revenue by \$25,000.

<b>MOTION:</b>	Motion to approve resolution to hold public hearing to amend Section 22-17-7 and 19-9-6 : Zoning & Subdivision Fees to be held on July 9, 2024.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>				<b>Motion</b>	<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved Resolution</b>				

- There will be a proposal to amend the Bylaws to add the new Planning Commission Meeting Location to the Morris Room in the County Administration Building. The proposed Bylaws amendment will come before the commission for approval at July 9<sup>th</sup> Regular Meeting.

**PUBLIC COMMENTS #2:**

Chair Bibb opened the second round of Public Comments at 7:25 pm.  
 With no one wishing to speak, Chair Bibb closed the second Public Comments period at 7:25 pm.

**ADJOURNMENT**

<b>MOTION:</b>	Motion to Adjourn the June 11,2024 Planning Commission Regular meeting at 7:26pm				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Second</b>	<b>Motion</b>		
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved Adjournment</b>				

Minutes were recorded by Kayla Polychrones, Administrative Programs Specialist.

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**Barry Bibb, Chair**  
**Fluvanna County Planning Commission**