

**Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
Thursday, April 5, 2012
7:00 p.m.
Minutes**

Present: Nigel Goodwin, George Yancey, Andy Hutchison, J.P. Tucker, III,
Jim White, BOS Representative

Absent: Donald Brooks

Staff Present: Gregg B. Zody, Director; Kevin McMahan, Planner; Janet Jones, Permit
Technician

All discussion and comment made during this meeting was captured via digital audio and video recording. The minutes as written below are intended to be a summary of this discussion and comment. Anyone desiring detailed information about comment or discussion made during the meeting is referred to the recording.

- 1. Call to Order**
- 2. Determination of Quorum**

Chairman Goodwin called the meeting to order at 7:00 p.m. He stated a quorum was present to conduct business.

- 3. Election of Vice-Chairman**

Chairman Goodwin asked for nominations for Vice-Chairman.

Mr. Tucker nominated Mr. Hutchison for Vice-Chairman. Chairman Goodwin asked for other nominations for Vice-Chairman, there were no other nominations. The Commission voted 3-0 for Mr. Hutchison as Vice-Chairman. Mr. Hutchison abstained.

- 4. Approval of Agenda**

Chairman Goodwin asked if there were any additions to or deletions from the agenda.

There were no additions or deletions from agenda.

A motion was made by Mr. Hutchison, seconded by Mr. Yancey that the agenda be approved as presented. Motion carried with all members voting in the affirmative.

- 5. Approval of Minutes**

Chairman Goodwin asked for additions to or deletions from the minutes of January 26, 2012.

A motion was made by Mr. Hutchison, seconded by Mr. Tucker that the minutes of January 26, 2012, be approved as presented. Motion carried 4-0.

Chairman Goodwin asked for additions to or deletions from the minutes of February 2, 2012.

A motion was made by Mr. Tucker, seconded by Mr. Hutchison that the minutes of February 2, 2012 be approved as presented. Motion carried 4-0.

Chairman Goodwin asked for additions to or deletions from the minutes of February 16, 2012.

A motion was made by Mr. Hutchison, seconded by Mr. Tucker that the minutes of February 16, 2012 be approved as amended. Motion carried 4-0.

6. Public Comment

There was no public comment.

7. Old Business

A. Board of Supervisors Report – Jim White

Supervisor White stated the BOS are working to finalize the budget and also the public hearing for the Zoning and Sub-division ordinance text amendments has been scheduled.

B. Planning and Zoning Report – Gregg Zody

Mr. Zody stated work is done on the Future Land Use Map. The new Future Land Use Map will reflect reality and what we look like now. Mr. Zody gave copies to the Commission of the BOS Vision statement.

C. Comprehensive Plan

- Comprehensive Plan Committee update

Mr. Zody updated the Commission on the work being done by the Commission Sub-Committee on the Comprehensive Plan.

7:15 P.M. PUBLIC HEARING:

SUP 12-01: Application by Life Unlimited of Virginia, Inc., owner, requesting a special use permit (SUP) to install two office trailers. The site is zoned Agricultural (A), which pursuant to Sec. 70-303 (11) of the County Zoning Ordinance, requires the issuance of a SUP by the County Board of Supervisors for offices less than 4,000 square feet in the Agricultural zoning district. The 330 +/- acres property, identified on Orange County tax maps as parcel 47-1, and is addressed at 10910 Barr Lane, approximately 2.31 miles west of the intersection of Route 20 and Zachary Taylor Highway (Route 522).

Mr. Zody briefed the Commission on the application made by Life Unlimited of Virginia, Inc. to locate two office trailers on the property that will provide more room for the staff at Rikki's Refuge to conduct work activities. Mr. Zody stated locating the office trailers will enable the "no-kill, all species peaceful sanctuary" to operate more efficiently. Mr. Zody stated the property is

zoned Agricultural (A), and pursuant to Section 70-303 (11) of the Zoning Ordinance an “office of less than 4,000 square feet gross floor area, including professional or contracting office” is permitted to be located in the “A” zoning district upon the issuance of an SUP by the BOS. Mr. Zody stated the proposed office space use is consistent with the intentions for areas designed as Agricultural land use on the Future Land Use Map. Mr. Zody stated it is staff recommends approval of SUP12-01.

Chairman Goodwin opened the public hearing.

Chairman Goodwin asked for speakers for or against the request.

Mr. Butch Davies, Attorney at Law stated he was representing the applicant. Mr. Davies stated the applicant takes care of approximately 1250 animals on the subject property and is an amazing facility. Mr. Davies stated the only negative is the egress issues and they are being worked out. Mr. Davies stated the applicant uses approximately 70 acres in the center of the 330+ acres of property.

Chairman Goodwin asked if any complaints have been made concerning the property.

Ms. Hilliard stated the only complaints have been on trespassers and warrants had been issued. Ms. Hilliard stated they only handle domestic animals not exotic animals.

The following is a list of speakers for the public hearing SUP 12-01.

Kerry Hilliard, 7321 Franklin Road, Annadale, VA; Justin Barr, 10834 Barr Lane, Rapidan, VA; Katherine Hughes, 8005 Galaxie Circle, Henrico, VA; Patricia, Dahl, Orange County Animal Control Officer; Jane Whitmore , Orange, VA; Lynn Shearer, 249 Caroline Street, Orange, VA; Bill Little, 11065 Gordon Heights Road, Gordonsville, VA.

The concerns stated by the speakers were the need for a work space for the volunteers. A couple of speakers were concerned about the egress issues on the property.

There being no further speakers, Chairman Goodwin closed the public hearing at 7:33 p.m.

The Commissioners held a short discussion on the request.

Mr. Hutchison made a motion, seconded by Mr. Yancey that SUP12-01 be approved as per Resolution recommending approval.

RESOLUTION RECOMMENDING APPROVAL

MOTION: Hutchison

**April 5, 2012
Regular Meeting
Res. No. 12-05**

SECOND: Yancey

RE: SUP 12-01: LIFE UNLIMITED OF VIRGINIA, INC. –

TO INSTALL TWO OFFICE TRAILERS ON TAX MAP NO. 47-1

WHEREAS, Ms. Melissa Felts, on behalf of the property owner, Life Unlimited of Virginia, Inc., has applied for a special use permit for an office of less than 4,000 square feet gross floor area, on less than one acre of the approximately 330 acre property, addressed at 10910 Barr Lane, and identified on County Tax Map 47 as Parcel 1 (“Parcel 47-1”). The subject property is zoned Agricultural (A). Barr Lane is situated on the south side of Constitution Highway (Route 20), approximately 2.31 miles west of the intersection of Route 20 and Zachary Taylor Highway (Route 522); and

WHEREAS, an office of less than 4,000 square feet gross floor area, including professional or contracting office is an allowed use in the Agricultural (A) zoning district subject to an approved special use permit; and

WHEREAS, the Planning Commission held a duly advertised public hearing on this proposed Special Use Permit on April 5, 2012; and

WHEREAS, this special use permit is consistent with the Comprehensive Plan land use designation of the land as Agricultural; and

WHEREAS, the Department of Planning and Zoning staff has recommended approval of this Special Use Permit subject to certain conditions; and

WHEREAS, the Planning Commission has considered whether this proposed special use permit, as conditioned, would further the purposes of the Comprehensive Plan and the Zoning Ordinance; threaten the public health, safety or welfare; be compatible with its surroundings; or would result in substantial detriment to the surrounding property; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice support approval of this Special Use Permit as conditioned;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Planning Commission hereby recommends that the Orange County Board of Supervisors approve SUP 12-01 with the attached conditions in order to mitigate the impacts of the proposed use.

Votes:

Ayes: Tucker, Yancey, Hutchison, Goodwin

Nays: None

Absent from Vote: Brooks

Absent from Meeting: Brooks

8. New Business

There was no new business.

9. Commissioner Comments

The Commission briefly discussed when the Comprehensive Plan will be coming back to the Commission. Mr. Zody stated public infrastructure should be included in the comprehensive plan as well as the need for it to be realistic and also have simplicity and be direct.

10. Next meeting

Chairman Goodwin stated with no business to come before the Commission, the April 19, 2012 Commission will be cancelled.

11. Adjourn

Mr. Tucker made a motion, seconded by Mr. Yancey that the meeting be adjourned. Motion carried with all members voting in the affirmative. Motion carried 4-0. Meeting adjourned at 8:00 p.m.

Nigel Goodwin, Chairman

Gregg B. Zody, Secretary