

BOARD OF SUPERVISORS MINUTES

JUNE 12, 2018

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, June 12, 2018, beginning at 5:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: James K. White, Chairman; James P. Crozier, Vice Chairman; R. Mark Johnson; S. Teel Goodwin; and Lee H. Frame. Also present: R. Bryan David, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the agenda, as modified. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: SERVICE AWARDS

R. Bryan David, County Administrator, presented the following Service Award:
 - Teresa Carroll 30 Years Clerk of the Circuit Court

RE: BUSINESS SPOTLIGHT

This item was struck from the agenda.

RE: INTRODUCTION OF THE RAPPAHANNOCK-RAPIDAN DISTRICT HEALTH DEPARTMENT DIRECTOR

Wade Kartchner, MD, introduced himself as the new Rappahannock-Rapidan District Health Department Director. He provided a brief overview of the 2018 County Health Rankings.

The Board welcomed Dr. Kartchner and thanked him for his presentation.

RE: CONSENT AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Frame, which carried by a vote of 5-0, the Board adopted the Consent Agenda, as presented.

RE: FY18 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
30045040-36050	Fire Programs Grant Rev.	\$ (84,356.00)	\$ (6,791.00)	\$ (91,147.00)
43250001-45500	Training Expenses	84,356.00	6,791.00	91,147.00
30023001-31350	Security Work	(47,918.00)	(5,000.00)	(52,918.00)
43120008-41200	Wages - Spec. Events OT	40,365.00	4,645.00	45,010.00
43120008-42100	FICA & Medicare	3,020.00	355.00	3,375.00
TOTALS		\$ (4,533.00)	\$ 0.00	\$ (4,533.00)

RE: SURPLUS DISPOSITION OF COUNTY VEHICLES

As part of the Consent Agenda, the Board declared a 2005 Ford F150 (VIN# 7390) and a 2004 Dodge Intrepid (VIN# 1384) as surplus and authorized staff to initiate disposal in accordance with the Board-adopted Surplus Disposition Policy, as presented.

RE: MINUTES

As part of the Consent Agenda, the Board approved the following minutes:

- May 22, 2018 Worksession
- May 22, 2018 Regular Meeting

RE: FY18 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS) FOR ORANGE COUNTY PUBLIC SCHOOLS

As part of the Consent Agenda, the Board approved the FY18 supplemental appropriations and budget amendments for Orange County Public Schools in the amount of \$178,000 in the Food Service Fund and \$217,894.21 in the Operating Fund, representing the receipt of additional State, Federal, and local funds, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: NEW BUSINESS

RE: HEALTH AND DENTAL INSURANCE RENEWALS (FOR PLAN YEAR BEGINNING OCTOBER 1, 2018)

Glenda Bradley, Assistant County Administrator for Finance and Management Services, reviewed the options provided to the Benefits Committee for the renewal of various insurances and benefits for the upcoming plan year, highlighting the possibility of a reduction in rates. She introduced Carrie Bartlett, representative from One Digital, who provided additional information.

Ms. Bartlett presented a PowerPoint presentation, which included information on the following: a review of the October 1, 2018 renewals; recommendations from the Benefits Committee; long-term strategies; dental renewal analysis and recommendations; and requested action from the Board.

Discussion ensued among the Board regarding: changes to the prescription formulary; appeals and/or exceptions to the prescription changes; notification of the prescription changes to employees; balancing the stop loss coverage amount; maintaining the insurance fund balance; and a comparison of renewal rates to other localities.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board agreed to renew the various insurance benefits for the plan year beginning October 1, 2018, by accepting the recommendations of the Benefits Committee.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: AWARD OF THE CONTRACT FOR REASSESSMENT SERVICES

Stephanie Straub, Financial Management Specialist, explained that Orange County had released a solicitation on February 22, 2018, for reassessment services. She noted that staff had advertised in multiple locations, which reached approximately 700 vendors. Ms. Straub indicated that three (3) responses were received and interviews were conducted with the top two (2) vendors.

Ms. Straub stated that, after a detailed review and interview process, staff felt it most advantageous to award a contract to Wampler Eanes Appraisal Group, LTD for the reassessment

effective January 1, 2019. She noted that Wampler Eanes Appraisal Group, LTD's proposal highlighted quality service, professional staff, ability to meet deadlines, and integration of digital technology into the reassessment process. It was further noted that the term of the contract would begin July 1, 2018 and would be completed no later than November 1, 2019, except for those recurring services as set forth in the solicitation.

Discussion ensued among the Board regarding: the need to examine the ability to move reassessment services in-house.

On the motion of Mr. Goodwin, seconded by Mr. Frame, which carried by a vote of 4-1, with Mr. Crozier voting against, the Board authorized staff to execute a contract with Wampler Eanes Appraisal Group, LTD for reassessment services, as presented.

Ayes: Johnson, White, Goodwin, Frame. Nays: Crozier.

RE: REVISED JOB DESCRIPTIONS FOR THE EMERGENCY COMMUNICATIONS CENTER DIRECTOR AND THE FIRE AND EMS CHIEF

R. Bryan David, County Administrator, advised the Board that job descriptions for the Emergency Communications Center Director / Public Safety Communications System Manager and the Chief of Fire and Emergency Medical Services had been revised to better reflect current tasks, responsibilities, and requirements for each position. He presented the revisions to the Board for its consideration.

On the motion of Mr. Goodwin, seconded by Mr. Frame, which carried by a vote of 5-0, the Board adopted the revised job descriptions for the Emergency Communications Center (ECC) Director / Public Safety Communications System Manager and the Chief of Fire and Emergency Medical Services (EMS), as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: FY18 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS) FOR ORANGE COUNTY PUBLIC SCHOOLS

Glenda Bradley, Assistant County Administrator for Finance and Management Services, presented a request to the Board from the Orange County Public Schools. She explained the request included a supplemental appropriation and budget amendment as a result of budget adjustments approved by the School Board following adoption of its original budget last April.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board approved the FY18 supplemental appropriations and budget amendments for Orange County Public Schools by a reduction of \$339,343 in the Operating Fund and an increase of \$377,769 in other funds, representing a reduction in anticipated sales tax revenue, ADM changes, and changes in anticipated Federal funds, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: OLD BUSINESS

RE: RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2019 OPERATING AND CAPITAL BUDGETS

R. Bryan David, County Administrator, presented the Fiscal Year 2019 Operating and Capital Budgets to the Board for appropriation. He explained that the budgets had previously been adopted, but were not recommended for appropriation until the State budget had been adopted. Mr. David noted that, following the delay from the State over Medicaid expansion, the State budget

had finally been adopted. Once staff had completely reviewed the State budget, he indicated it may be necessary to make amendments to the County's budget, which would be recommended and presented by staff at a later time.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the following resolution, as presented:

**RESOLUTION TO APPROPRIATE FUNDS FOR THE ADOPTED
FISCAL YEAR 2019 OPERATING AND CAPITAL BUDGETS**

WHEREAS, the Fiscal Year 2019 Budget has been duly prepared and presented to the Board of Supervisors; and

WHEREAS, budget discussions and worksessions, open to the general public, have been conducted; and

WHEREAS, the appropriate advertisements were published, and public hearings, as required by the Code of Virginia, were conducted on April 3, 2018; and

WHEREAS, the Board of Supervisors has considered the services required and desired by the citizens of Orange County; and

WHEREAS, the Board of Supervisors previously adopted the Fiscal Year 2019 Operating and Capital Budgets on April 24, 2018;

NOW, THEREFORE, BE IT RESOLVED, on this 12th day of June, 2018, that the Orange County Board of Supervisors hereby appropriates all funds as set forth in the Adopted Fiscal Year 2019 Budget, as shown below, with the limitations and instructions included herein; and

BE IT FURTHER RESOLVED, as follows:

1. Estimates of revenues are approved in total and appropriations are hereby authorized at the functional level within the General Fund.
2. Estimates of revenues are approved in total and appropriations for remaining Governmental funds are approved in total for each fund, including the County Capital Projects Fund, Law Library Fund, Virginia Public Assistance Fund, Debt Service Fund, School Operating Fund, Schools Other Funds, and the Insurance Internal Service Fund.
3. Appropriations designated for Capital Projects within the County and Schools Capital Projects Fund, Airport Fund, and Landfill Fund will not lapse at the end of the fiscal year, but shall remain appropriated until the completion of the project or until the Board of Supervisors, by appropriate resolution, changes or eliminates the appropriation.
4. Federal, State, and Charges for Services for all School Funds and Social Services revenues are hereby appropriated for expenditures only up to the amounts actually received from the Federal, State, or Charges for Services sources.
5. Enterprise funds, including the Airport Fund and Landfill Fund, are authorized to operate as determined by activity levels, within constraints of actual revenues and available surplus, and budget modifications approved by the Board of Supervisors.
6. The Board of Supervisors will establish the Personal Property Tax Relief Act (PPTRA) percentage for the 2018 tax year in August, 2018, by separate resolution.

7. The County Administrator may increase appropriations for non-budgeted revenue for insurance recoveries for County vehicles and other property for which County funds have been expended to make repairs and for worker's compensation reimbursements, up to \$30,000 per incident or claim.
8. The County Administrator may appropriate both revenue and expenditure donations made to support County programs up to \$500. Any remaining balance of a restricted donation at the fiscal year end will be re-appropriated into the subsequent fiscal year.
9. The County Administrator is charged with the responsibility for the quarterly reporting of revenues and expenditures compared to the adopted budget as amended, to the Board of Supervisors.
10. Where funding is included for the acquisition of certain projects and equipment by debt financing within the FY19-FY23 Adopted Capital Improvements Plan and in the FY19 Adopted Annual Budget, the Board of Supervisors hereby declares its official intent under Treasury Regulations Section 1.150-2 that it reasonably expects to reimburse its original expenditures for such acquisitions from the proceeds of the subsequent applicable debt obligation. It is expected that the expenditures will be paid from the County's General Fund and other available sources.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

ADOPTED BUDGET
FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019

GENERAL FUND

Revenues:

Local Sources	\$ 52,945,567
Commonwealth	8,246,744
Federal Government	13,823
General Fund Reserve & Transfers In	607,412
Total Revenues	<u>\$ 61,813,546</u>

Expenditures:

General Government Administration	\$ 3,337,692
Judicial Administration	1,828,447
Public Safety	13,034,708
Public Works	937,617
Health & Welfare	3,533,132
Education	18,600
Parks, Recreation & Culture	1,368,761
Community Development	1,337,937
Non-Departmental	774,837
Transfers to Other Funds	35,641,815
Total Expenditures	<u>\$ 61,813,546</u>

COUNTY CAPITAL PROJECTS FUND

Revenues:

Transfer from General Fund	\$	866,849
Commonwealth		5,292
Federal Government		1,060,000
Reserves		772,500
Total Revenues	\$	2,704,641

Total Expenditures

\$ 2,704,641

LAW LIBRARY FUND

Revenues:

Local Sources	\$	14,740
Total Revenues	\$	14,740

Total Expenditures

\$ 14,740

VIRGINIA PUBLIC ASSISTANCE FUND

Revenues:

Transfer from General Fund	\$	1,005,118
Commonwealth		1,049,050
Federal Government		1,641,424
Total Revenues	\$	3,695,592

Total Expenditures

\$ 3,695,592

DEBT SERVICE FUND

Revenues:

Transfer from General Fund	\$	9,397,816
Reserves		160,014
Total Revenues	\$	9,557,830

Total Expenditures

\$ 9,557,830

AIRPORT FUND

Revenues:

Commonwealth	\$	84,400
Federal Government		949,500

Local Sources	404,780
Transfer from General Fund	161,285
Total Revenues	\$ 1,599,965
Total Expenditures	\$ 1,599,965

LANDFILL FUND

Revenues:

Transfer from General Fund	\$ 1,947,508
Local Sources	435,000
Commonwealth	9,207
Financing Proceeds	190,000
Total Revenues	\$ 2,581,715

Total Expenditures	\$ 2,581,715
---------------------------	---------------------

ORANGE COUNTY PUBLIC SCHOOLS OPERATING FUND

Revenues:

Transfer from General Fund	\$ 20,530,199
Commonwealth	27,535,552
Federal Government	2,414,442
Other	964,243
Total Revenues	\$ 51,444,436

Expenditures:

School Operating Fund	\$ 50,760,333
Transfers to Other Funds	684,103
Total Expenditures	\$ 51,444,436

ORANGE COUNTY PUBLIC SCHOOLS OTHER FUNDS

Revenues:

Transfer from General Fund	\$ 1,733,040
Transfer from School Operating Fund	684,103
Commonwealth	192,033
Federal Government	3,117,566
Other	1,083,630
Reserves	202,563
Total Revenues	\$ 7,012,935

Expenditures:	
Debt Service Fund	\$ 1,066,040
Capital Project Fund	878,666
Child Care Fund	318,910
Cafeteria Fund	2,056,853
Headstart Fund	1,620,993
Adult Education Fund	396,473
Textbook Fund	675,000
Total Expenditures	<u>\$ 7,012,935</u>

INSURANCE INTERNAL SERVICE FUND

Revenues:	
Contributions from Other Funds	<u>\$ 8,805,599</u>
Total Expenditures	<u>\$ 8,805,599</u>
Grand Total Expenditures	\$ 149,230,999
Less Transfers	<u>(45,131,517)</u>
Total Consolidated Budget	<u>\$ 104,099,482</u>

RE: ADOPTION OF THE AUXILIARY LIST FOR THE SECONDARY SIX-YEAR PLAN

Alyson Simpson, Chief Deputy Clerk, presented the draft Auxiliary List for the Secondary Six-Year Plan to the Board for its consideration, and reviewed the recommended changes and additions, which included projects previously recommended by the Board.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board adopted the Auxiliary List for Secondary Roads, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

RE: EMPLOYEE DISCOUNT FOR CHILDCARE PROGRAMS

This item was struck from the agenda.

RE: COUNTY ATTORNEY'S REPORT

The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

RE: CHANGES TO BOARD OF SUPERVISORS' REGULAR MEETING ON JUNE 26, 2018

R. Bryan David, County Administrator, explained that, in order to allow members of the Board the opportunity to attend the Virginia County Supervisors White House Conference, he recommended adjusting the start time of the Regular Meeting on June 26, 2018. He indicated that

there would not be a Worksession scheduled, and no Public Hearings had previously been scheduled, which would allow the meeting to begin at 7:00 p.m. With the Board's approval, staff would prepare the necessary notices to adjust the time accordingly.

By consensus, the Board authorized the change in start time to its Regular Meeting on June 26, 2018, from 5:00 p.m. to 7:00 p.m., as presented.

RE: BOARD COMMENT

Supervisor Goodwin reminded the Board of the upcoming Trashy Ribs and Brews festival, hosted by the Orange Downtown Alliance.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- VDOT Monthly Report for July
- March 26, 2018 Health Center Commission Minutes
- May 2, 2018 Culpeper Soil and Water Conservation District Minutes
- Flood Hazard Determination Letter from FEMA
- Bamboo Model Ordinance Letter from Department of Agriculture and Consumer Services

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments at this time.

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of June 2018, July 2018, and August 2018.

RE: SCHEDULE A PUBLIC HEARING FOR REZ 18-01 (MINE RUN ROAD / DULIN LANE)

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing for REZ 18-01 (Mine Run Road / Dulin Lane) on Tuesday, July 10, 2018, at 7:00 p.m., as presented.

RE: SCHEDULE A PUBLIC HEARING FOR ZTA 18-05 (GWAP ZONING DISTRICTS)

By consensus, the Board authorized staff to advertise for and schedule a Public Hearing for ZTA 18-05 (GWAP Zoning Districts) on Tuesday, July 10, 2018, at 7:00 p.m., as presented.

RE: CLOSED MEETING

At 5:59 p.m., Mr. Lacheney read the following motion authorizing Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County desired to discuss in Closed Meeting the following matters:

- Discussion of the assignment of three (3) specific employees of the County, and discussion of the health of one (1) specific employee of the County. - §2.2-3711(A)(1) of the Code of Virginia
- Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. - §2.2-3711(A)(5) of the Code of Virginia
- Consultation with legal counsel pertaining to actual or probable litigation with respect to the opioid crisis, where such consultation in an open meeting would adversely affect the negotiating or litigating posture of the public body. - §2.2-3711(A)(7) of the Code of Virginia

- Consultation with legal counsel employed or retained by the public body regarding specific legal matters with respect to a modification to the Subdivision Ordinance and the terms of a proposed franchise agreement, requiring the provision of legal advice by such counsel. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(1), (A)(5), (A)(7), and (A)(8) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County hereby authorized discussion of the aforestated matters in Closed Meeting.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the resolution authorizing Closed Meeting, as presented. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At 7:00 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Board of Supervisors of Orange County has this day adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Orange County hereby certified that to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applied, and ii) only such public business matters as were identified in the motion by which the said Closed Meeting was convened were heard, discussed or considered by it.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: PUBLIC COMMENT

At 7:00 p.m., Chairman White opened the floor for public comment.

There being no speakers, public comment was closed at 7:00 p.m.

RE: PUBLIC HEARING #1; PROPOSED AMENDMENT TO THE ZONING ORDINANCE (ZTA 18-06) CONCERNING TWO-FAMILY DWELLINGS

Josh Frederick, Planning and Zoning Director, presented the staff report to the Board regarding proposed amendments to the Zoning Ordinance concerning two-family dwellings (i.e. duplexes). He presented the recommended language to the Board, explaining that Planning Commission action had previously been initiated on said amendments. Mr. Frederick indicated that, following the Planning Commission's Public Hearing on May 3, 2018, a vote resulted in a recommendation of approval.

At 7:01 p.m., Chairman White called the Public Hearing to order to receive comments on the following:

PROPOSED AMENDMENT TO THE ZONING ORDINANCE (ZTA 18-06)

The Board of Supervisors will consider an amendment to the Zoning Ordinance, which amends the definition and side yard requirement for two-family dwellings (i.e. duplexes). The proposed definition clarifies the allowable unit arrangement for duplexes, and adds a requirement that an "over-and-under"

style duplex must be served by a public road. For the Agricultural, Limited Residential, and General Residential zoning district regulations, language is added to clarify there is no side yard requirement between adjoining units in a "side-by-side" style duplex.

There being no speakers, Chairman White closed the Public Hearing at 7:01 p.m.

On the motion of Mr. Johnson, seconded by Mr. Frame, which carried by a vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING AMENDMENTS TO ARTICLE I (IN GENERAL) AND ARTICLE IV (DISTRICT REGULATIONS), SECTION 70 (ZONING), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING TWO-FAMILY DWELLINGS

WHEREAS, staff previously initiated Planning Commission action on amendments to Article I (In General) and Article IV (District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning two-family dwellings; and

WHEREAS, the County Attorney and Planning and Zoning Director prepared recommended language for the text amendments, which was presented to the Planning Commission for consideration; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the proposed text amendments on May 3, 2018; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors, as presented during its meeting; and

WHEREAS, the Board of Supervisors conducted a duly-advertised Public Hearing on June 12, 2018, to receive public comment; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports the proposed text amendments, as presented during its meeting; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice also support approval of the proposed text amendments;

NOW, THEREFORE, BE IT ORDAINED, on this 12th day of June, 2018, that the Orange County Board of Supervisors hereby approves the proposed amendments to Article I (In General) and Article IV (District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning two-family dwellings, as presented and shown below.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

Amendments to the Orange County Code of Ordinances

**As adopted in Ord. No. 180612 – PH1
by the Orange County Board of Supervisors
on June 12, 2018**

Chapter 70 - Zoning

Article I - In General

Sec. 70-1. - Definitions.

[...]

Dwelling, two-family, means a building consisting of two dwelling units, in either a side-by-side or over-and-under arrangement, separated by floors or party walls with no openings. An over-and-under arrangement may only be permitted on a lot served by a public road.

[...]

Article IV - District Regulations

Division 2 - Agricultural Zoning District (A)

Sec. 70-306. - Setback and yards.

- (a) In the agricultural zoning district, the regulations in this section shall apply to all buildings, all structures that require building permits, and all temporary or portable buildings greater than 150 square feet in floor area or greater than eight feet six inches in height.
- (b) For setbacks from primary highways, see section 70-646 et seq.
- (c) The setback from any secondary road or subdivision street with a right-of-way 50 feet or more in width shall be 35 feet from the right-of-way.
- (d) The setback from any secondary road or subdivision street with a right-of-way less than 50 feet in width shall be 85 feet from the centerline of the road.
- (e) The minimum side yard width for each main structure shall be 20 feet. A two-family dwelling, which shall be constructed in a side-by-side arrangement unless otherwise permitted via section 70-1, shall have no side yard requirement for the main structure at the property line which separates the units. The minimum side yard width for each accessory structure shall be ten feet.

Division 3 - Limited Residential Zoning District (R-1)

Sec. 70-336. - Setback and yards.

- (a) In the limited residential district, regulations in this section shall apply to all buildings, all structures that require building permits, and all temporary or portable buildings greater than 150 square feet in floor area or greater than eight feet six inches in height.
- (b) For setbacks from primary highways, see section 70-646 et seq.
- (c) The setback from any secondary road or subdivision street shall be 35 feet from the right-of-way.
- (d) The minimum side yard width for each main structure shall be 20 feet. A two-family dwelling, which shall be constructed in a side-by-side arrangement unless otherwise permitted via section 70-1, shall have no side yard requirement for the main structure at the property line which separates the units. The minimum side yard width for each accessory structure shall be ten feet.

Division 4 - General Residential Zoning District (R-2)

Sec. 70-366. - Setback and yards.

In the general residential district, the following regulations shall apply to all buildings, all structures that require building permits, and all temporary or portable buildings greater than 150 square feet in floor area or greater than eight feet six inches in height:

- (1) For setbacks from primary highways, see section 70-646 et seq.
- (2) The setback from any secondary road or subdivision street shall be 35 feet from the right-of-way.
- (3) The minimum side yard for each structure shall be ten feet. A two-family dwelling, which shall be constructed in a side-by-side arrangement unless otherwise permitted via section 70-1, shall have no side yard requirement for the main structure at the property line which separates the units.
- (4) For corner lots, the minimum side yard width adjacent to the side street shall be 25 feet. For double-frontage lots, the minimum rear yard width shall be 35 feet.

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adjourned the meeting at 7:02 p.m. Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

James K. White, Chairman

R. Bryan David, County Administrator