

**DRAFT MINUTES**  
Planning Commission  
County of Prince George, Virginia  
Business Meeting  
April 25, 2024

County Administration Building, Board Room, Third Floor  
6602 Courts Drive, Prince George, Virginia 23875

**CALL TO ORDER.** The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, April 25, 2024, in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Ms. Anderson, Chair.

**ATTENDANCE.** The following members responded to Roll Call:

Tammy Anderson, Chair	Present
Alex Bresko, Vice-Chair	Present
Stephen Brockwell	Present
Jennifer Canepa	Present
Imogene Elder	Present
Clarence Joyner	Absent
Brian Waymack	Absent

Staff present: Robert Baldwin, Planning Director; Tim Graves, Planner II; Koty Gray, Planner I; Madison Sobczak, Planning Technician

**INVOCATION.** Ms. Elder provided the Invocation.

**PLEDGE OF ALLEGIANCE TO THE FLAG.** Mr. Brockwell led in the Pledge of Allegiance to the United States flag.

**ADOPTION OF THE AGENDA.** Ms. Anderson asked the Commissioners for a motion to approve the Agenda for the April 25, 2024 Planning Commission meeting. Ms. Canepa made a motion to approve the Agenda and Mr. Bresko seconded the motion.

Roll Call:

In favor: (5) Anderson, Canepa, Elder, Bresko, Brockwell

Opposed: (0)

Absent: (2) Waymack, Joyner

**PUBLIC COMMENT PERIOD.**

At 6:32 p.m., Ms. Anderson opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on the Agenda as Public Hearings. Citizens were asked to limit their comments to three (3) minutes.

With no one else wishing to speak Ms. Anderson closed the Public Comment Period at 6:32 p.m.

**COMMISSIONERS' COMMENTS.**

Ms. Anderson asked the Commissioners if they had any comments they would like to share.

Ms. Elder encouraged citizens, especially the younger generation, to become involved with serving on commissions. She stated it was a privilege to serve her community and citizens that served can learn a lot about how the county works.

### **ORDER OF BUSINESS.**

**A-1. SUBDIVISION WAIVER SW-24-01:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into three “family subdivision” lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property, zoned (R-A) Residential Agricultural and (R-2) Limited Residential, is located at 5711 Courthouse Road and is identified as Tax Maps 230(05)00-00C-1 and 23B(02)00-00D-0. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-05. [2] **Tim Graves**

Mr. Graves presented SW-24-01 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Graves stated the applicant was present to answer questions from Commissioners.

Ms. Anderson asked if Donald Hunter or Robert Hoke owned the land prior, and if a road was required per the agreement, if the developer would be responsible for that road.

Mr. Graves stated Donald Hunter owned the land that is now owned by the Walker family and the land owned by Ms. Atla Betley. He stated when the land was sold to Ms. Betley there was an agreement in place about the well in case the well ever needed to be removed and added that is part of a private agreement that is separate from the decision on approval or denial. He then stated the agreement shouldn't need to be engaged if the request is approved because it would prevent them having to move the well.

Ms. Anderson asked the request is strictly for the size of the road.

Mr. Graves confirmed it is.

Mr. Bresko asked if this request was for a family division and if each new parcel owner would be a part of the Walker family.

Yuri Tuppince stated she was the applicant and each parcel owner will be a member of the Walker family. She then stated that her mother's dream was to pass this land down to her and her sisters before she passed away.

With no further questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 6:51 p.m.

Ms. Atla Betley of 5711 Courthouse Road introduced herself to the Commission and stated when she bought the property she was unaware the easement was on her property

and thought the easement pertained to Courthouse Road. She then stated she did not buy the land from Mr. Hunter, she bought the land from Mr. Hoke who bought it from Mr. Hunter. She further stated after she put up her fence for her horses, Mr. Hunter stopped by her residence and explained to her there was an easement on her property and it involved her well. She stated by approving the request she wouldn't have to move her well which services her water and geothermal HVAC system in her home or move her fence. She explained she has concerns but is trying to work those out with the property owners.

Mr. William Griffin of 5601 Courthouse Road introduced himself and stated he applied to subdivide land previously and because it was in the Prince George Planning area he was denied. He asked what type of housing would be built on the property. He stated if the road was built with gravel, it would be easier to maintain. He then stated over half of the 20 acres are in the FEMA flood management program and the insurance for that is expensive.

With no further comments, Ms. Anderson closed the Public Comments at 7:00 p.m.

Mr. Bresko asked if the current owners had checked into if the parcel was in the floodplain.

The applicant stated they had the property surveyed and were already aware of all flood zones and wetlands present and they would not be disturbing them with the construction of the houses.

Ms. Canepa made a motion to adopt the resolution to approve the subdivision waiver requested in application SW-24-01 for the following reasons; There is an unusual situation, specifically that an adjacent property owner would be affected by the road construction across her property and strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship, specifically the affected property owner will lose the use of a greater portion of her property if the requirements are followed closely; and there is no prejudice to the health and safety of the surrounding citizens and this approval is subject to the conditions recommended in the Staff Report. Ms. Elder seconded the motion.

Roll Call:

In favor: (5) Anderson, Elder, Bresko, Canepa, Brockwell

Abstain: (0)

Absent: (2) Joyner, Waymack

- A-2. SUBDIVISION WAIVER SW-24-02:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into five lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3) which limits residential development on private roads to no more than three lots, to allow a total of five lots to share a private road. The subject property is zoned (R-A) Residential Agricultural, is located on Courtland Road (SR 35) approximately 2,600 feet southeast of the intersection with Oak Ridge Lane, and is identified as Tax Map

590(0A)00-020-A. The proposed subdivision plat is filed in the Planning Department under Application ID # P-24-07.[3] **Koty Gray**

Mr. Gray presented SW-24-02 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Gray stated the applicant was present and willing to answer questions from Commissioners.

Mr. Robert Forehand introduced himself and stated he did not think with his original proposal that the front lot would be counted as one of the lots to be serviced by the private road because there is over 400 ft of road frontage. He then stated it only made sense to pick up lot 5 if they were going to build a private road instead of building another road that would go through parcel 3 and 4. He explained by doing a private driveway he would only have to disturb 15 feet of wetlands instead of 40 ft.

Mr. Bresko asked if lot 3 has access from an existing road.

Mr. Forehand stated it did not.

Mr. Bresko asked that lots 2, 4, 5 and 6 would be accessed through the private road.

Mr. Forehand confirmed and added that there is an existing lot that already has a driveway and would come off the private road as well.

Ms. Canepa asked if these lots would be sold.

Mr. Forehand confirmed these lots were to sell and explained he misspoke by saying this request was for a family subdivision. He stated he did not want to go through the process of giving the lots to his children and waiting five years to sell them.

Mr. Bresko asked if the request was considered a family subdivision.

Mr. Forehand stated he did not want it to be a family subdivision.

With no further questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 7:18 p.m.

Justin Noblin of 8724 Centennial Rd. stated he was a local builder with no affiliation to the lots or property owners, but he was in support of granting this waiver for the following reasons:

- The county has absolutely no risk associated with granting the waiver.
- The private drive had a road maintenance agreement so the county wouldn't be held liable to maintain the road.
- It isn't destroying farmland.
- There is a need for development in the county.
- The cost of building the extra road would be avoided which means the taxes wouldn't increase for citizens sales prices.

- By granting this waiver it helps everyone and hurts no one.
- It protects wetlands.

With no one else wishing to speak, Ms. Anderson closed the Public Hearing at 7:21 p.m.

Ms. Anderson asked if all the previously approved subdivision waiver requests for more than three lots on a private road were only for family subdivisions.

Mr. Gray confirmed they were.

Mr. Bresko stated the code only allowed 3 lots on a private road and if this request is approved it would set a precedent to allow other builders to make the same request.

Ms. Anderson stated if there were no further comments from Commissioners she would entertain a motion. Ms. Canepa made a motion stating for that reason and not wanting to set a precedent to deny Subdivision Ordinance Waiver Request SW-24-02 for the following reasons; There is not an unusual situation and this is not an instance where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship. Ms. Elder seconded the motion.

Roll Call:

In favor: (4) Canepa, Bresko, Anderson, Elder

Opposed: (1) Brockwell

Abstain: (0)

Absent: (2) Waymack, Joyner

## **COMMUNICATIONS.**

### **C-1. Actions of the Board of Zoning Appeals (BZA)**

- There were none. The April meeting was canceled.

### **C-2. Actions of the Board of Supervisors (BOS)**

- Three Special Exception cases were approved at the meeting held on April 22.

### **C-3. Upcoming Planning Commission Cases for May 2024**

- One case is a Rezoning.
- One case is a Special Exception.

### **C-4 Comprehensive Plan Update Process**

- The Berkely Group sent a draft of the diagnostic report to staff and that will be reviewed in a meeting with them on April 26. The draft will be presented to The Board of Supervisors on May 14 and the Planning Commission in June.
- The survey is live on the county website.
- Public workshops and focus groups will be held in May at the public library.
- A work session will be held with the Planning Commission in June.

**ADJOURNMENT.**

At 7:28 p.m., Ms. Anderson asked the Commissioners if they had any additional questions. If not, she would entertain a motion to adjourn. Mr. Brockwell made a motion to adjourn, and Ms. Canepa seconded the motion. Roll was called on the motion.

Roll Call:

In favor: (5) Canepa, Anderson, Brockwell, Bresko, Elder

Opposed: (0)

Absent: (2) Waymack, Joyner