



## ***County of Prince George, Virginia***

*"A global community where families thrive and businesses prosper"*

### **INTEROFFICE MEMORANDUM**

TO: Alex W. Bresko, Jr., Chairman  
R. Steven Brockwell, Vice-Chairman  
Tammy Anderson  
Floyd M. Brown, Sr.  
Imogene S. Elder  
V. Clarence Joyner, Jr.  
Joseph E. Simmons

FROM: Tim Graves, Planner I

RE: July 2022 Planning Commission Work Session & Business Meeting

DATE: July 21, 2022

CC: Jeff Stoke, County Administrator  
Julie C. Walton, Director  
Dan Whitten, County Attorney  
Andre Greene, Planner II  
Missy Greaves-Smith, Office Manager

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The Planning Commission's Work Session will be Monday, July 25, 2022 at 5:30 p.m. in the Board Room.

The Planning Commission's regular Business Meeting will be Thursday, July 28, 2022 at 6:30 p.m. in the Board Room.

Please contact me at (804)722-8678 or via e-mail at [tgraves@princegeorgecountyva.gov](mailto:tgraves@princegeorgecountyva.gov) with any questions.

## Agenda

Draft Work Session Minutes

June 21, 2022

Draft Business Meeting Minutes

June 23, 2022

Subdivision Waiver SW-22-01

Cogle-Jordan Private Road

Capital Improvements Program

Update

Actions of BOS

Upcoming Cases

Begin

**TAB 1**

**AGENDA – BUSINESS MEETING**  
Planning Commission of Prince George County, Virginia

**Thursday, July 28, 2022 at 6:30 p.m.**  
County Administration Bldg. Boardroom, Third Floor  
6602 Courts Drive, Prince George, Virginia

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**CALL TO ORDER – Chairman Bresko**  
Roll Call - Clerk

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO THE U.S. FLAG**

**ADOPTION OF AGENDA [1] – Chairman Bresko**

**PUBLIC COMMENTS - Chairman Bresko**

The Public Comment period is open to anyone who wishes to speak to the Commissioners on any items not being heard as a Public Hearing item this evening. Please state your name and address, you will have three (3) minutes to speak.

**ORDER OF BUSINESS**

- A-1.** Adoption of the Work Session Minutes – June 21, 2022 [2] **Chairman Bresko**
- A-2.** Adoption of Meeting Minutes – June 23, 2022 [3] **Chairman Bresko**
- A-3.** SW-22-01 Subdivision Waiver for Cogle-Jordan Private Road [4] **Andre Greene**

**SUBDIVISION WAIVER SW-22-01:** Request of Ann Jordan Cogle for a waiver of the standards contained in Article VII of the Prince George County Subdivision Ordinance, specifically § 70-724(d)(3), which limits residential development on private roads to no more than three single-family lots served by the road. The waiver request is authorized under § 70-208. The applicant proposes to divide 1.928 acres from her 68.694-acre parcel for her grandson so that he may own and live in a new single-family dwelling which is under construction on her property. The currently approved access for the new house is a private on-site driveway accessed from Birdsong Road, and the applicant is requesting for the new house to be accessed from an existing private road (shared access easement) which enters the subject property from Griffin Road. Three existing parcels, two of which are owned by family members of the applicant, share the private road. If the Planning Commission approves this request, the new house will be the fourth lot using the road. The subject property is known as tax map 420(0A)00-005-0 and is located at 1435 Birdsong Road.

**PUBLIC HEARINGS (None)**



**COMMUNICATIONS –Andre Greene**

- A. CIP Update [5]
- B. Actions of the Board of Zoning Appeals
- C. Actions of the Board of Supervisors [6]
  - a. BOS Recap
- D. Upcoming Cases for August 2022 [7]
  - a. (SE-22-06) Skalsky Borrow Pit
  - b. (SE-22-07) Jordan Point Country Club
  - c. (SE-22-08) Capria Bed & Breakfast

**ADJOURNMENT – Chairman Bresko**

Begin

**TAB 2**

## **MINUTES - WORK SESSION**

Planning Commission of Prince George County, Virginia

**Tuesday, June 21, 2022 at 5:30 p.m.**

County Administration Bldg., Board Room (Third Floor)  
6602 Courts Drive, Prince George, Virginia

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### **CALL TO ORDER – 5:31 p.m.**

Roll Call

**Commissioners present: Anderson, Bresko, Brockwell, Elder, Simmons**

**Commissioners absent: Joyner, Brown**

**Staff present: Julie Walton, Andre Greene, Tim Graves**

**AGENDA REVIEW FOR JUNE 23 BUSINESS MEETING - Tim Graves reviewed the agenda.**

### **PUBLIC HEARING CASE REVIEW**

- P-1. SPECIAL EXCEPTION SE-22-05:** Request of Christopher and Marisela Clark to permit a golf course within a R-A (Residential-Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(3). The subject property is approximately 48.56 acres in size, located at 8399 and 8401 Golf Course Drive, and is identified as Tax Maps 450(06)00-00A-2, 450(06)01-001-0 and 450(06)01-002-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses. **Tim Graves reviewed the Staff Report.**
- P-2. SUBSTANTIAL ACCORD SA-22-01:** Determination by the Prince George County Planning Commission on whether the large-scale solar facility proposed by Powell Creek Solar, LLC in Special Exception Request SE-22-02 on Tax Map 270(03)00-003-0 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses and the Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. **Tim Graves reviewed the Staff Report.**
- P-3. SPECIAL EXCEPTION SE-22-02:** Powell Creek Solar, LLC requests a special exception pursuant to § 90-53 (59) to permit a large-scale solar energy facility in an A-1 (General Agricultural) Zoning District. The 5-megawatt facility is proposed on an approximately 47-acre portion of the 631-acre subject property, with the development area situated along James River Drive, west of the intersection with Nobles Road. The subject property is identified as Tax Map 270(03)00-003-0 and addressed as 14921 James River Drive. **Tim Graves reviewed the Staff Report.**

**P-4. SUBSTANTIAL ACCORD SA-22-02:** Determination by the Prince George County Planning Commission on whether the large-scale solar facility proposed by IPS Solar in Special Exception Request SE-22-03 on Tax Map 510(0A)00-070-0 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses and the Solar Energy Facility Siting Policy provides guidance for the siting of new solar facilities within the County. **Andre Greene reviewed the Staff Report.**

**P-5. SPECIAL EXCEPTION SE-22-03:** IPS Solar requests a special exception pursuant to § 90-103 (57) to permit a large-scale solar energy facility in a R-A (Residential-Agricultural) Zoning District. The 4-megawatt facility is proposed on an approximately 26.3-acre portion of a 73.436-acre subject property, situated between South Crater Road and Gatewood Road. The subject property is identified as Tax Map 510(0A)00-070-0 and addressed as 14016 South Crater Road. **Andre Greene reviewed the Staff Report.**

**COMMUNICATIONS – Communications withheld until Business Meeting.**

**ADJOURNMENT – 6:47 p.m. (Motion by Brockwell, Second by Simmons, vote 5-0.)**

Begin

**TAB 3**

**DRAFT MINUTES**  
Planning Commission  
County of Prince George, Virginia

June 23, 2022

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

**MEETING CONVENED.** The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, June 23, 2022 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mr. Alex Bresko, Chairman.

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

Mr. Simmons	Absent
Mrs. Elder	Present
Mr. Bresko	Present
Mr. Joyner	Present
Mrs. Anderson	Present
Mr. Brown	Absent
Mr. Brockwell	Present

Also present: Julie C. Walton, Deputy County Administrator, Dan Whitten, County Attorney, Andre Greene, Planner II, Tim Graves, Planner I and Missy Greaves-Smith, Office Manager

**INVOCATION.** Mr. Joyner 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.** Mr. Bresko asked the Commissioners for a motion to approve the meeting Agenda for the May 26, 2022 Planning Commission. Mrs. Elder made a motion to approve the meeting Agenda and Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Simmons

**PUBLIC COMMENT PERIOD.** At 6:32 p.m., Mr. Bresko 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 a Public Hearing item. Citizens were asked to limit their comments to three (3) minutes.

With no one present or on Zoom indicating they wished to speak, the Public Comment Period was closed at 6:33 p.m.

**ORDER OF BUSINESS.** Mr. Bresko asked the Commissioners to review the minutes of the April 28, 2022 meeting of the Planning Commission. Mrs. Anderson made a motion to approve the April 28, 2022 Minutes. The motion was seconded by Ms. Elder.

Roll Call:

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

Opposed: (0)

Abstained: (0)

Absent: (2) Brown, Simmons

Mr. Bresko asked the Commissioners to review the minutes of the May 26, 2022 meeting of the Planning Commission. Mrs. Elder made a motion to approve the minutes. The motion was seconded by Mr. Brockwell.

Roll Call:

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

Opposed: (0)

Abstained: (0)

Absent: (2) Brown, Simmons

## **PUBLIC HEARING.**

**P-1. SPECIAL EXCEPTION SE-22-05:** Request of Christopher and Marisela Clark to permit a golf course within a R-A (Residential-Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(3). The subject property is approximately 48.56 acres in size, located at 8399 and 8401 Golf Course Drive, and is identified as Tax Maps 450(06)00-00A-2, 450(06)01-001-0 and 450(06)01-002-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses.

Tim Graves presented the Staff Report.

### **Background**

- Prior use of the property as golf course (Prince George Golf Course) and Assembly Hall (Chester Plantation)
- July 2021 – Special Exception for Assembly Hall and Bedroom rental (4 rooms as a home occupation) in the main “Chester Plantation” building
- 2021-2022 First Tee Estates subdivision
- Applicants purchased Lot 1 and 2 of the new subdivision (includes clubhouse buildings and a portion of the former golf course)
- Applicants submitted Special Exception application

### **Request Summary**

- Create a 9-hole golf course utilizing the fairways, greens and clubhouse left by the former Prince George Golf Course, and including a portion of the Chester Plantation building which also previously served as a clubhouse.
- No new buildings planned at this time
- Utilize existing parking areas
- Hours/days of operation – 7 days a week 7am to sunset

- New signage as permitted by County Code

### **Planning & Zoning Staff Review Comments**

Expected Impacts on adjacent properties and roadways:

- Minimal traffic on Golf Course Dr. during operational hours.
- Mitigation: Not necessary. No increase compared to past uses.
- Potential for stray balls to land on adjacent properties.
- Mitigation: Condition requiring corrective action if any issues arise.

### **Compatibility with surrounding zoning districts:**

Yes, no change to zoning

### **Compatibility with existing surrounding uses:**

Yes, the nature of this use is compatible with surrounding low-density residential uses

### **Compatibility with the Comprehensive Plan:**

Yes, compatible with future Agriculture (including low-density residential uses)

### **Other Staff Review Comments**

#### **Virginia Department of Health**

Applicant needs to work with an Authorized Onsite Soil Evaluator or Professional Engineer who can determine what the sewage disposal system and water supply needs are for the proposed project.

#### **Virginia Department of Transportation (VDOT)**

- Based upon the information contained within the special exception application, a commercial entrance will be required to provide access. A commercial entrance must demonstrate that intersection sight distance is available, meet VDOT's criteria and be paved.
- VDOT has no objection to the submitted special exception application.

### **Recommended Conditions - Highlights:**

1. Hours and days of operation: 7am to sunset 7 days a week.
2. Applicants to obtain certification from an Authorized Onsite Soil Evaluator or Professional Engineer indicating the sewage disposal system and water well have been evaluated to support their proposed usage, with review and approval by the Health Department prior to the granting of a business license.
3. Business signage for the golf course use shall be limited to one additional onsite freestanding sign no greater than sixty (60) square feet.
4. The owner shall employ effective means to prevent golf balls from crossing onto adjacent properties.

### **Staff Recommendation**

Approval, subject to the recommended conditions

**Public Hearing** – There was no one to speak.

Mr. Bresko closed the Public Hearing and turned it over to the commissioners for their opinion and vote.



Mr. Brockwell moved to forward the request SE-22-05 to the board with a recommendation for approval, subject to the recommended conditions in the staff report, and the reasons for this recommendation are: It is compatible with the comprehensive plan and current surrounding uses and zoning districts, It is expected to benefit the general welfare of the community, and the expected off-site impacts appear to be adequately addressed by the conditions. Ms. Anderson seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Simmons

**P-2. SUBSTANTIAL ACCORD SA-22-01:** Determination by the Prince George County Planning Commission on whether the large-scale solar facility proposed by Powell Creek Solar, LLC in Special Exception Request SE-22-02 on Tax Map 270(03)00-003-0 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses and the Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County.

Tim Graves presented the Staff Report.

Mr. Graves stated that we are going to have two public hearings for each solar facility. The first discussion is if this is in substantial accord with the comprehensive plan. If the commission finds that the proposed facility is in substantial accord then we will go into a review of the site design and see the layout at that time. Mr. Graves reviewed the map showing the location of the proposed project within the County and stated that the Planning Commission must make a Substantial Accord determination and the Commission's decision may be appealed to the Board of Supervisors.

**Future Land Use designation:** Agricultural

*"This category includes land areas in the rural portions of the County where agricultural and forestal uses are, and should be, the dominant land use. Large lot single family development may exist within some of these areas. Future residential development of these properties is not encouraged."*

**Staff findings:**

- Request affects only 47 acres out of 631 acres (7.45% of property)
- Dominant use of the property will remain Agriculture use or will be used as Agricultural use in the future if not already
- Land could return to agriculture use after decommissioning of facility After expected life of 35 to 40 years, the land then can potentially be returned to agricultural use.
- Overall, Staff found that this request is compatible with the future land use map.

The guidance that staff used was the Solar Energy Siting Policy which is part of the comprehensive plan. This is the key guidance the county has to keep the applicants and the county on the same page as far as which areas of the county are preferred for solar facilities.

## Siting Policy Guidance

<b>Policy Guideline</b> Guidance language in Policy	<b>Location Complies with Policy Guidelines?</b>
<b>1. County acreage limit*</b> The County desires an upper limit (2.74%) on the total land acreage of the County which is dedicated to solar energy facilities.	<b>Yes.</b> Approximately 550 acres remain until the limit is exceeded. This project would reduce that number by 47 acres, based on the acreage developed for the project.
<b>2. Minimum total parcel acreage</b> The minimum aggregate parcel size for a solar energy facility is seventy (70) contiguous acres	<b>Yes.</b> The total parcel acreage is 631 acres.
<b>3. Avoid Prince George Planning Area*</b> “Siting of a facility within the Prince George Planning Area should be avoided.”	<b>Yes.</b> The location is outside the Prince George Planning Area.
<b>4. Outside Future Public Service Areas*</b> “Location of solar facilities within areas planned to be serviced by public water or wastewater, as indicated in the most current Water and Wastewater Master Plan, will be discouraged and will not be recommended for approval.”	<b>Yes.</b> The location is not planned to be serviced by public water or sewer in the current plan.
<b>5. Flat land</b> “Mass grading of sites shall be limited to the greatest extent possible. Development of areas with steep contours shall be avoided.”	<b>Yes.</b> The development area does not have steep contours that require mass grading.
<b>6. Avoid key public resources</b> “Sites located near recreational, cultural, or historic resources should be avoided.”	<b>Yes.</b> None on-site according to Virginia Cultural Resources Information System. +/- 1.5 miles to James River Wildlife Refuge walking trail.

### Staff Opinion

Is the proposed facility in Substantial Accord with the Comprehensive Plan?

Yes, because:

1. Consistent/compatible with Future Land Use Map designation of “Agriculture”
2. Size and location of facility adheres to guidance in the Siting Policy

Mr. Graves stated this is just staff’s opinion and it is the Planning Commission’s decision.

**Public Hearing** – There was no one to speak.

Mr. Bresko closed the Public Hearing and turned it over to the commissioners for their opinion and vote.

Mrs. Elder moved to find that request SA-22-01 is in substantial accord with the comprehensive plan for the following reasons: it is compatible with general guidance with the future land use map, the proposed size and location of the facility complies with the guidance of the siting policy regarding placement of new facilities within the county. Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Simmons

- P-3. SPECIAL EXCEPTION SE-22-02:** Powell Creek Solar, LLC requests a special exception pursuant to § 90-53 (59) to permit a large-scale solar energy facility in an A-1 (General Agricultural) Zoning District. The 5-megawatt facility is proposed on an approximately 47-acre portion of the 631-acre subject property, with the development area situated along James River Drive, west of the intersection with Nobles Road. The subject property is identified as Tax Map 270(03)00-003-0 and addressed as 14921 James River Drive.

Tim Graves presented the Staff Report.

### **Background**

- Preliminary application submitted October 8, 2021.
- Comment letter dated December 8, 2021.
- Formal application submitted February 3, 2022.
- Applicant-led Community Meetings: March 2 and March 15, 2022 @ Burrowsville Ruritan Club

### **Request Summary**

- 5MW solar energy generating facility
- Development area of approximately 47 acres (includes panels, fencing, access roads, and buffer and screening requirements)
- 631 acres total parcel size
- “Community Solar Garden” allows off-site energy customers to subscribe to a certain amount of the energy output of a facility in exchange for a credit on an energy bill
- Land use classified as a “Large-scale solar facility” pursuant to Section 90-53(59) – requires Special Exception
- Draft conditions and preliminary facility layout prepared to comply with the County’s Solar Energy Facility Siting Policy
- Not exempt from paying Machine & Tools taxes

### **Planning & Zoning Staff Review Comments (Highlights)**

1. Traffic impacts during construction will be mitigated by the Construction Traffic Management Plan, which will be required during Site Plan review.
2. Visual impacts will be mitigated by the existing and proposed vegetative buffers and screening in accordance with the Siting Policy such that the panels are effectively not visible from a public road or adjacent residential home after construction is completed.
3. Staff reviewed this project for compliance with the County’s Solar Energy Facility Siting Policy and found it meets the standards in the policy for design and layout of the proposed facility, and the applicant has met all the application requirements.
4. The standards of the Siting Policy will be enforced through the recommended special exception conditions.

### **REVISED P&Z Comments on Estimated Fiscal Impacts**

- This project is subject to M&T taxes.\*

- Staff and the applicant agreed on estimated fiscal impacts for the project in comparison with the current land use (Agriculture) and the planned future land use (Agriculture). The application narrative includes a table of those estimates.\*
- In summary, it is estimated that the project will provide additional revenue to the County of at least\* \$868,080 over the expected 40-year life of the project, equivalent to \$18,470 per acre developed.
- The increased revenue compared to current and future land uses would come primarily from voluntary cash payments increased M&T taxes\* and increased real estate taxes.

\* Staff and the applicant did not estimate M&T taxes during the application review because a new law was passed effective July 1, 2022 which removes the exemption on M&T taxes for projects approved after that date. The applicant has offered to pay up to the annual cash payment amounts if the annual M&T taxes are lower.

### **Other Staff Review Comments (Highlights)**

#### **Department of Conservation and Recreation**

1. DCR recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator plant species that bloom throughout the spring and summer.
2. The current activity will not affect any documented state-listed plants or insects.
3. There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

#### **Environmental Division**

Site Plan review will be performed by DEQ because it is a 5MW or above facility.

#### **Real Estate Assessor**

This property may be subject to roll-back taxes due to the change in use.

#### **Virginia Department of Transportation (VDOT)**

1. A low volume commercial entrance will be required for permanent access to the site after construction is complete. VDOT supports the proposed entrance location identified in the Construction Traffic Management Plan (CTMP).
2. VDOT has reviewed the CTMP included as Section 12 of the application. The proposed access routes, parking areas and staging areas are acceptable to VDOT.

### **Recommended Conditions (Highlights)**

1. Operations. The Solar Energy Facility shall meet all conditions for operations in the Siting Policy.
2. Buffers. The Solar Energy Facility shall meet all conditions for buffer setbacks and landscape requirements as required in the Siting Policy.
3. Development Standards. The project shall meet all Development Standards as defined under "Development Standards" in the Siting Policy.
4. Decommissioning. The Solar Energy Facility shall meet all conditions for Decommissioning as specified in the Siting Policy. Decommissioning shall commence no later than the 40<sup>th</sup> anniversary of the commercial operation date.
5. The Project will be taxed in accordance with § 58.1-2606.1 (effective July 1, 2022). Local taxation for solar photovoltaic projects five megawatts or less (i.e. Virginia Machinery and Tools Tax). Should the Machinery and Tools Tax levied against the project amount to a sum less than what is shown in Exhibit A during any year of operations (based on the actual installed MW capacity of the project), then the Owner shall be responsible for

paying to the County substantial cash payments in excess of the Machinery and Tools Tax to reach the total amount in Exhibit A for that given year.

*(Full list of recommended conditions in the Staff Report / Draft Ordinance)*

### **Staff Recommendation**

Approval, subject to the recommended conditions

Primary Basis:

The site design and recommended conditions adhere to guidance in the County's Solar Siting Policy (Comprehensive Plan)

### **Andrew Hull, Development Manager, DER, with APEX Clean Energy spoke about the project.**

Apex is a leading, full-service clean power producer. We provide clean energy solutions of all types and sizes: utility-scale wind and solar, battery storage, distributed energy resources, and green fuels. We are headquartered in Charlottesville and supported by a national presence. Apex's 300+ clean energy professionals are capable of managing every aspect of the project life cycle. We develop, construct, and operate clean energy assets across North America.

### **Virginia Shared Solar Program - Benefits**

- Shared Solar creates equitable access to the economic and environmental benefits of solar energy
- Shared Solar generates immediate local benefits: local economic investment, construction jobs, burden-free tax revenue, and upgrades to local grid infrastructure
- Virginia's Shared Solar Program includes a carve-out to encourage access for low- and moderate-income households

### **Project Facts**

- Up to 5 MWac, which can power approximately 1,000 Virginia homes
- Construction lasts approximately 4 to 6 months
- Projects operate quietly for 35 to 40 years are remotely monitored and professionally maintained with minimal upkeep
- Projects will be decommissioned at the end of their lifetime and land restored

### **Powell Creek Solar Site Plan**

- Parcel Number 70(03)00-003-0
- Zoning: A-1 Agricultural
- Parcel Size: 631 acres
- Panel Area: 30 acres
- Project Area: 47 acres
- Production: 5 MWac
- Interconnection: A position, Hopewell Substation
- Expected Operations: 2024

### **Project's Compliance with County's Comprehensive Plan:**

The Project diversifies the local tax base and provides significant local revenue.

Key areas of compliance:

- Complies with County acreage limit and parcel size

- Location is outside Planning Area, and outside of Public Service Area
- Avoids key public resources
- Promotes expansion of a diversified local economy
- Protects natural resources
- Encourages innovative and environmentally friendly land uses

Project's Compliance with County's Zoning Ordinance, pecifically related to the County's *Solar Energy Facility Siting Policy*:

Key areas of compliance:

- A-1 is a compatible land use and land will be returned to Agriculture
- Provides significant landscape screening, minimizing visual impacts
- Favorable interconnection position and available capacity on Dominion line
- Follows VA state laws and County regulations
- Entrance location acceptable to VDOT, off-street parking and loading area conform to Policy
- Protects natural vegetation and avoids mass grading

Mr. Joyner: *"On this property there is 631 acres and you are going to use 47, what is going to happen with the remaining acres?"*

Mr. Hull: *"The landowner will continue to use it. It will remain agriculture we do not intend to use any of the remaining acres outside the perimeter outside that map. We have no plans and no rights to go into that area of that parcel."*

Mr. Joyner: *"In other words, you are just leasing the 47 acres."*

Mr. Hull: *"Yes sir."*

Mr. Heretick, landowner of the subject property at 14921 James River Drive, Disputanta, VA, spoke: *"I am proud to be a part of Virginia's clean energy future. It is a unique opportunity to landowners in Virginia. It demonstrates to the next generation how we can stimulate the economy by being environmentally responsible."*

Mr. Bresko asked in regards to the land use taxes, does the landowner or the solar company have to pay them back or update them? Mr. Graves answered that collectively they will both be responsible to make sure that the county receives that. Condition #2 provides extra detail related to that.

**Public Hearing** – There was no one to speak.

Mr. Bresko closed the Public Hearing and turned it over to the commissioners for their and vote.

Mr. Brockwell moved to forward request SE-22-02 to the board with a recommendation for approval, subject to the recommended to conditions in the staff report and the reasons for this recommendation are: It is compatible with the comprehensive plan and current surrounding uses and zoning; It is expected to benefit the general welfare of the community; Expected off site impacts appear to be adequate and addressed by the conditions. Mr. Joyner seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Simmons

- P-4. SUBSTANTIAL ACCORD SA-22-02:** Determination by the Prince George County Planning Commission on whether the large-scale solar facility proposed by IPS Solar in Special Exception Request SE-22-03 on Tax Map 510(0A)00-070-0 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses and the Solar Energy Facility Siting Policy provides guidance for the siting of new solar facilities within the County.

Andre Greene presented the Staff Report.

Mr. Greene stated that IPS Solar is requesting permission to build a 4-megawatt shared solar facility on Tax Parcel 510(0A)00-070-0.

**Future Land Use designation:** Residential

*“This category includes areas within the PGPA where small lot residential development is encouraged. Public water and/or wastewater facilities are available and required for such development.”*

**Staff findings:**

The Prince George County Comprehensive Plan Future Land Use Map has the area in question designated for residential uses. Future residential land uses can range from single-family dwellings located on individual lots to multi-family residential type development (duplexes apartments, and/or townhouses). The site in question is presently zoned R-A, Residential-Agricultural, which allows houses to be built on five (5)-acre lots and the affected site adjoins properties zoned R-1, General Residential, which allows houses to be built on lots less than 5 acres in size. The development trend in the area is single-family dwellings built on individual lots along Route 301 (South Crater Road).

**Siting Policy Guidance**

<b>Policy Guideline Guidance language in Policy</b>	<b>Location Complies with Policy Guidelines?</b>
1. Acreage for facilities The County desires an upper limit (2.74%) on the total land acreage of the County which is dedicated to solar energy facilities.*	Yes. Approximately 550 acres remain until the limit is exceeded. This project would reduce that number by 26.3 acres.
2. Minimum total parcel acreage The minimum aggregate parcel size for a solar energy facility is seventy (70) contiguous acres	Yes. The total parcel acreage is 75.436 acres.
3. Avoid Prince George Planning Area “Siting of a facility within the Prince George Planning Area should be avoided.”	No. The location is inside the Prince George Planning Area.
4. Outside Future Public Service Areas “Location of solar facilities within areas planned to be serviced by public water or wastewater, as indicated in the most current Water and Wastewater Master Plan, will be discouraged and will not be recommended for approval.”	Yes. The location is not planned to be serviced by public water or sewer in the current utilities plan but it is within the Planning Area where utility hook-up is required.

5. Flat land “Mass grading of sites shall be limited to the greatest extent possible. Development of areas with steep contours shall be avoided.”	Yes. The development area does not have steep contours that require mass grading.
6. Avoid key public resources “Sites located near recreational, cultural, or historic resources should be avoided.”	TBD

### **Staff Opinion**

Is the proposed facility in Substantial Accord with the Comprehensive Plan?

No, because:

1. The request is inconsistent with the Future Land Use Map, which calls for Residential uses in this area, because a large-scale solar energy facility is not compatible with higher density residential uses planned for this area.
2. The proposed location of the facility within the Prince George Planning Area does not adhere to the Comprehensive Plan’s Solar Energy Facility Siting Policy, which states, “siting of solar facilities within the Prince George Planning Area should be avoided.”

Mr. Greene stated he could answer any questions. The Commission did not ask any questions. Mr. Bresko opened the Public Hearing.

### **Public Hearing –**

1. Mike Snyder, 13632 S. Crater Road, South Prince George, we have seen two different companies wanting to put solar facilities in our area. One is very on top of it and this one is very unorganized for this site. We were scheduled for three different meetings and you know when we all showed up? The third meeting. We got the invitation to the meeting in the mail for the meeting the very same day as the meeting. How organized are you on that? Do they really know what they are doing?  
My second question is, we are taking prime farmland and we are going to put solar on it for 40 years? Is not there something better like those windmills because farmers can farm around them and you will still get your taxes?  
We need to stop and look at this, it is not that we object to solar but why tie up our good farmland for electricity? We ask so many questions at our meeting and you know what 90% of our responses were? Well I do not know I will have to check on that. Do you really want someone in your county doing business when they cannot even answer the questions from just a normal guy? We need to open our eyes up and see what is going on. Farming is a way of life in Virginia. Last week a heat wave in Kansas over 2,000 head of livestock died, there is going to be a shortage of tomatoes this year, got too hot. Are we condemning the farming industry in the United States?
2. Gilbert Lee, 14019 S. Crater Road, South Prince George, the map that is showing on the board shows the whole farm, it is not showing where the 20 acres they are going to put the panels. Where on the 20 acres where they are going to put the panels are directly across the road from my farm. My biggest objection all along is the panels face east and as the morning sun comes up they are supposed to tilt towards the sun and for that period of time I’m going to be sitting over there like a deer sitting looking in headlights. It is all about screening which is fine but that is going to screen anyone driving up and down 301 and they will not be able to see. My family has seen wildlife across the street for over 200 years. With all of that being said, I fully support the landowner getting what he can out of



the best use of his land. I would expect the same on my farm if I wanted to do something like that. While I do not like it, priorities are priorities.

3. Paul Vlk, 676 Yankee Point Road, Lancaster, VA. I am a lifelong resident of this county. I am married to Debbie Krenicky. Debbie is the sole heir and she will probably get the land. We have three choices to make; 1. is to continue farming. I am not a farmer. The people who know about farming, you have to have a whole lot of money, with the equipment and that is not a possible choice. 2. We have asked everybody around the neighborhood, do you want a neighborhood in front of you? Not one person said they want housing. The option would be solar farming. It still protects the animals, land, and does not destroy anything. IPS approached us and they have done everything they told us they would do. They laid out an excellent plan and in 35-40 years if it does not continue, all they do is pull the stakes back up and turn it right back to agricultural again. If they want to build houses there, that is fine but I do not want to put houses there now. No one wants houses there. This is a perfect option, a win for everybody.
4. Jake Hay with IPS Solar. There are a couple of concerns that have to be addressed with this as Paul mentioned; Development is not something the community wants to see out there for homes. There are a couple of things we can do to address the farming issues, we are a national solar company taking farmland out of production has been an issue we have dealt with since day one. As of now, this property is not currently being farmed it is grassland. We are going to put an alienator seed mix under there, as well as hay or alfalfa, which we are working on developing which will be a baleable hay. We are going to make this an area that can be farmed. As for the glare, which is very important, we will do a glare test - it is very cheap. We always want to make sure that is not an issue. That is a huge problem. We want to be good neighbors as well. We are a 31-year-old solar company. Animals can get in and out of the panels there is no issue with that. The development of this is as simple as it gets, steel I-beams driven into the ground, no footing. If the project is decommissioned at the end of life, it is pulled out of the ground. It is a flat site no grading. It can be put right back in to agricultural usage if the landowners chose. There is quite a bit of moving parts and we would definitely would love to move this along to the next public hearing so we can address the other concerns about the top plan with a little bit more time as well.
5. Amy Seipp, Principal Engineer and owner of Accupoint Engineering and Design. I am a licensed professional engineer in the state of Virginia. I want to specifically address item number three where it says it does not meet substantial accord. The future land use map addresses residential code 'this map represents the generalized over view of desired land use location within the county the map is not intended to be parcel specific' so some of that is a bit ambiguous. In land use planning, there is general broad shaded areas. One of the things that drives this is infrastructure so if you want to have density and you want to have homes you have to have infrastructure, whether that be water, sewer, roads all the things that allow folks to live and to work in developed areas. The county's future maps that have proposed sewer areas and proposed water areas both stop short of this area. Therefore, the planning by utilities to supply this area does not make it to this site. So to say that in the future plan is for residences with no water or sewer; these lots would be on well and septic. There are specific lot sizes that are allowed with well and septic, you cannot have tiny lots in a more dense area that has water and sewer because of the rural regulations that we follow. There is more severe limitations with soils as shown in the map of the county. Drain fields are not ideal and do not last a lifetime. I just wanted to address that from a technical standpoint.

6. Scott Campbell, 18130 S. Crater Road, South Prince George, VA. The other company that was up here was a Virginia based company. This company is from Minnesota. Is there nowhere in Minnesota to put these solar farms? The second thing, the gentleman said there is no farming going on, on this property, there is someone farming this property. Mr. Sean Finney farms this property, is that not correct? Therefore, sir, the farm is being farmed. That points back to Mr. Snyder's argument that this company does not know what is going on. That is something that is key information for them to know. The next thing, Mike also talked about the public hearing, I run a business two miles down the road, I found out about the public hearing the day they had the third meeting because it was posted on Facebook. The only way I knew about the meeting. We asked in the meeting that day for a mailing list, they said that they would get it to us. I have never received that. There was a bunch of questions that came up at that little meeting at the Mexican restaurant on South Crater Road that have yet to be answered. I am not against what the man wants to do with his property that is fine. What I am against is when someone does something on their property that impacts someone else. Meaning an adjoining landowner, meaning somebody riding down. 301 is a main corridor, out route 10 out that way perfect place for a solar farm. Route 301 we do not know what the future holds in five years, ten years. As far as residential, if we are going to have infrastructure and we want big business in the county, they have to live somewhere. There is a lot of things the county has been awarded for, "The Best County to Live In." Let's remember that. I believe it was also the best county to work. Let's not pollute our county with solar farms.
7. Mike Covington, 16121 North Burrow Lane. One things I would just like to highlight is there is probably a reason why solar is becoming pretty popular in Prince George county or in the state of Virginia right now because they have probably been run out of Carolina. There is wind farms and solar farms just as far as you can see everywhere. I encourage you if you have not had an opportunity to go look it, go look at it. Once the ball gets rolling, it is of hard to stop. I believe we are at that stage right now. Another county has allowed a 100-megawatt farm took a bunch of farmland, bunch of trees, down along the James River. I guess you are aware of that. My point up here today is how far are we willing to go with it?
8. Mike Snyder, 13632 S. Crater Road, South Prince George (spoke again): The gentleman with the solar company got up here a few minutes ago and he added a little thing to his speech that we never heard before. He was planting grass, was going in there, and harvest it. That was never discussed. He is adding things as he goes along. We really need to look at all of this.
9. William Feaster, 13571 S. Crater Road, South Prince George. I cannot say one way or another about what one person that owns their property should do with it but the things that I see and I have been hearing is it is hard for people to accept change. Life and the world is changing one way or the other. How fair is it to say that the landowner is going to give up that property for residential or for any planning for that Prince George wants to do. I am a little concerned on what people decide on what property is going to be developed and what is not going to be developed if it is not their property. That is part of the fact and why we live in the free world. That is our property, you take it from us and you cannot decide what we can and cannot do with it, supposedly within reason obviously. I moved out to Prince George to have property and be away from everybody. To have space and be away from my neighbors. I feel that if this comes forth, I feel they need to put in more mature trees in. With all of the stuff you want to put in off of Exit 45 is that an idea of a plus or minus within Prince George's standards on what you want to see when you are going up through that road.

Mr. Bresko closed the Public Hearing.

Julie Walton spoke: Thank you Mr. Chairman, for especially the commission's indulgence on comments beyond the substantial accord determination. I want to answer a couple of points that were brought up by the applicant. Behind tab seven are your policy guidelines with future land use map as well as the siting policy. Of course, it is within the Prince George planning area, which is not in conformance of the policy. The second consideration is for outside the future public service areas, the references made to the current utilities map. The future public service areas for water and sewer is what they typically refer to, we have a current utilities master plan for areas of the county where there are capital improvement projects to extend lines under the current utilities master plan. There is a difference in that and the Prince George planning area. The entire planning area is a part of the utility plan. The planning area, as you the commission are well aware, is where future growth is encouraged as well as planned. At this point for this property, if they wanted to go residential, it is not that the county's utility department would run water and sewer to this property; the developer would be responsible for extending water and sewer to that property. So the fact that the current utilities master plan doesn't show that does not mean that the utility plan of next year or next five years wouldn't show future growth and spread as developers install extensions to the water and sewer system. The planning area is a very specific area where development is encouraged, both residential and commercial. There is a difference between growth in the planning area and growth in the rural conservation area. Route 10 versus 301. This development would not occur with well and septic it would be all utilities at the developer's expense. It is the responsibility of the development plan on how to get water and sewer there. If this matter moves forward, the public hearing would then be held on the special exception and the information in your packet as well as the applicant's presentation would be held at that time.

Mrs. Anderson said: I have noticed in the road views and the maps the comments from the residence in the area, it is apparent that these parcels of land were originally smaller parcels. The land has since been combined into a larger 70 acre parcel and as we have heard from residents across the street and adjoining property there seems to be a lot of agricultural land in that region. I am just curious if there has been any filing with the planning commission, to consider that land be rezoned to be agricultural land instead of residential. Alternatively, if that is even an option for those residents or land owner.

Mrs. Walton replied: The landowners of that parcel, certainly if it is their desire to rezone, they can apply. They have not currently applied. It is combined as a R-A Residential-Agricultural zoning.

Mrs. Anderson said: Mr. Chairman, in light of the district guidelines that have been placed by the county in both our planning and siting policy, I would make a motion that currently this does not fit in substantial accord within the comprehensive plan due to the fact that it is currently inconsistent with future land use map which would equal residential uses in the area, because large-scale solar facility is not compatible with the higher density residential use plan for this area currently. The proposed location of the facility within the Prince George Planning area does not adhere to this comprehensive plan Solar Energy Siting Policy which does clearly state that siting solar of facilities within the Prince

George Planning Area should be avoided. Contingent on that I would make the motion based on those recommendations that this would not meet the substantial accord. Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Simmons

Mr. Bresko stated since the Substantial Accord did not pass there will be no public hearing on the special exception. It will not be forwarded to the Supervisors.

Mr. Graves confirmed that the case would not be forwarded to the Board, and that the applicant could appeal this decision.

- P-5. SPECIAL EXCEPTION SE-22-03:** IPS Solar requests a special exception pursuant to § 90-103 (57) to permit a large-scale solar energy facility in a R-A (Residential-Agricultural) Zoning District. The 4-megawatt facility is proposed on an approximately 26.3-acre portion of a 73.436-acre subject property, situated between South Crater Road and Gatewood Road. The subject property is identified as Tax Map 510(0A)00-070-0 and addressed as 14016 South Crater Road.

(NOTE: This item was not reviewed because the request was found to be not in Substantial Accord.)

**PLANNER'S COMMUNICATION TO THE COMMISSION.** Mr. Graves presented to the Commissioners the following updates:

- A. Actions of the Board of Zoning Appeals (BZA)
  - a. No meetings are scheduled for June
  - b. Meeting scheduled for July it is a continuance of the Special Exception for the private animal boarding place
- B. Actions of the Board of Supervisors
  - a. June 14 BOS approved special exception for the truck repair/trucking company parking project
- C. Upcoming Cases for July 2022
  - a. Subdivision Waiver SW-22-01: Cogle-Jordan Private Road Exception
  - b. Special Exception SE-22-06: Skalsky Borrow Pit

**ADJOURNMENT.** At 8:02 p.m., Mr. Bresko asked the Commissioners if they had any additional questions. If not, he would entertain a motion to adjourn. Mr. Brockwell motioned to adjourn and Mrs. Elder seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Simmons

Begin

**TAB 4**

**SUBDIVISION WAIVER REQUEST -- SW-22-01**  
**PLANNING COMMISSION STAFF REPORT – July 28, 2022**

**RESUME**

**APPLICANT:**

Ann Jordan Cogle

**PROPERTY OWNER:**

Ann Jordan Cogle

**REQUEST:**

The applicant/owner requests a waiver of the standards contained in Article VII of the Prince George County Subdivision Ordinance, specifically § 70-724(d)(3) which limits residential development on private roads to no more than three single-family lots.

Granting approval of this waiver would allow a family division lot for her grandson to be the fourth lot on an existing private road.

**STAFF REPORT CONTENTS / ATTACHMENTS:**

1. Resume
2. Sample Motions
3. Draft Resolution for Planning Commission Approval
4. Staff Report
5. Copy of Application with applicant statements
6. Copy of Subdivision Plat submitted with application S-22-12
7. APO letter, map, and list
8. Powerpoint presentation

## **Sample Motions**

### **Sample APPROVAL Motion:**

“I move that we APPROVE subdivision waiver request SW-22-01 by adopting resolution R-22-01 as presented.”

### **Sample Motion to APPROVE WITH CHANGE(S):**

“I move that we approve subdivision waiver request SW-22-01 by adopting resolution R-22-01 with the following change(s) (specify):

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### **Sample Motion to DENY:**

“I move that we DENY subdivision waiver request SW-22-01 for the following reason(s):

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### **Sample Motion to POSTPONE:**

“I move that we POSTPONE a decision on subdivision waiver request SW-22-01 until \_\_\_\_\_  
to allow time for \_\_\_\_\_.” (MEETING DATE)  
(ACTION/EVENT)

Planning Commission  
County of Prince George, Virginia

Resolution

At a regular meeting of the Planning Commission of the County of Prince George, held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 28th day of July, 2022:

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Present:

Alex Bresko, Jr., Chair  
Roy Stephen Brockwell, Vice-Chair  
Tammy Anderson  
Floyd M. Brown  
Imogene S. Elder  
V. Clarence Joyner, Jr.  
Joseph E. Simmons

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Vote:

On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried by a vote of \_\_\_\_ to \_\_\_\_, the following Resolution was adopted:

SUBDIVISION WAIVER SW-22-01: Request of Ann Jordan Cogle for a waiver of the standards contained in Article VII of the Prince George County Subdivision Ordinance, specifically § 70-724(d)(3), which limits residential development on private roads to no more than three single-family lots served by the road. The waiver request is authorized under § 70-208. The applicant proposes to divide 1.928 acres from her 68.694-acre parcel for her grandson so that he may own and live in a new single-family dwelling which is under construction on her property. The currently approved access for the new house is a private on-site driveway accessed from Birdsong Road, and the applicant is requesting for the new house to be accessed from an existing private road (shared access easement) which enters the subject property from Griffin Road. Three existing parcels, two of which are owned by family members of the applicant, share the private road. If the Planning Commission approves this request, the new house will be the fourth lot using the road. The subject property is known as tax map 420(0A)00-005-0 and is located at 1435 Birdsong Road.

WHEREAS, the Commission finds that in the case of this request,

1. Strict adherence to the normal subdivision requirements would result in substantial hardship or injustice upon the applicant; and
2. There is no prejudice to the health and safety of the surrounding citizens; and
3. The remainder tract meets applicable zoning requirements; and

WHEREAS, adjacent property owners were mailed a notice of this request by U.S. Mail and provided opportunity to comment on this request.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Prince George, after careful consideration, hereby approves this subdivision waiver request, which shall be effective immediately and subject to the following conditions:



1. This waiver is granted for one (1) additional single-family residential lot to use the existing shared access easement (private road) to access the state-maintained Griffin Road, resulting in a total of four (4) lots on the private road.
2. The private road used for shared access will not be improved or maintained with local or state funds unless otherwise provided for by law.
3. Maintenance of the private road shall be governed by a recorded road maintenance agreement among all property owners accessing the private road.
4. The subdivision plat that may be approved in accordance with this waiver shall reference this waiver and meet all other applicable requirements for subdivision approval, as approved by the Subdivision Agent.

A Copy Teste:

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Alex Bresko, Jr.,  
Chair, Prince George County Planning Commission



## PLANNING COMMISSION STAFF REPORT

Public Meeting – July 28, 2022

**SW-22-01** – Subdivision Waiver: Private Road Exception

**Applicant:** Ann Jordan Cogle (Agent: Lewis Wyche)

**Case Manager:** Tim Graves - (804)722-8678

### I. Request Summary

Ann Jordan Cogle (Attorney Lewis Wyche as agent) has requested a waiver of the standards contained in Article VII of the Prince George County Subdivision Ordinance, specifically § 70-724(d)(3) which limits residential development on private roads to no more than three single-family lots served by the road.

The applicant/owner proposes to divide 1.928 acres from her 68.694-acre parcel for her grandson (John Jordan) so that he may own and live in a new single-family dwelling which is under construction on her property. The currently approved access for the new house is a private on-site driveway accessed from Birdsong Road, and the applicant is requesting for the new house to be accessed from an existing private road (shared access easement) which enters the subject property from Griffin Road. Three existing parcels, two of which are owned by family members of the applicant, share the private road. If the Planning Commission approves this request, the new house will be the fourth lot using the road.

The waiver request is authorized under § 70-208. This request requires consideration and approval by the Planning Commission. If the Planning Commission approves the request, the family subdivision plat could be approved, so long as the plat otherwise meets all applicable requirements and any conditions of the waiver approval are adhered to.

### II. Property

**Address:** 1435 Birdsong Road

**Tax Map:** 420(0A)00-005-0

**Site Size:**

68.694 acres (1.928-ac division proposed)

**Legal Owner:** Ann Jordan Cogle

**Zoning District:** A-1 General Agricultural

**Current Use:** Agriculture & Single-Family Dwelling

**Comp Plan Land Use:** Residential

**Planning Area:** Prince George Planning Area

**Previous Zoning Cases:** ZM-85-5 (no conditions)

### III. Meeting Information

Planning Commission Meeting: July 28, 2022 (NOTE: Not a public hearing)

Board of Supervisors Meeting: TBD only if the Planning Commission decision is appealed

### IV. Background

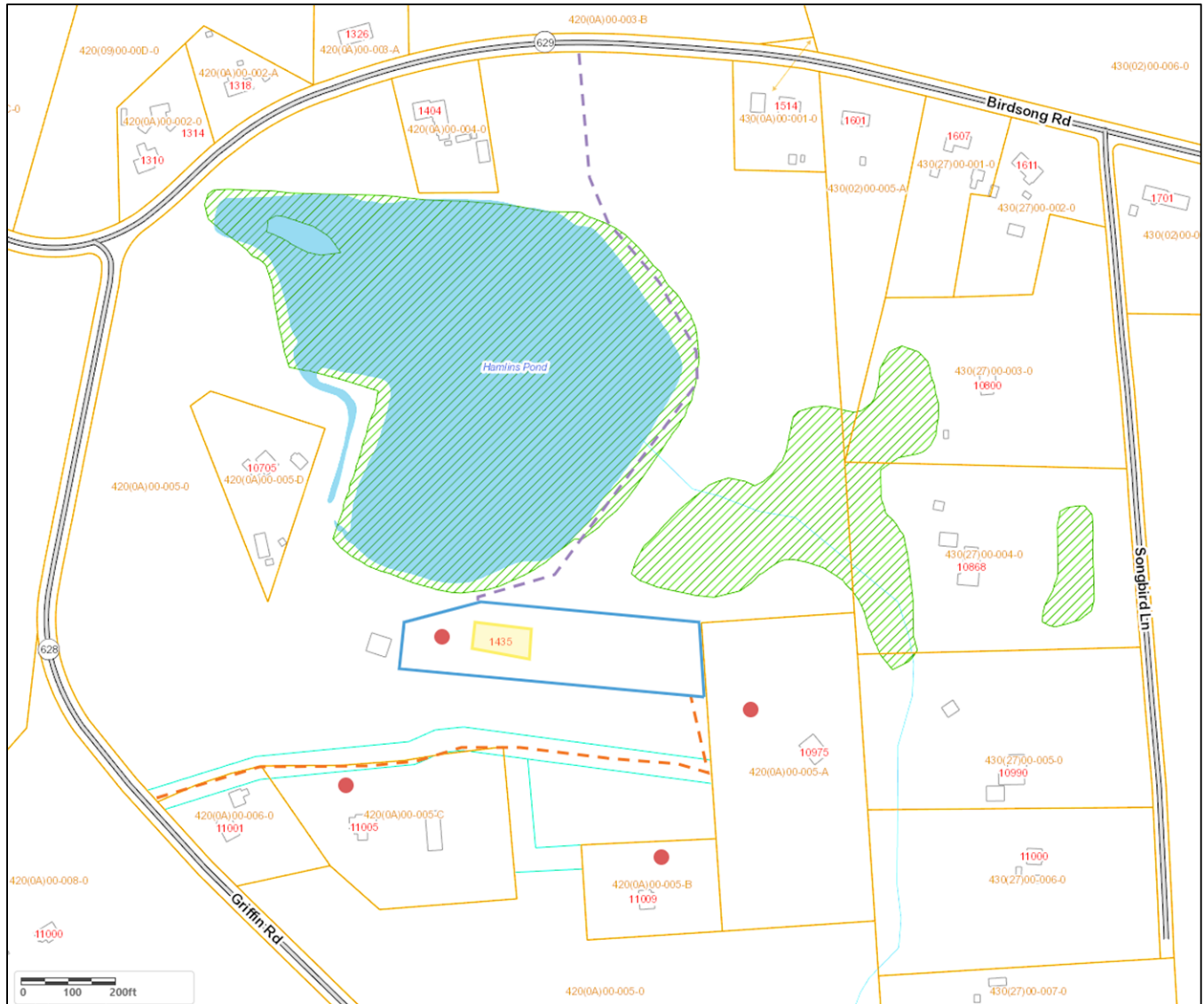
1. On June 11, 2013, the Board of Supervisors adopted changes to the subdivision ordinance that enabled requests for waivers of certain subdivision ordinance requirements to be made by applicants and considered by the Planning Commission. The last known subdivision waiver for a private road exception was granted by the Planning Commission on June 27, 2013. The request was also for a fourth lot on a private road.

2. In 2020, John Jordan initially contacted the Planning & Zoning Office to discuss plans for his grandmother to subdivide her property to grant him a family division with access to the existing private road. Mr. Jordan was advised of the limit of three single-family lots on a private road.
3. In 2021, the Jordan family submitted a building permit to build the new house for John Jordan on the existing 68-acre lot owned by Ann Jordan Cogle.
4. The house building permit was approved with access via a private driveway extending south from Birdsong road around the large pond to reach the house site south of the pond. Staff applied a condition to the building permit approval that the driveway must be improved for safe emergency vehicle access unless a different legal access is provided.
5. On May 13, 2022, Ann Jordan Cogle (the applicant and property owner) submitted a subdivision application identified as S-22-12 showing a 1.928-acre family division lot including the under-construction house, with the remainder tract remain in the ownership of Ann Jordan Cogle. The plat proposes that the new lot access a public road via the existing private road instead of the existing driveway around the pond. Since the plat shows four lots on a private road, it is not eligible for approval since it doesn't meet the the three-lot limit on a private road as required by § 70-724(d)(3) of the Subdivision Ordinance. The owner submitted the waiver request to ask the Planning Commission to waive that requirement so that the plat may be eligible for approval.

## **V. Planning & Zoning Division Review**

1. A copy of the submitted subdivision plat, titled "Plat of Family Division of Tax Map # 420(OA)00-005-0 for John Jordan", is provided with this Staff Report and is still under review by the Planning & Zoning office. If this waiver request is approved, the plat will not be approved until it meets all applicable subdivision and zoning ordinance requirements. Minor changes to final acreages and lot dimensions may be warranted, but such changes are not expected to impact the subdivision waiver request.
2. Section 70-724(d)(3)iii of the Subdivision Ordinance requires a higher design/construction standard for new roads than the existing private road is built to. Given that the existing private road has been shared by three houses for more than 10 years, Staff does not plan to require the road to be upgraded further (e.g. widened) as a condition of plat approval unless the Planning Commission applies such a condition.
3. The road is required to be named as part of the plat review process.
4. According to the applicant, the existing private driveway for the house is not safe for continued use because it crosses a small dam which could be damaged by heavy vehicles (including emergency vehicles) if that is the only access that that is used for the property. (See Exhibit C)
5. Exhibit A illustrates the approximate locations of the existing driveway, the existing private road, the proposed new house and lot, and identifies the 4 lots which would all share the private road if this request is approved.
6. Exhibit B shows an aerial view with close-up of the approximate area for the proposed lot and the existing private road when the aerial view was taken in 2022.
7. If the subdivision waiver request is approved by the Planning Commission, the plat will contain appropriate notation referencing the waiver.
8. This seems to be the type of situation that the waiver process was created for.

## Exhibit A – Illustrative Map



Existing approved private driveway to house

Proposed access via existing shared private road

Proposed new house/lot

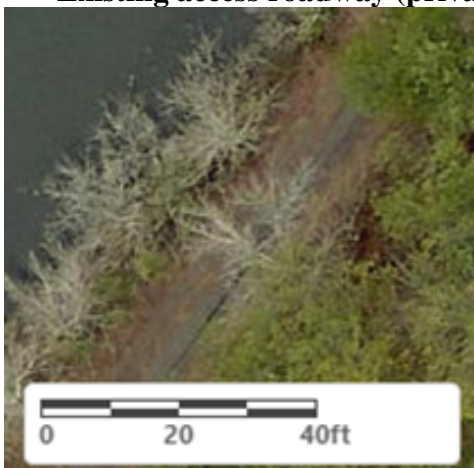
House on private road



## Exhibit B – Aerial View of



## Exhibit A – Existing access roadway (private) vs. Proposed access roadway (shared)



## **VI. Relevant Ordinance Requirements**

### **CHAPTER 70 – SUBDIVISIONS**

#### **Article VII. – Requirements for Designs Standards and Public Improvement**

##### **Sec. 70-724. - Subdivider to build and dedicate roads.**

(d) Notwithstanding (a) and (b) above, residential development may occur on roads not in the state system in accordance with the following conditions:

- (3) To serve no more than three single-family lots in A-1 and R-A zoning districts, provided:
  - i. No more than one private road shall be allowed for any lot or parcel that existed as of January 1, 2013.
  - ii. No more than one private road shall be allowed or shown on any preliminary or final subdivision plat.
  - iii. Private roads shall meet all the geometric design requirements (vertical and horizontal) for a two-way subdivision street having a shoulder and ditch section as given in the latest edition of the VDOT Subdivision Street Design Guide. Gravel surfaces will be acceptable on private roads out of the public right-of-way to which it connects but all surfaces shall be the width prescribed for pavement in the subdivision street design guide. All easement or dedicated right-of-way widths shall be a minimum of 50 feet. All private roads shall have a cul-de-sac or other turnaround as described in the subdivision street design guide or as otherwise approved by the director of planning. Private roads shall be paved in the right-of-way of any public road as required by the corresponding VDOT entrance permit. Private roads shall be designed to meet the drainage requirements of the VDOT drainage manual.

#### **Article II. - Administration**

##### **Sec. 70-208. Waivers authorized.**

- (a) In cases of unusual situations or where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship, the commission may waive standards contained in article VII of this ordinance and approve the minor subdivision exception set out in section 82-31 and section 82-351, under the terms, procedures, and conditions established in this ordinance. No waiver shall be granted which is illegal or which would prejudice the health and safety of citizens of the county.

## **VII. Supplemental Staff Review Comments**

No additional Staff comments were sought for this waiver request. Each department separately reviewed the subdivision plat and those comments will be addressed before the plat is approved by the County.

## **VIII. Public Notice and Community Feedback**

- Staff notified adjacent property owners by U.S. Mail sent July 13, 2022.
- The applicant reviewed a copy of this report prior to the Planning Commission hearing date.
- No comments from the community were received prior to finalizing this report.

## **IX. Staff Recommendation**

Given that this request is for an exception to the standard ordinance requirements, and is therefore similar to a variance request to the Board of Zoning Appeals, Staff is not providing a recommendation on approval or disapproval.

If the Commission wishes to approve this request, it is required to find that the request meets the criteria provided for in the ordinance (copied below and in the draft resolution). Staff has prepared a draft resolution for the Commission to use if it deems this request worthy of approval.

Criteria for this type of request:

- A. Strict adherence to the normal subdivision requirements would result in substantial hardship or injustice upon the applicant.
- B. There is no prejudice to the health and safety of citizens of the county.
- C. The remainder tract meets applicable zoning requirements.

#### **X. Recommended Conditions**

Staff has recommended the below conditions to accompany this Subdivision Waiver request based on applicable requirements in the Subdivision Ordinance. These conditions are included in the draft resolution.

1. This waiver is granted for one (1) additional single-family residential lot to use the existing shared access easement (private road) to access the state-maintained Griffin Road, resulting in a total of four (4) lots on the private road.
2. The private road used for shared access will not be improved or maintained with local or state funds unless otherwise provided for by law.
3. Maintenance of the private road shall be governed by a recorded road maintenance agreement among all property owners accessing the private road.
4. The subdivision plat that may be approved in accordance with this waiver shall reference this waiver and meet all other applicable requirements for subdivision approval, as approved by the Subdivision Agent.





# SUBDIVISION WAIVER REQUEST

Department of Community Development and Code Compliance  
Planning & Zoning Division

6602 Courts Drive, Prince George, VA 23875  
(804) 722-8678 | [www.princegeorgecountyva.gov](http://www.princegeorgecountyva.gov)

OFFICE USE ONLY

APPLICATION #:

SW-22-01

DATE SUBMITTED:

MAY 16 2022

BY: TWG

PLEASE FILL IN ALL BLANKS BELOW

TYPE OF WAIVER REQUESTED: (As authorized by Section 70-208 – Check one)

☐ Minor subdivision exception Section 82-31 / 82-351

☒ Chapter 70 Article VII Standard (provide code reference):

70-724(d)(3)

ATTACHMENTS: (Check all that apply)

☒ APPLICANT STATEMENT (REQUEST DETAILS)\*

Attach additional document(s) to provide details about your request. At a minimum, describe your goals and describe why the situation is unusual or why a strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship, per Section 70-208.

☒ PLAT REVIEW APPLICATION\* (Application #: 5-22-12)

☒ APPLICABLE LEGAL DOCUMENTS OR AFFIDAVITS FROM DIRECTLY AFFECTED PARCEL OWNERS

For requests involving private roads or if otherwise applicable, attach document(s) such as a letter, deed of easement, draft road maintenance agreement, etc. that indicate agreement or acceptance from directly affected property owners.

☐ OTHER: \_\_\_\_\_

\* Required

REQUEST TAX PARCELS: (List all parcel numbers for the request property)

See Draft & Executed Road Maintenance Agreement Attached with all affected owners & their corresponding Parcel Numbers (4200A)00-005-0)

NAME(S):

Ann Jordan Cogle

MAILING ADDRESS: (Incl. City, State, Zip)

See Reverse Side

E-MAIL:

PHONE:

NAME(S): (If different than owner)

Lewis Mychele Jr

RELATION TO OWNER:

Attorney

MAILING ADDRESS: (Incl. City, State, Zip)

PO Box 160 Pr, Geo, Va, 23875

E-MAIL:

lewis@lewismychelelaw.com 804-732-4019

OFFICE USE ONLY (Completed at the time of accepting application)

COMMENTS:

IDENTIFY & LIST OTHER PARCELS AFFECTED:

all described in Executed Road Maintenance Agreement.



## OWNER AFFIDAVITS (Attach multiple sheets if necessary)

## REQUEST PROPERTY OWNER(S) / AGENT STATEMENT

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

OWNER / AGENT NAME:

F. LEWIS WYCHE, JR

OWNER / AGENT NAME :

ANN JORDAN COGLE

SIGNATURE:

F. Lewis Wyche Jr.

SIGNATURE:

Ann Jordan Cogle

DATE:

4/26/22

DATE:

4/26/22

## NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: Prince George

Subscribed and sworn before me this

26th day of April, 20 22.Spring Dawn Hess

Notary Public

My Commission expires: Sept. 30, 20 23

Spring Dawn Hess  
Commonwealth of Virginia  
Notary Public  
Commission No. 7060106  
My Commission Expires 9/30/2023

AFFIDAVIT

From: Ann Jordan Cogle

To: Prince George County Planning Commission  
c/o Department of Community Development and Code Compliance  
6602 Courts Drive,  
Prince George, Virginia 23875

Re: Subdivision/Plat Review Application (S-22-12) and Subdivision Waiver Request (SW-22-01) Submitted May 13, 2022

### STATEMENT

I, Ann Jordan Cogle, own Prince George County TP #420(OA)00-005 containing 68.694 acres.

I submitted a Subdivision/Plat Review Application #S-22-12 on May 13, 2022 showing the subdivision of the abovementioned parcel of land. I am proposing to convey to my grandson, John A. Jordan, 1.928 acres of the aforementioned parcel shown on the proposed subdivision plat as TP #420(OA)00-005-E.

New parcel (#420(OA)00-005-E) will be served by a 50-foot ingress and egress easement running from Griffin Road to the new parcel (#420(OA)00-005-E). The 50-foot easement serves three other parcels subdivided out of parent parcel #420(OA)00-005. Parcel A as shown on the submitted plat was conveyed in 1983 to its current owner, my son and father of my grandson, John A. Jordan. Parcel C was conveyed in 1984 and Parcel B in 2009.

I continue to own of record Parcel E, which I have executed a deed for to my grandson, John A. Jordan, subject to the approval of the subdivision plat describing said parcel you have before you for consideration, and the granting by the Prince George County Planning Commission of the Subdivision Waiver Request (SW-22-01).

The owners of all four parcels served by the 50-foot easement running from Griffin Road to new parcel #420(OA)00-005-E (parcels A, B, C and E), have entered into a Road Maintenance Agreement which has been executed by all of the current owners and which will provide for the continued upkeep and maintenance of the 50-foot easement, provided the Subdivision Waiver Request is granted. A copy of the executed Road Maintenance Agreement is submitted with the Subdivision Waiver Request.

In support of the approval of the Subdivision/Plat Review Application and the Subdivision Waiver Request, I submit that the original proposed access to the newly subdivided parcel was from Birdsong Road along the shoreline of Hamlin Pond and over the dam of Hamlin Pond to parcel #420(OA)00-005-E. I am very much opposed to access to the new parcel across the dam of Hamlin Pond, as heavy vehicles such as fire trucks and emergency vehicles and heavy construction equipment crossing the dam might upset the integrity of the dam. In addition, the

access as proposed and as shown on the plat submitted for review is a well-maintained and substantial, unimproved, private road which could be used for access to new parcel #420(OA)00-005-E except for the limitation of Section 70-724(d)3. The use of this latter easement will not affect in any way the integrity of the dam of Hamlin Pond.

All of the owners, including the owner of new parcel #420(OA)00-005-E, have joined in a Road Maintenance Agreement to permanently maintain and share the cost of the maintenance of the private road which will continue to serve the three parcels plus the new parcel. Three out of the four owners of the four parcels to be served by said roadway are my family members. John A. Jordan, grantee in the proposed family division deed submitted herewith is my grandson, the son of my son who owns Parcel A.

This statement is submitted in accordance with Prince George County Code Section 70-208.2 and is the logical and most practical alternative to a right-of-way across the dam of Hamlin Pond.

Respectfully Submitted

  
Ann Jordan Cogle

**COPY**

Prepared by F. Lewis Wyche, Jr., P.O. Box 160, Prince George, VA 23875

**THIS DECLARATION OF ROAD MAINTENANCE**, made and entered into this 26<sup>th</sup> day of April, 2022, by and among Ann Jordan Cogle, widow, Martha L. Newton, widow, Jason W. Jordan and Vera W. Jordan, husband and wife, and Fred A. Jordan, III and Lelia W. Jordan, husband and wife ; and

WHEREAS, Ann Jordon Cogle is the owner of TM# 420(0A)00-005-E, as shown on a plat thereof by Charles C. Townes, II, dated October 23, 2020 and titled "PLAT OF FAMILY DIVISION OF TAX MAP #420(0A)00-005-0 FOR JOHN JORDAN," recorded in the Clerk's Office of the Circuit Court of Prince George County, Virginia as Instrument Number \_\_\_\_\_ ; and

WHEREAS, Martha L. Newton , widow is the owner of TM# 420(0A)00-005-C as shown on the aforesaid plat; and

WHEREAS, Jason W. Jordan and Vera W. Jordan, husband and wife, are the owners of TM# 420(0A)00-005-B as shown on the aforesaid plat; and

WHEREAS, Fred A. Jordan, III, and Lelia M. Jordan, husband and wife, are the owners of TM# 420(0A)00-005-A as shown on the aforesaid plat; and

WHEREAS, all of the aforesaid parcels hereinabove mentioned, are served by a 50' ingress and egress easement extending from the east boundary of Griffin Road (State Route 628) in an easterly direction to all of the properties hereinabove described as a means of ingress an egress to and from all of the properties hereinabove described, and Griffin Road (State Route 628); and

WHEREAS, the hereinabove mentioned owners of TM# 420(0A)00-005-A, 420(0A)00-005-B, 420(0A)00-005-C, and 420(0A)00-005-E as shown on the hereinabove mentioned plat

desire to provide for themselves, their heirs, successors and assigns, continued maintenance and upkeep of the roadways within the 50' ingress and egress easements as shown on said plat in order to keep the roadways within said easements open and passable at all times.

NOW THEREFORE: For and in consideration of the sum of ONE DOLLAR (\$1.00) and the benefits accruing to the parties hereto, Ann Jordan Cogle, widow, Martha L. Newton, widow, Jason W. Jordan and Vera W. Jordan, husband and wife and, Fred A. Jordan and Lelia W. Jordan, husband and wife, their heirs, devisees, successors and assigns as a result of this Declaration of Road Maintenance; the parties hereto as is evidenced by their signatures to this Declaration of Road Maintenance agree for themselves, their heirs, devisees and assigns to maintain the 50' ingress and egress easements and cul-de-sac as shown on the aforementioned plat in a passable condition at all times.

If any owner using the rights of way described herein, causes damage beyond normal wear and tear said owner, at his or her expense, will repair that damage in order to maintain said road in a fashion that keeps it in a safe and passable condition.

All of the parties hereto, their heirs, successors and assigns do hereby further agree to pay on a pro-rata basis the cost and expenses connected with the maintenance of the aforesaid easement, cul-de-sac and right-of-way described above and shown on said plat when such maintenance is required to keep said roadway safe and passable.

It is expressly understood and agreed that the extent of the obligations of the parties hereto shall be to maintain the said roadway in its present passable condition, and this declaration shall in no way obligate the owners hereto to upgrade the surface of said roadway with asphalt or other hard surface material, nor shall this agreement obligate the owners hereto, their heirs, successors or assigns to apply to said roads within the aforesaid easements any

material other than loose stone.

All of the requirements of this declaration shall be binding upon the Declarants herein, their heirs, devisees, successors and assigns and shall run with the land imposing these obligations for maintenance on the Declarants and future owners of the aforesaid lots or parcels of land.

WITNESS the following signatures and seals:

Ann Jordan Cogle (SEAL)  
Ann Jordan Cogle

Martha L. Newton (SEAL)  
Martha L. Newton

Jason W. Jordan (SEAL)  
Jason W. Jordan

Vera W. Jordan (SEAL)  
Vera W. Jordan

Fred A. Jordan, III (SEAL)  
Fred A. Jordan, III

Lelia M. Jordan (SEAL)  
Lelia M. Jordan

STATE OF VIRGINIA

County of Prince George, to-wit:

The foregoing instrument was acknowledged before me this 26th day of April, 2022, by Ann Jordan Cogle.

Spring Dawn Hess  
Spring Dawn Hess  
Notary Public

My Commission expires: Sept. 30, 2023



STATE OF VIRGINIA

County of Prince George, to-wit:

The foregoing instrument was acknowledged before me this 26th day of April, 2022, by Martha L. Newton.

Spring Dawn Hess  
Spring Dawn Hess  
Notary Public

My Commission expires: Sept. 30, 2023



STATE OF VIRGINIA

County of Prince George, to-wit:

The foregoing instrument was acknowledged before me this 26th day of April, 2022, by Jason W. Jordan and Vera W. Jordan, husband and wife.

Spring Dawn Hess  
Spring Dawn Hess  
Notary Public



My Commission expires: Sept. 30, 2023

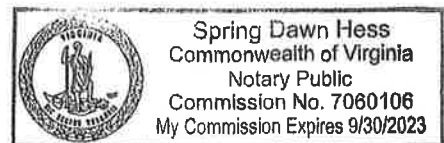
STATE OF VIRGINIA

County of Prince George, to-wit:

The foregoing instrument was acknowledged before me this 26th day of April, 2022, by Fred A. Jordan, III and Lelia M. Jordan, husband and wife.

Spring Dawn Hess  
Spring Dawn Hess  
Notary Public

My Commission expires: Sept. 30, 2023





OWNER'S CONSENT AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT CONTAINING 68.69 ACRES, MORE OR LESS, AND DESIGNATED AS PLAT OF FAMILY DIVISION OF TAX MAP #420(0A)00-005-0 FOR JOHN JORDAN, RIVES DISTRICT, PRINCE GEORGE COUNTY, VIRGINIA IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS THEREOF: THAT ALL STREETS SHOWN ON SAID PLAT ARE HEREBY DEDICATED TO THE PUBLIC USE, AND THAT ALL LOTS WITHIN THE SUBDIVISION ARE SUBJECT TO CERTAIN RESTRICTIONS, AND STIPULATIONS, SAID 68.69 ACRES OF LAND HEREBY SUBDIVIDED HAVING BEEN CONVEYED TO ANN J. COGLE, AN INDIVIDUAL, BY INSTRUMENT RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF PRINCE GEORGE COUNTY, VIRGINIA IN INSTRUMENT 090000042.

GIVEN UNDER OUR HANDS THIS       DAY OF       , 20\_\_

ANN JORDAN COGLE

SOURCE OF TITLE

THE LAND EMBRACED WITHIN THE LIMITS OF THIS SUBDIVISION WAS CONVEYED TO ANN J. COGLE, AN INDIVIDUAL, BY INSTRUMENT RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF PRINCE GEORGE COUNTY, VIRGINIA IN INSTRUMENT 090000042 DATED DECEMBER 29, 2002.

CHARLES C. TOWNES, II, P.E., L.S.       DATE

APPROVED BY PRINCE GEORGE COUNTY

THIS FAMILY DIVISION KNOWN AS PARCEL 420(0A)00-005-0 LOCATED ALONG THE SOUTHERN LINE OF BIRDSONG ROAD, BOUNDARY LINE ADJUSTMENT IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE COMMITTED TO RECORD. THIS PLAT SHALL BE RECORDED WITHIN SIX (6) MONTHS FROM THE DATE OF APPROVAL

SUBDIVISION AGENT       DATE

VDOT ENGINEER       DATE

VIRGINIA DEPARTMENT OF HEALTH       DATE

ATTN: JOHN JORDAN

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE COUNTY OF PRINCE GEORGE, VIRGINIA BOARD OF SUPERVISORS AND ORDINANCES OF PRINCE GEORGE COUNTY, VIRGINIA HAVE BEEN COMPLIED WITH.

GIVEN UNDER MY HANDS THIS       DAY OF       , 2022

CHARLES C. TOWNES, II, P.E., L.S.

NOTARY'S CERTIFICATE

I, \_\_\_\_\_, CITY/ COUNTY OF \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH AT LARGE, STATE OF VIRGINIA, DO HEREBY CERTIFY THAT ANN JORDAN COGLE, WHOSE NAME IS SIGNED TO THE FORGOING SUBDIVISION CERTIFICATE HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY STATE AFORESAID. GIVEN UNDER MY HAND AND SEAL THIS       DAY OF       , 20\_\_ MY COMMISSION EXPIRES

NOTARY PUBLIC

SITE SUMMARY & NOTES:

- OWNER: ANN J. COGLE
- ADDRESS: 1404 BIRDSONG ROAD
- PROPERTY ADDRESS: GRIFFIN ROAD
- WATER: PRIVATE WELL
- WASTEWATER: PRIVATE SEPTIC SYSTEM
- TOTAL NUMBER OF PARCELS: 2
- TOTAL ACREAGE: 68.694 ACRES
- PARCEL 1: FAMILY DIVISION, 66.766 ACRES
- PARCEL 2: FAMILY DIVISION, 1.928 ACRES
- TAX MAP: 420(0A)00-005-0
- ZONING: A-1
- MINIMUM LOT SIZE: 83,984 SQ. FT.
- MAXIMUM LOT SIZE: 2,908,327 SQ. FT.
- AVERAGE LOT SIZE: 1,496,155 SQ. FT.

- CBPA COMPLIANCE REQUIRES THAT BUILDING PERMITS ON THESE PARCELS WILL REQUIRE THE SUBMITTAL OF AN AGREEMENT IN LIEU OF A PLAN.

- STORMWATER DRAINAGE: ROADSIDE DITCHES

- CONVENTIONAL AND ALTERNATIVE ONSITE SEWAGE SYSTEMS SHALL BE MAINTAINED (INCLUDING PUMP OUT OR INSPECTION REQUIREMENTS) IN ACCORDANCE WITH COUNTY CODE AND STATE REGULATIONS.

TABULATION:

TOTAL NUMBER OF PARCELS... 1 (2 PROPOSED)  
AREA IN PARCELS... 68.694 ACRES  
TOTAL AREA... 68.694 ACRES

BUILDING SETBACKS:

FRONT YARD... 75 FEET  
SIDE YARD... 15 FEET  
REAR YARD... 35 FEET

THIS PROPERTY IS LOCATED IN ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL #5114900145B, EFFECTIVE DATE MAY 16, 2012.

THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD OR OTHER PERTINENT FACTS THAT A CURRENT TITLE REPORT MIGHT IDENTIFY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

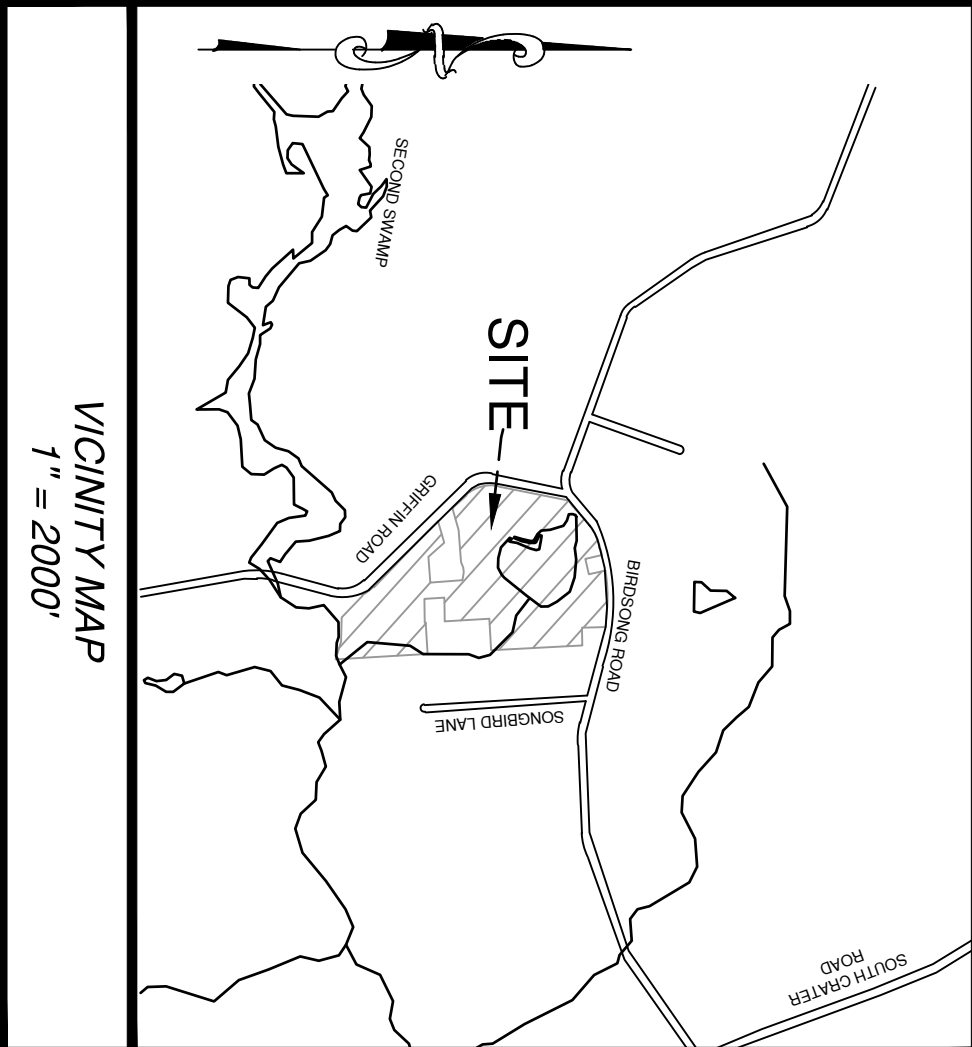
THIS SURVEY WAS MADE FOR THE PURPOSE OF IDENTIFYING LEGAL BOUNDARIES AND DOES NOT PURPORT TO IDENTIFY ENVIRONMENTAL FEATURES THAT AN ENVIRONMENTAL ASSESSMENT MIGHT IDENTIFY.

REFERENCE PLATS:

PLAT SHOWING PROPERTY OF ELSIE D. HAMLIN BEING 74.48 AC.± IN THE SOUTHEAST CORNER OF INTERSECTING ROUTES 628 & 629 IN RIVES DISTRICT PRINCE GEORGE COUNTY, VIRGINIA, DATED MARCH 1, 1985 BY RONALD H. GORDON & ASSOCIATES.

PLAT SHOWING THE RELOCATION OF A 50' EASEMENT FOR INGRESS & EGRESS FOR JASON IV. & VERA W. JORDAN TO A 1.18 AC.± PARCEL LOCATED OFF OF THE EAST SIDE OF ROUTE 628 IN RIVES DISTRICT, PRINCE GEORGE COUNTY, VIRGINIA, DATED APRIL 20, 2009 BY RONALD H. GORDON & ASSOCIATES, LLC.

PLAT SHOWING PROPERTY SURVEYED FOR JILL E. JORDAN BEING 1.473 AC.± OFF OF THE EAST SIDE OF ROUTE 628 IN RIVES DISTRICT, PRINCE GEORGE COUNTY, VIRGINIA DATED APRIL 2, 2002 BY RONALD H. GORDON & ASSOCIATES, LLC.



ACREAGE SCHEDULE				
PARCEL	RD. FRONTAGE	ORIGINAL ACRES	ACRES ±	TOTAL
420(0A)00-005-0	3,678.08	68.694	1.928 AC. TO 420(0A)00-005-E	66.766
420(0A)00-005-E	0.00	0.00	1.928 AC. FROM 420(0A)00-005-0	1.928

THIS IS TO CERTIFY THAT I MADE AN ACCURATE FIELD SURVEY ON OCTOBER 23, 2020. ALL VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON AND THAT THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN.

CHARLES C. TOWNES, II  
L.C. No. 2808  
10 / 23 / 2020



PLAT OF  
FAMILY DIVISION OF  
TAX MAP #420(0A)00-005-0

FOR  
JOHN JORDAN

RIVES DISTRICT  
PRINCE GEORGE COUNTY, VIRGINIA  
DATE: OCTOBER 23, 2020 SCALE: N/A

2463 boulevard  
colonial heights, va 23834  
telephone: 804.520.9015  
facsimile: 804.520.9016  
email: cctownes@townespc.com

townes consulting engineers, planners, and land surveyors

DRAWN BY: JSJ  
CHECKED BY:

SHEET 1 OF 3

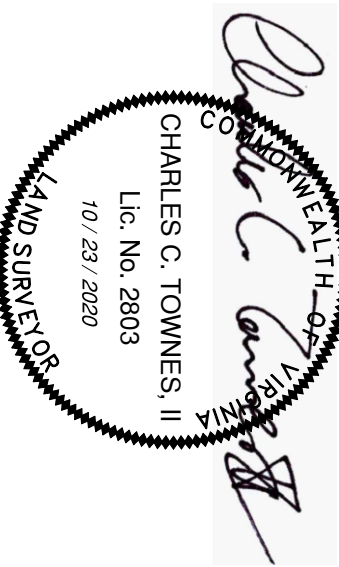


NOTE:  
◆=COMPUTED POINT  
●=ROD SET

Curve Table				
Curve #	Length	Radius	Delta	Chord Length
C1	148.16	427.78	19°50'38"	147.42
C2	143.69	2962.86	2°46'43"	143.67
C3	358.32	386.55	53°06'41"	345.63
C4	101.43	352.01	16°30'34"	101.08
C5	290.05	576.03	28°51'01"	287.00
C6	383.67	1604.27	13°42'09"	382.76
				N87°17'14"E

LINE TABLE		
Line #	Length	Direction
L1	247.39'	S1°19'10"E
L2	185.20'	N88°58'01"E
L3	234.76'	N73°55'34"E
L4	219.45'	S41°31'30"E
L5	335.29'	N4°12'07"W
L6	84.70'	N81°05'39"W
L7	47.32'	S85°09'41"W
L8	62.39'	S67°23'49"W
L9	237.20'	S73°57'30"W
L10	199.86'	N41°48'11"W
L11	170.24'	N46°37'37"E
L12	111.91'	N75°28'39"E
L13	177.63'	S12°47'35"E
L14	164.95'	N77°12'18"E
L15	176.60'	N12°47'35"W
L16	207.21'	S85°51'41"E
L17	80.00'	N4°27'18"E
L18	199.30'	N74°24'29"E
L19	124.77'	S85°32'42"E
L20	287.96'	S80°48'14"E

THIS IS TO CERTIFY THAT I MADE AN ACCURATE FIELD SURVEY ON OCTOBER 23, 2020. ALL VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON AND THAT THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN.



PLAT OF  
FAMILY DIVISION OF  
TAX MAP #420(0A)00-005-0  
FOR

JOHN JORDAN

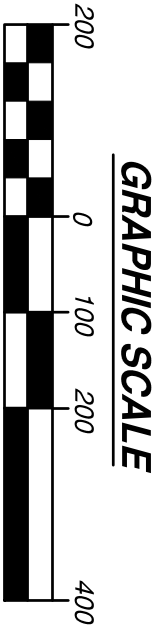
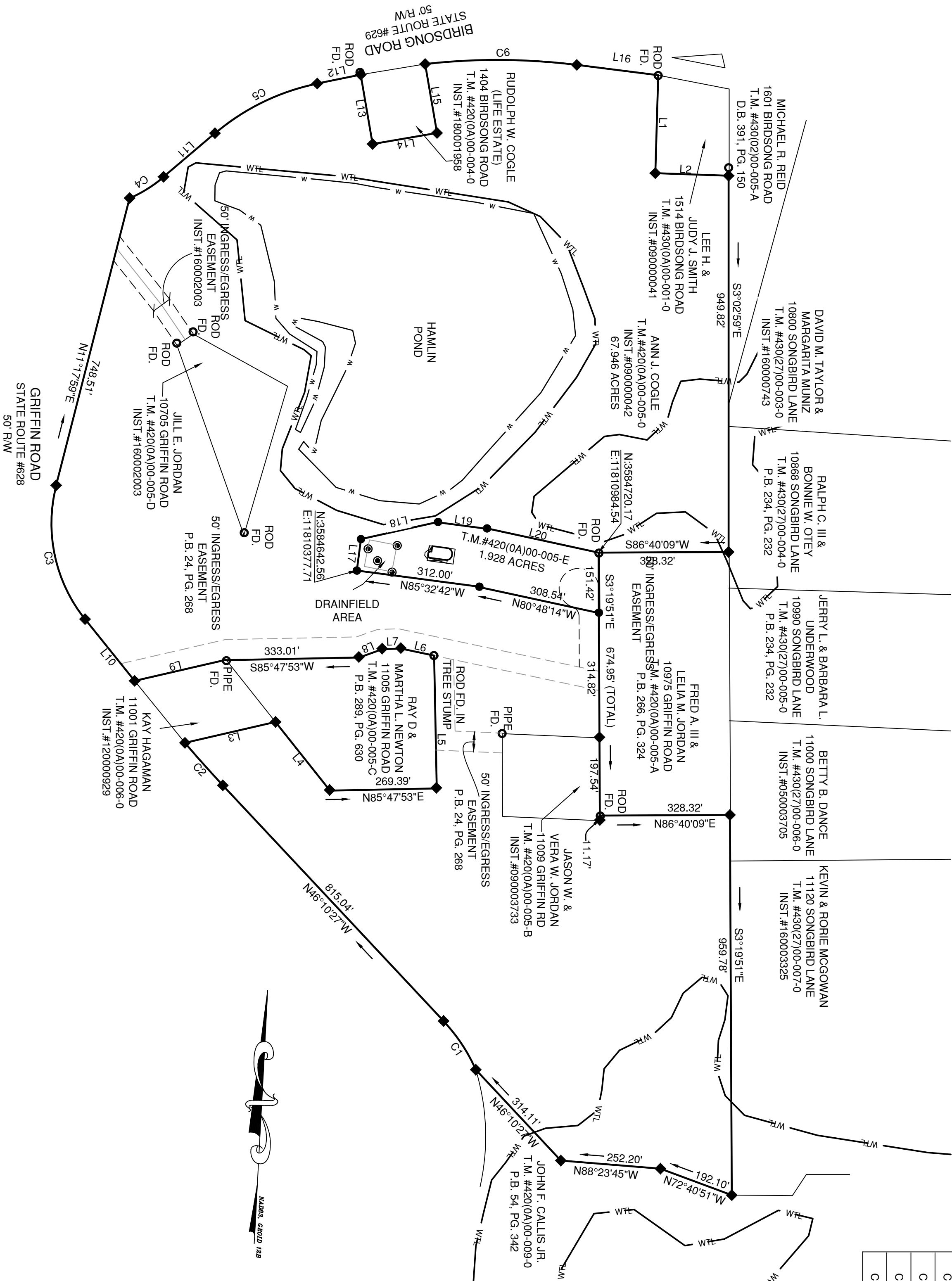
PRINCE GEORGE COUNTY, VIRGINIA  
RIVES DISTRICT  
DATE: OCTOBER 23, 2020 SCALE: 1" = 200'

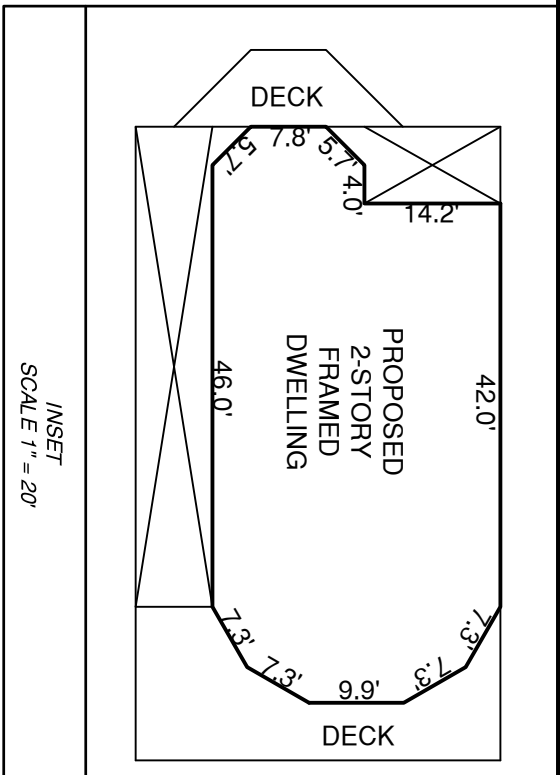


CALCULATED BY: \_\_\_\_\_ DRAWN BY: JSL

CHECKED BY: \_\_\_\_\_

SHEET 2 OF 3





COMMONWEALTH OF VIRGINIA  
 LAND SURVEYOR  
 CHARLES C. TOWNES, II  
 Lic. No. 2803  
 10/23/2020

JOHN JORDAN

RIVES DISTRICT

ST

PRINCE GEORGE COUNTY, VIRGINIA  
DATE: OCTOBER 23, 2020 SCALE: 1" = 50'

DATE: OCTOBER 23, 2020 SCALE: 1" = 50

2463 boulevard

colonial heights, va 23834

telephone: 804.520.9015

**Facsimile: 804.520.9016**  
**www.townsend.com**

townes

[www.lcwillespc.com](http://www.lcwillespc.com)

consulting engineers, planners, and land surveyors



**County of Prince George, Virginia**  
“A global community where families thrive and businesses prosper”

July 14, 2022

**PLANNING COMMISSION MEETING NOTICE**

Dear owner, agent or occupant of each parcel that is abutting, immediately across the street or road, or within close proximity of the property affected:

This is notification that the Prince George County Planning Commission will hold a meeting on **Thursday, July 28, 2022 beginning at 6:30 pm** in the Board Room, located on the third floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia. During the meeting, the Commission will consider the following request:

**SUBDIVISION WAIVER SW-22-01:** Request of Ann Jordan Cogle for a waiver of the standards contained in Article VII of the Prince George County Subdivision Ordinance, specifically § 70-724(d)(3), which limits residential development on private roads to no more than three single-family lots served by the road. The waiver request is authorized under § 70-208. The applicant proposes to divide 1.928 acres from her 68.694-acre parcel for her grandson so that he may own and live in a new single-family dwelling which is under construction on her property. The currently approved access for the new house is a private on-site driveway accessed from Birdsong Road, and the applicant is requesting for the new house to be accessed from an existing private road (shared access easement) which enters the subject property from Griffin Road. Three existing parcels, two of which are owned by family members of the applicant, share the private road. If the Planning Commission approves this request, the new house will be the fourth lot using the road. The subject property is known as tax map 420(0A)00-005-0 and is located at 1435 Birdsong Road.

This notification is being sent to you because your property adjoins the subject property. We have included a GIS Map showing the general location of the request. This letter is for informational purposes and there is no obligation for you to respond back to the County. A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public comment section of the meeting in person. A live video stream will be available via Swagit at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 5:00 p.m. on the hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. You may also contact Planning and Zoning Division at (804)722-8678 or by e-mail at [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov) with any questions prior to the scheduled meeting.

Sincerely,

A handwritten signature in blue ink that reads "Tim Graves".

Tim Graves, Planner



**Subdivision Waiver # SW-22-01 (Cogle-Jodan)**  
**Tax Map 420(0A)00-005-0 (Private Road)**

**Legend**  
 Subject\_Property  
 Tax Parcels

The request is limited to the shared access easement (private road).

Map showing the subdivision waiver area, including the request for a shared access easement (private road). The map displays the subject property (red outline) and tax parcels (yellow outline). The map includes a north arrow and a scale bar (0 to 1,360 feet).

Map showing the location of the subdivision waiver area within the context of the surrounding area, including the request for a shared access easement (private road). The map displays the subject property (red outline) and tax parcels (yellow outline). The map includes a north arrow and a scale bar (0 to 1,360 feet).

Page 23

CALLIS JOHN R JR & CALLIS JANET F LIFE  
ESTATE  
11509 GRIFFIN RD  
SOUTH PRINCE GEORGE, VA 23805

COGLE ANN J  
1404 BIRDSONG RD  
SOUTH PRINCE GEORGE, VA 23805

DANCE BETTY B  
11000 SONGBIRD LN  
SOUTH PRINCE GEORGE, VA 23805

DINGAS THOMAS G & BRENDA P  
10814 BURLEIGH DR  
SOUTH PRINCE GEORGE, VA 23805

FRANKS JR DENNIS  
1318 BIRDSONG RD  
SOUTH PRINCE GEORGE, VA 23805

FUNK STANLEY WAYNE & KATHRYN H  
1412 BIRDSONG RD  
SOUTH PRINCE GEORGE, VA 23805

HACKER HYMAN M & CHRISTINA M  
1322 BIRDSONG RD  
SOUTH PRINCE GEORGE, VA 23805

HAGAMAN KAY  
3819 TAVERN RD  
SOUTH PRINCE GEORGE, VA 23805

HINES JOHN H JR & GAYLE A  
1105 BIRDSONG RD  
SOUTH PRINCE GEORGE, VA 23805

HIPPS ARTHUR L  
5301 PLAZA DR APT 114  
HOPEWELL, VA 23860

JORDAN FRED A III & LELIA M  
10975 GRIFFIN RD  
SOUTH PRINCE GEORGE, VA 23805

JORDAN JASON W & VERA W  
11009 GRIFFIN RD  
SOUTH PRINCE GEORGE, VA 23805

JORDAN JILL E  
10705 GRIFFIN RD  
SOUTH PRINCE GEORGE, VA 23805

MCGOWAN KEVIN & RORIE  
11120 SONGBIRD LN  
SOUTH PRINCE GEORGE, VA 23805

NEWTON RAY D & MARTHA L  
11005 GRIFFIN RD  
SOUTH PRINCE GEORGE, VA 23805

OTEY RALPH C III & BONNIE W  
10868 SONGBIRD LN  
SOUTH PRINCE GEORGE, VA 23805

REID MICHAEL R  
1601 BIRDSONG RD  
SOUTH PRINCE GEORGE, VA 23805

SMITH LEE H & JUDY J  
1514 BIRDSONG RD  
SOUTH PRINCE GEORGE, VA 23805

TAYLOR DAVID M & MUNIZ  
MARGARITA  
10800 SONGBIRD LN  
SOUTH PRINCE GEORGE, VA 23805

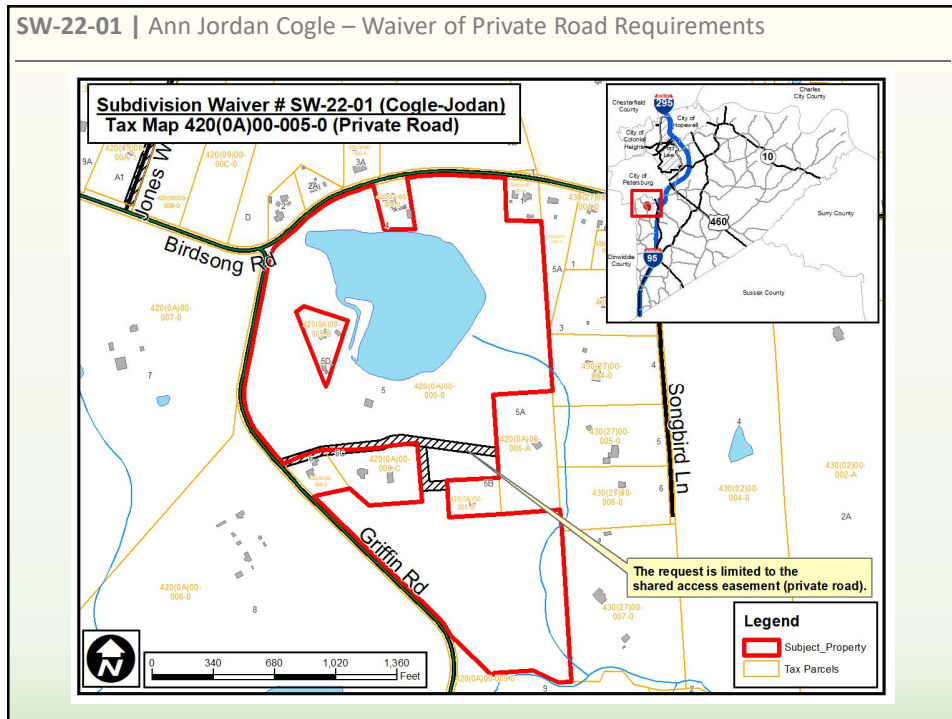
UNDERWOOD JERRY L & BARBARA L  
10990 SONGBIRD LN  
SOUTH PRINCE GEORGE, VA 23805

YORK ROY L & KATHLEEN M  
1326 BIRDSONG RD  
SOUTH PRINCE GEORGE, VA 23805

## SUBDIVISION WAIVER SW-22-01

Request of Ann Jordan Cogle for a waiver of the standards contained in Article VII of the Prince George County Subdivision Ordinance, specifically § 70-724(d)(3), which limits residential development on private roads to no more than three single-family lots served by the road. The waiver request is authorized under § 70-208. The applicant proposes to divide 1.928 acres from her 68.694-acre parcel for her grandson so that he may own and live in a new single-family dwelling which is under construction on her property. The currently approved access for the new house is a private on-site driveway accessed from Birdsong Road, and the applicant is requesting for the new house to be accessed from an existing private road (shared access easement) which enters the subject property from Griffin Road. Three existing parcels, two of which are owned by family members of the applicant, share the private road. If the Planning Commission approves this request, the new house will be the fourth lot using the road. The subject property is known as tax map 420(0A)00-005-0 and is located at 1435 Birdsong Road.

### SW-22-01 | Ann Jordan Cogle – Waiver of Private Road Requirements



## Background

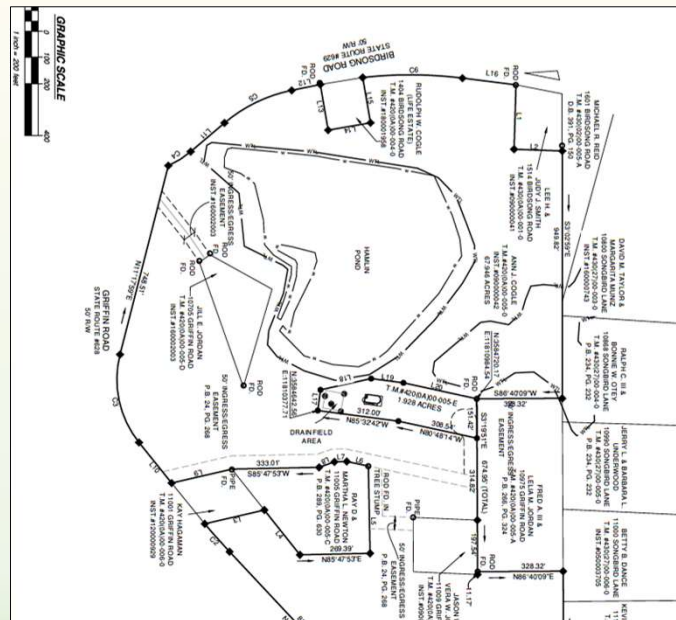
- In 2020, John Jordan initially contacted the Planning & Zoning Office to discuss plans for his grandmother to subdivide her property to grant him a family division with access to the existing private road. Mr. Jordan was advised of the limit of three single-family lots on a private road.
- In 2021, the Jordan family submitted a building permit to build the new house for John Jordan on the existing 68-acre lot owned by Ann Jordan Cogle.
- The house building permit was approved with access via a private driveway extending south from Birdsong road around the large pond to reach the house site south of the pond. Staff applied a condition to the building permit approval that the driveway must be improved for safe emergency vehicle access unless a different legal access is provided.

## Background Cont.

- May 13, 2022, Ann Jordan Cogle (the applicant and property owner) submitted a subdivision application identified as S-22-12 showing a 1.928-acre family division lot including the under-construction house, with the remainder tract remain in the ownership of Ann Jordan Cogle.
- The plat proposes that the new lot access a public road via the existing private road instead of the existing driveway around the pond.
- Since the plat shows four lots on a private road, it is not eligible for approval since it doesn't meet the the three-lot limit on a private road as required by § 70-724(d)(3) of the Subdivision Ordinance.
- The owner submitted the waiver request to ask the Planning Commission to waive that requirement so that the plat may be eligible for approval.

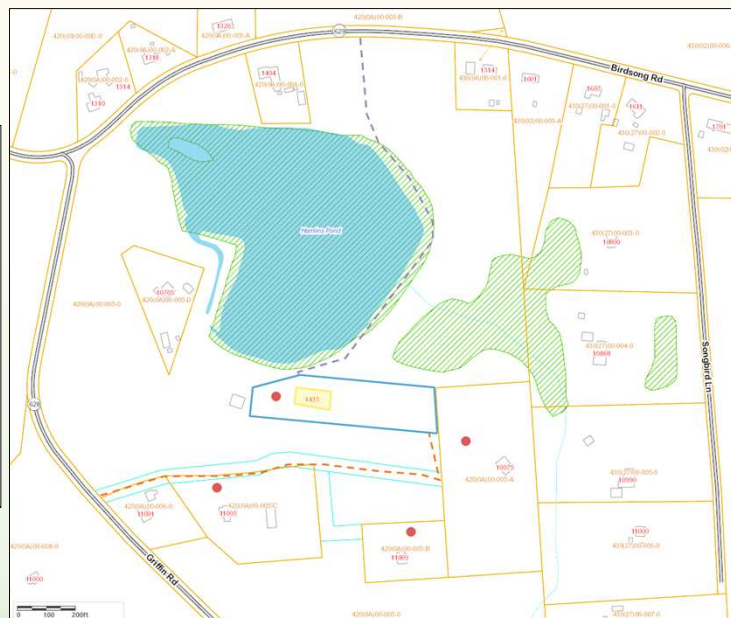
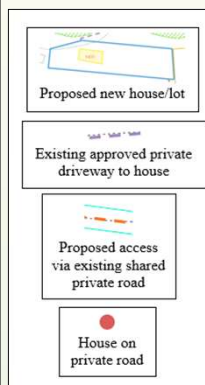
SW-22-01 | Ann Jordan Cogle – Waiver of Private Road Requirements

Subdivision Plat  
S-22-12



SW-22-01 | Ann Jordan Cogle – Waiver of Private Road Requirements

Illustrative Map  
Prepared by Staff





SW-22-01 | Ann Jordan Cogle – Waiver of Private Road Requirements

Aerial View



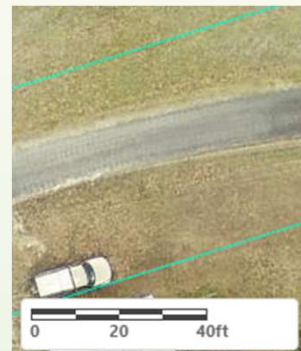
SW-22-01 | Ann Jordan Cogle – Waiver of Private Road Requirements

Aerial View

Existing access roadway (private)

vs.

Proposed access roadway (shared)



## Request Summary

**The applicants have requested a waiver to the three-lot limit on a private road – Pursuant to § 70-724(d)(3).**

**Relevant details:**

- House under construction by grandson on grandmother's property
- New lot proposed by Family Division from grandmother to grandson would be the 4<sup>th</sup> lot on an existing private road
- 2 out of 3 existing road users are family members
- Existing on-site driveway crosses a dam which is susceptible to damage from heavy vehicles (including emergency vehicles)
- Road maintenance agreement prepared to record with plat

## Staff Review Comments

**Planning & Zoning Comments**

- The submitted subdivision plat is still under review
- If this request is approved, the plat will not be approved until it meets all applicable subdivision and zoning ordinance requirements.
- No road upgrades planned or required unless imposed by Commission
- The road is required to be named as part of the plat review process.

## Recommended Conditions

1. This waiver is granted for one (1) additional single-family residential lot to use the existing shared access easement (private road) to access the state-maintained Griffin Road, resulting in a total of four (4) lots on the private road.
2. The private road used for shared access will not be improved or maintained with local or state funds unless otherwise provided for by law.
3. Maintenance of the private road shall be governed by a recorded road maintenance agreement among all property owners accessing the private road.
4. The subdivision plat that may be approved in accordance with this waiver shall reference this waiver and meet all other applicable requirements for subdivision approval, as approved by the Subdivision Agent.

## Recommendation / Decision Criteria

### **Staff Recommendation**

None provided (similar to a variance request).

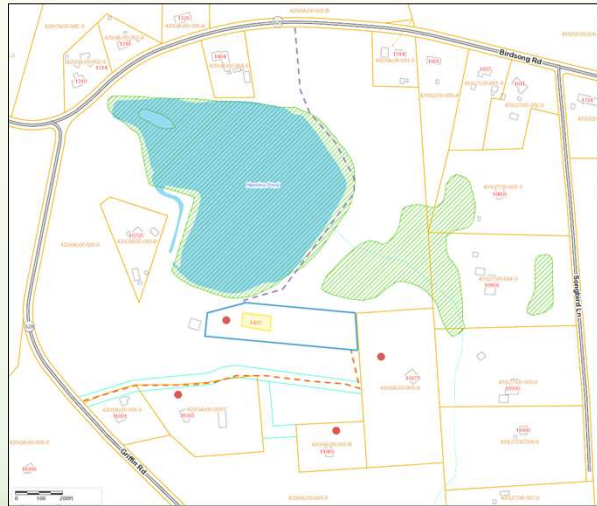
Commission should use criteria from ordinance to make decision.

### **Criteria provided in the ordinance for the Commission's consideration:**

1. "In cases of unusual situations or where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship [to the applicant]..."
2. "No waiver shall be granted which is illegal or which would prejudice the health and safety of citizens of the county."
3. "any remainder tract meets applicable zoning requirements"


## Questions?

*See Staff Report for Sample Motions*



Begin

**TAB 5**



# Prince George County Discussion of FY2024 CIP Process

July 12, 2022  
Report



# Prince George County CIP Process

- Prince George County *typically* engages in an annual 10-year Capital Improvement Plan (CIP) Process
- Annually appointed CIP Committee {1 BOS; 1 SB; 2 PC; 3 Citizen; 1 FEMS} & Staff Advisors {CDCC / Finance}
- Department Heads and School Personnel are given opportunity to submit projects and update existing projects annually
- Capital Project Definition
  - Construction / purchase of a new asset > \$50,000 (useful life > 1 year)
  - Upgrades to existing buildings, equipment, or assets that increase useful life and value of asset > \$50,000
  - Remodel or repair of existing assets where costs > \$100,000

# Prince George County CIP Process

- o The Committee hears presentations on new projects and updates to existing projects
- o Projects are ranked by voting-members of the committee with respect to **urgency** and **significance** – all projects evaluated together [County (including Fire/EMS) and School] to provide committee's position of what ranks higher;

- o Typically excludes Stormwater projects (debt is repaid with Stormwater fees) & Utilities Projects as most Utility projects are not completed with tax-supported debt [Utility Enterprise Fund]

<b>urgency</b>	<b>significance</b>
<b>(i) importance requiring swift action</b>	<b>(ii) the quality of being worthy of attention; importance</b>
5=1 year	5=Extremely urgent and cannot be postponed
4=2-3 years	4=If postponed, will incur additional cost, decrease efficiency, reduce the level of County services or some other extremely adverse impact
3=4-5 years	3=Necessary within the next few years to meet anticipated needs for current or new programs or replacement of unsatisfactory facilities
2=6-7 years	2=A desirable project, but will not adversely affect current programs if temporarily postponed
1=7+years	1=Needed to meet future demands or expand programs, but can be deferred to a future year



# Prince George County CIP Process

- Ranked list of projects, with estimated costs, are forwarded to **Davenport & Company for modeling**
  - Davenport provides fiscal impact (tax rate impact) considering when existing debt is paid off
  - Davenport provides report of whether issuing debt creates instances of non-compliance with the County's debt policies
  - Assists with timeline of when projects can be done
  - At times lower ranked projects might be moved up, or smaller projects grouped together, to allow for "logical" debt issuance
- After fine-tuning, CIP Committee Recommendations are submitted to the Planning Commission for Approval
- Planning Commission approved CIP recommendations forwarded to County Administrator for consideration in Proposed / Introduced Budget
- County Administrator may propose revisions to Committee's listing



# Prince George County CIP Process

- o CIP Projects as recommended are part of proposed / introduced budget, and ultimately are part of the adopted budget (however, projects are not funded at adoption)
- o Ultimate authority / approval rests with Board of Supervisors on what projects are funded, and for what projects debt is issued
- o Appropriation / funding of individual projects occurs throughout the year (with a reimbursement resolution\*), and debt is issued (usually once per year)

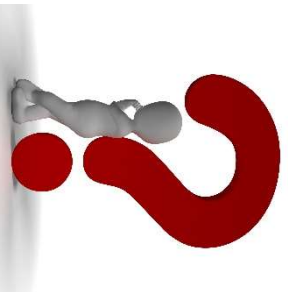
\*Reimbursement resolution – resolution that expresses board's intent to issue debt in the future and repay itself for costs incurred with future debt proceeds



# Prince George County CIP Processes – FY2022 & FY2023

o The FY2022 and FY2023 processes were suspended due to:

- o potential fiscal impacts of COVID-19 {FY2022} and;
- o limited debt capacity for new projects / updates until FY2027 (as evaluated in FY2021 cycle) {FY2022; FY2023}



# CIP FY2023 – In Adopted Budget

- o No Capital projects supported by General Fund **debt issuance** were included in the adopted FY2023 budget
- o Included in FY2023 Budget were:
  - o Utilities Projects - \$28.3 Million in **debt issuance** {to be repaid by Utilities fees}
  - o Blackwater regional interceptor and sewer facilities
  - o New 3 MGD wastewater pump station and force main
  - o County Vehicles (\$450,000) & School Buses (\$437,091) – cash funded by General Fund
  - o Courtroom Renovations – use of Fund Balance {Design Phase}
  - o New Convenience Station – use of Fund Balance {Design Phase}
- o Ongoing are –
  - o Renovation / Expansion of County Garage (Series 2022)
  - o Electrical upgrades at Station 8 (2019 repurposed bond proceeds)
  - o Renovations to Jefferson Park FS (bid phase - 2019 repurposed bond proceeds)



# Future Projects (as ranked during FY21 Process)

Future Projects - Scenario 3C as modified

Project Description	Category	Total Cost	FY Timing	
New Beazley Elementary School Design Phase	School	\$ 1,054,533	2027	<div> No other projects  until FY2027 </div>
New Beazley Elementary School	School	\$ 31,108,719	2027	
6 Stryker Power Lift Stretchers	Public Safety	\$ 232,192	2032	
Beazley Trailer Replacement	School	\$ 280,000	2032	
Courtroom Audio Visual Refresh	County	\$ 140,939	2032	
PGHS Trailer Replacement (2 of 2 needed)	School	\$ 140,000	2032	
South Trailer Replacement (3 of 3 needed)	School	\$ 210,000	2032	
PGHS Bleachers	School	\$ 306,803	2032	
Carson Sub-Station Comp 6 Renovations	Public Safety	\$ 840,000	2033	
Fire/EMS Opticom System	Public Safety	\$ 448,228	2033	
PGHS Auditorium	School	\$ 1,475,532	2033	Fire Equipment?
Temple Tennis Courts Re-Surfacing & Pickle Ball Court Conversion	County	\$ 172,380	2032	
PGEC Trailer Replacement (4 of 4 needed)	School	\$ 504,000	2033	
Wells Station Road Fire & EMS Station Comprehensive High School - Renovations & Addition	Public Safety	\$ 3,100,000	2033	
	School	\$ 62,941,477	2041	
Field Hockey Lighting	School	\$ 286,443	2033	
Field House Addition [Total less funds currently in CIP Fund]	School	\$ 281,708	2033	
Carson CC Baseball Field	County	\$ 90,000	2032	
Carson CC Playground	County	\$ 72,000	2032	
Turf Grass	School	\$ 1,000,000	2033	
Carson CC Pavilion	County	\$ 118,000	2033	
Parks & Rec Dog Parks	County	\$ 70,000	2033	
Police / Law Enforcement Vehicles	Public Safety	\$ 400,000	Annual	
School Buses	School	\$ 412,000	Annual	

# FY2024 CIP Process

- Staff is requesting direction about whether to:
  - Engage in CIP process for FY2024 budget? If yes, would start in August / September
- Staff recommendation to **defer FY2024 formal CIP process** but to allow department heads to communicate any new projects and to update existing projects
  - PROS:
    - Limited ability to issue debt without a tax impact until FY2027 (devoted entirely to New Elementary School to replace Beazley Elementary); then nothing else until FY2032
    - Allows volatile construction prices time to “level out”
    - Allows RE market and overall economy time to “level out”
  - CONS:
    - No formal scoring / ranking of new projects
  - Notes
    - Can create unranked list for proffer purposes

# FY2024 CIP Process

Questions / Discussion / Feedback

Begin

**TAB 6**



## July 12 Meeting Recap

# BOS Takes No Action on Proposed Ordinance for Discharging a Firearm

At its July 12 meeting, the Prince George County Board of Supervisors received an overwhelming response from Prince George County residents requesting that the Board oppose any proposed changes that would affect the otherwise lawful discharge of firearms. This topic came up at the Board's April 12, 2022 meeting when a citizen made a complaint during citizen public comment period of a neighbor target shooting at all hours of the day and evening. The County has also received other complaints regarding reckless handling of a firearm.

The County Administrator put together a committee of Staff and citizens consisting of the County Attorney, Chief of Police, the Sheriff, and four citizens. The County Attorney presented a spreadsheet to the Committee showing how adjacent localities and other sample localities handle the discharge of firearms by ordinance. Prior to the County Attorney presenting the Committee's recommended options to the Board, 14 citizens voiced their opinions in opposition of a Discharging a Firearms Ordinance while many others attended in opposition as well. During the County Attorney's report, options for required distance and language requiring berms/backstops were discussed with a penalty of a Class 3 misdemeanor, which is up to a \$500 fine and no jail time. Following the report, the Board agreed by consensus not to make a decision on moving forward at this time until more research is done.

Other matters that came before the BOS at its meeting:

- Received an update on Disc Golf at Scott Park.
- Received a report on the Planning and Zoning Fee Schedule.
- Received a Ruralband fiber update.
- Discussed and unanimously approved a new PIO position for FY23.
- Discussed a Deputy Emergency Management Coordinator position for FY23.
- Discussed and unanimously approved the reclassification of an administrative position to Planning & Zoning Technician.
- Discussed reclassification of Apparatus Technician to Fleet Supervisor for FY23.


- Approved on consent an appropriation in the amount of \$9,045.02 for insurance recoveries for Police vehicle repairs.
- Received a roads maintenance report from the Virginia Department of Transportation.
- Held a CIP discussion.
- Received a report on the Convenience Center site locations concept.
- Unanimously approved a Pro Rata Share Agreement between the County and Chappell Creek, LLC for public water infrastructure improvement for the Chappell Creek Subdivision.
- Unanimously approved a resolution giving local governing body endorsement of the Smart Scale candidate projects.
- Unanimously approved an appropriation in the amount of \$100,000 from Tourism Fund, Fund Balance to the Prince George Regional Heritage Center for the Fire & EMS Museum.
- Unanimously authorized the advertisement of a public hearing on August 9 for a one-time waiver of Sections 82-11(A) and 82-591 of the Code of the County of Prince George, Virginia for water/sewer connection for Tax Parcel 450(0A)00-0230A.
- Unanimously authorized the advertisement of a public hearing on August 9 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” 2005, as amended, by amending Section 202 to change the Fee Schedule for the Planning and Zoning Department.
- Unanimously approved an award of contract in the amount of \$46,250 for the demolition of the Continental Motel.
- Unanimously authorized the Police Department to complete and submit a grant application to DCIS for a School Resource Officer assigned to Harrison Elementary School.
- Unanimously authorized the advertisement of a public hearing on August 9 to lease a portion of the Central Wellness Center to the Hopewell/Prince George Fraternal Order of Police Lodge 17.

- Unanimously authorized the advertisement of a public hearing on August 9 to lease a portion of the Central Wellness Center to the Rotary Club of Prince George.
- Unanimously approved an award of contract and budget transfer in the amount of \$5,990 for a third-party election payment processor – Tyler Payments.
- Unanimously authorized the advertisement of a public hearing on August 9 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §2-731 “Payments of Local Taxes and Other Fees, Charges, Penalties and Interest by Approved Credit and Debit Cards” to add all payment methods supported by the County’s ERP and payment processor as covered payment methods.
- Held a public hearing and unanimously approved a Secondary Route Abandonment with no replacement in accordance with §33.2-909, *Code of Virginia*, for the segment of Community Lane from 0.2 Miles East from Intersection of 1101, Community Lane and F-999, Community Ln. to 0.06 Miles East at the Dead End of Rte. 1101, Community Lane.
- Held a public hearing and unanimously approved a lease agreement for use of a portion of the Prince George Central Wellness Center between the County of Prince George and the Prince George Youth Wrestling Association.
- Held a public hearing and unanimously approved a Special Exception request of Christopher and Marisela Clark to permit a golf course within an R-A (Residential-Agricultural) Zoning District.
- Held a public hearing and unanimously approved a SPECIAL EXCEPTION for Powell Creek Solar, LLC to permit a large-scale solar energy facility in an A-1 (General Agricultural) Zoning District.
- Held a public hearing and voted 3-2 (with Brown and Webb dissenting) to postpone to August 9 an Ordinance to amend “The Code of the County of Prince George, Virginia,” as amended, by amending §§42-1.1, 42-1.2, 42-1.3, 42-1.4, 42-1.5, 42-1.6, 42-1.7, 42-1.8, 42-1.9, 42-1.10, and 42-1.11 to align Chapter 42 Fire Prevention and Protection with the Virginia Code, to eliminate redundancies, to Align Chapter 42 with current policy and to remove language that is already covered in Policy.

Begin

**TAB 7**

Enrgov SE-22-0012

		<h2 style="text-align: center;">SPECIAL EXCEPTION FINAL APPLICATION</h2> <p style="text-align: center;">Department of Community Development and Code Compliance Planning &amp; Zoning Division 6602 Courts Drive, Prince George, VA 23875 (804) 722-8678   <a href="http://www.princegeorgecountyva.gov">www.princegeorgecountyva.gov</a></p>		OFFICE USE ONLY	
				APPLICATION #: <b>SE-22-06</b> DATE SUBMITTED: <b>MAY 19 2022</b> BY: <b>TWG</b>	
APPLICANT FILL-IN ALL BLANKS					
REQUEST	REQUEST:			LAND USE(S) CODE REFERENCE(S):	
	<u>Permit Borrow Pit</u>			<u>90-103(21)</u>	
	REQUEST PROPERTY ADDRESS / LOCATION:				
	<u>6002 County Dr. Disputanta, VA 23842</u>				
REQUEST	REQUEST TAX MAP PIN(S) (LIST ALL):		AFFECTED ACREAGE (EACH PARCEL):	ENTIRE PARCEL (Y / N -- EACH PARCEL):	
	<u>340(0A)00-136-0      340(0A)00-108-0</u>		<u>136-0 = 4.7 Ac</u> <u>137-0 = 6.4 Ac</u> <u>139-0 = 11.3 Ac F11</u> <u>108-0 = 1 Ac</u>		
	<u>340(0A)00-137-0</u> <u>340(0A)00-139-0</u>				
	REQUIRED ATTACHMENTS (CHECK IF ATTACHED): <input checked="" type="checkbox"/> PROJECT DETAILS DOCUMENT(S) <input type="checkbox"/> COMMUNITY MEETING SUMMARY (IF REQUIRED) <input checked="" type="checkbox"/> PROPOSED CONDITIONS <input checked="" type="checkbox"/> ADDITIONAL ATTACHMENTS: <input checked="" type="checkbox"/> CONCEPTUAL SITE PLAN (USE GIS OR ENGINEER DRAWING)				
LEGAL OWNER	NAME(S):				
	<u>Charles Skalsky</u>				
	MAILING ADDRESS (INCL. CITY, STATE, ZIP):				
	<u>6002 County Dr. Disputanta, VA 23842</u>				
APPLICANT CONTACT	E-MAIL:		PHONE:		
	<u>CJSKALSKY@AOL.COM</u>		<u>804-590-7365</u>		
	NAME(S) (IF DIFFERENT THAN OWNER):				
	<u>Michael Ellis Ellis Construction LLC</u>				
APPLICANT CONTACT	RELATION TO OWNER:				
	<u>None</u>				
	MAILING ADDRESS (INCL. CITY, STATE, ZIP):				
	<u>913 W. City Point Rd Hopewell, VA 23860</u>				
PAYMENT	E-MAIL:		PHONE:		
	<u>Mellis735@gmail.com</u>		<u>804-691-4982</u>		
	OFFICE USE ONLY (COMPLETED AT TIME OF APPLICATION)				
	CURRENT ZONING DISTRICT(S):		CURRENT LAND USE(S):		COMP PLAN FUTURE LAND USE(S):
<u>R-A</u>		<u>Vacant/Agriculture/Borrow Pit</u>		<u>Residential</u>	
PAYMENT	FEE DUE:		FEE PAID:		PAYMENT TYPE:
	Special Exception: <u>\$700</u> Special Exception Home Occ: \$350				CHECK / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #:		DATE RECEIVED:		RECEIVED BY:

# APPLICANT AFFIDAVIT

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME:

McElis

NAME:

Charles F. Skalsky

SIGNED:

[Signature]

SIGNED:

[Signature]

DATE:

5-10-22

DATE:

5-10/22

## NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF:

Hopwell

Subscribed and sworn before me this

10<sup>th</sup>

day of

May

2022

Notary Public

My Commission expires:

09/30

2022

LATASHA CHEATHAM

NOTARY PUBLIC

COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES SEPT 30, 2025

COMMISSION # 7959006

AFFIDAVIT

**INVOICE (INV-00001988)  
FOR PRINCE GEORGE COUNTY, VA**

**BILLING CONTACT**  
Mike Ellis



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00001988	05/24/2022	05/24/2022	Paid In Full	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
SE-22-0012	PGC Special Exception Request	\$700.00
<b>SUB TOTAL</b>		<b>\$700.00</b>

REMITTANCE INFORMATION
Prince George County, VA 6602 Courts Drive P.O. Box 68 Prince George, VA 23875

**TOTAL** **\$700.00**





**913 W. City Point Rd  
Hopewell, VA 23860**

Mike Ellis, President	SDVOSB	Virginia SWAM No. 804994	Virginia Class A "H/H" 2705153014
Cell: 804-691-4982			Email: <a href="mailto:mellis735@gmail.com">mellis735@gmail.com</a>

June 9th, 2022

Location: 6002 County Dr. Disputanta, VA 23842

### **Request To Reopen Existing Borrow Pit/ Plan of Operation**

It is requested by Ellis Construction Inc., (Michael Ellis), to renew the borrow pit permit, previously approved by Prince George County. The open pit will be mined with the use of an excavator, assisted by a Dozer; load dump trucks with excavator, hauled to job sites. Depth of excavations will be a variable depth of approx. 13'-20' in sections over 11.1 Acres with an estimated export volume between 232,800 to 358,160 Cubic Yards of soils. We will excavate on an as needed basis beginning with 3 acre portion of Work area B, as noted on the attached plan set. Future expansion of the 11.1 acres is not intended at this time. We are assuming a timeframe of approximately 10 years to achieve final depths and backfills on requested areas. Upon completion of excavations the edges of banks will be sloped to 3:1 or greater for safety or backfilled after excavations have been completed.

Drainage will be to a retention area within the borrow pit limits, and the water will be directed to the natural flow of surrounding area. Water accumulation in the borrow sites will be pumped out through sediment bags as needed to continue excavations.

Topsoil will be stored next to permit site protected by silt fence on the non-permitted sides. The edges and slopes of borrow pit will have topsoil respread and stabilized. The main area will be covered with water at a minimum of 4 feet creating additional water storage for the site. Existing topsoil piles from prior permit require removal. We will be screening this soil and removing it as part of prior permitting closure.

Intake of brush/stumps/logs/natural debris will be recycled (mulched) onsite to create cover for exposed areas that require stabilization. Mulch will also be used to create compost offsite, compost will then be mixed with soils onsite to create 100% locally recycled topsoil and used for commercial and residential projects in our community.

Access roads to the pits area will be 15' wide with 75'+ of #3 stone for the construction entrances. Haul roads will be maintained to prevent heavy dust and tracking into adjoining roads. Adjoining hard surface roads will be kept clean and free of debris.



**913 W. City Point Rd  
Hopewell, VA 23860**

We would like to partner with the County of Prince George to supply any needs you have with recycling natural debris, (trees, pruning's, mulch, etc.) as well as supplying the county with any soils needed with the counties projects with local resources.

If you have any questions or concerns, feel free to contact me at any time.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Mike Ellis', is written over the word 'Respectfully,'.

Mike Ellis

804-691-4982



**913 W. City Point Rd  
Hopewell, VA 23860**

Mike Ellis, President	SDVOSB	Virginia SWAM No. 710104	Virginia Class A "H/H" 2705153014
Cell: 804-691-4982			Email: <a href="mailto:mellis735@gmail.com">mellis735@gmail.com</a>

March 3, 2021

Borrow Pit Permit Request

Location: 6002 County Dr. Disputanta, VA 23842

### **Borrow Pit Permit Plan**

We are asking for approval to reopen an existing borrow pit within Prince George County. Three Parcels have been previously permitted (expired 2019), we will be adding a fourth parcel for this new permit. Attachments will show an overall layout of proposed parcels marked in red outline, Attachment #1. Attachments #2 and #3 show intended work areas within each parcel and highlighted in blue. Work areas will be used as a borrow pit. Borrow pit operations to be permitted for 24hr operation.

We are also requesting the authority to install access entrance onto existing access road for the Crater Juvenile Detention Home, road name is unknown and not listed. This will be used for the construction entrance and access point for farmers equipment. An already existing entrance located on W. Quaker Rd will be used as well and maintained per guidance.

Existing 3 approved parcels:

340(0A)00-136-0

340(0A)00-137-0

340(0A)00-139-0

New Parcel to be added:

340(0A)00-108-0

If you have any questions or concerns, feel free to contact me at any time.

Respectfully,

Mike Ellis

804-691-4982













[illegible][illegible][illegible][illegible]

STRENGTH CAN

[illegible]

planned for 11 September, 1998, at 0700 hours, will be very close to the actual time of the release of the aircraft. The aircraft was released at 0700 hours, and the release time was 0700 hours.

DAVID ATTENING, CHAIRMAN OF THE BOARD, ON THE FORTNIGHT OF

THE ABOVE IS SUPPLEMENTED FROM THE "RECORDS OF THE BOARD OF DIRECTORS" OF THE "NEW YORK AND NORTHERN PAACIFIC RAILROAD CO." FOR THE YEAR 1904.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

STANDARD BATTERED WOMEN'S ADVOCATE

BE CONSIDERED AS A FOR-IT

COMPENSANCE PROSPECT STABILIZATION SPECIFIED IN

DESIGNED AND CONSTRUCTED BASED UPON THE TOTAL DRAINAGE AREA TO BE SERVED BY THE TRAP OR BASIN

RECEIVED: 20 SEPTEMBER 1997

AN THE STRAIGHT, BUT NOT OF THE BENT, BECAUSE, AS YOU PROVE BY LOGICAL ANALYSIS, THERE IS NO SUCH THING AS A BENT LINE. THE ONLY LINE THAT IS BENT IS THE ONE THAT IS BENT BY THE FORCE OF GRAVITY, AND THAT IS THE ONE THAT IS BENT BY THE FORCE OF GRAVITY.

WILL ONE YEAR OF PROVISIONAL ASSESSMENT BE SUFFICIENT TO  
COMPLIANCE. STABILIZATION OF SLOPES IS REQUIRED

[illegible]

WHENEVER WATER SEEPS FROM A GLOVE FACE COMPLAINT NOTED

REQUIRE: Indicated on all bills for carbon shall be reduced:

TEMPORARY OR PERMANENT CHANNEL LINING  
COMPLIANCE: NOT APPLICABLE TO THIS PROJECT

SHALL BE INSTALLED IN BOTH THE CONVEYANCE CHANNEL AND RECEIVING CHANNEL.

COMPLIANCE NOT APPLICABLE TO THIS PROJECT

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

STRAINS AND OTHER WATERS OF THE STATE

WHAT PROVISIONS FOR SUSTAINMENT MAKE DIFFERENCE? WHAT ADOPTED ANY? HOW RATE CAPACITY AND VOLUME REQUIREMENTS FOR A LOCAL OR

FROM THE SITE WHEN IT WAS IN A GOOD FLOW CAPACITY AND VELOCITY REQUIREMENTS FOR

STANDARD CONDUIT PROVIDED BY THE SUPPLIER SHALL BE 1/2 IN. IN ITS PROPOSED CONDITION AND SHALL BE EXTENSIVE OF ANY AND ALL MATERIALS, OR MAN-MADE CHANNELS AS DEFINED IN ARTICLE 1005, PROHIBITED PURSUANT TO § 62.144, 9-54 OR 9-55 OF THE ACT.

UNDISTURBED ACTIVITIES ARE IN ACCOMPLIANCE WITH THE WATER QUALITY

IN ACCORDANCE WITH THE VIRGINIA STOCKMARKET MANAGEMENT PROGRAM ("VSMMP") REGULATIONS SHALL BE DEEMED TO CONFORM WITH VAC-0000 OF THE VIRGINIA STOCKMARKET MANAGEMENT PROGRAM ("VSMMP").



Enorgov S-22-0013



# SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance  
Planning & Zoning Division  
6602 Courts Drive, Prince George, VA 23875  
(804) 722-8678 | [www.princegeorgecountyva.gov](http://www.princegeorgecountyva.gov)

OFFICE USE ONLY

APPLICATION #:

SE-22-07

DATE SUBMITTED:

RECEIVED  
JUN 07 2022  
BY: TWG

## APPLICANT FILL-IN ALL BLANKS

REQUEST	REQUEST:		
	Special Exception to See Attached Statement of Proffer		
	REQUEST PROPERTY ADDRESS / LOCATION:		
	1100 Jordan Point Road Prince George, Virginia 23860		
REQUEST	REQUEST TAX MAP PIN(S): (List all)	AFFECTED ACREAGE (Each parcel):	ENTIRE PARCEL (Y / N - Each parcel):
	040(02)00-001-0 040(0A)00-003-A 140(08)00-00A-1 040(0A)00-002-A 040(02)00-001-A	1	Y
	ATTACHMENTS (Check if Attached; * = Required):		
	<input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> PROPOSED CONDITIONS <input checked="" type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing)		
LEGAL OWNER	NAME(S):		
	Jordan Point LLC / Eric Keck		
	MAILING ADDRESS: (Incl. City, State, Zip):		
	6900 Sturgeon Point Rd Providence Forge, VA 23860		
APPLICANT CONTACT	E-MAIL:	PHONE:	
	EKEQ42@aol.com	804 241-7926	
	NAME(S): If different than owner):		
	Ihab Atallah		
APPLICANT CONTACT	RELATION TO OWNER:		
	Perspective buyer		
	MAILING ADDRESS: (Incl. City, State, Zip):		
	5460 Godfrey Rd Parkland, FL 33067		
APPLICANT CONTACT	E-MAIL:	PHONE:	
	Ehab@TattsandTacos.com	954-661-4241	
	OFFICE USE ONLY (Completed at the time of application)		
	ZONING DISTRICT(S):	LAND USE(S) CODE REFERENCE(S):	
R-A & R-1	Varroos - To be confirmed		
PAYMENT	FEE DUE:	FEE PAID:	PAYMENT TYPE:
	Special Exception: \$700 Special Exception Home Occ: \$350	\$700	CHECK / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #:	DATE RECEIVED:	RECEIVED BY:
	check 6515 / Enorgov:	6/24/22 ✓	TWG

Inv. 2258

# OWNER AFFIDAVIT

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME:

Jordon Point LLC

Eric L Keck Mrg Member

SIGNED:

[Signature]

NAME:

SIGNED:

DATE:

6/25/22

DATE:

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF:

Charles City

Subscribed and sworn before me this

25<sup>th</sup>

day of

June

, 20 22

Karen R Schureman

Notary Public

My Commission expires:

April 30, 2026



AFFIDAVIT

COUNTY OF PRINCE GEORGE  
COMM DEV & CODE COMPLIANCE  
PO BOX 156  
6602 COURTS DR  
PRINCE GEORGE, VA 23875-0156  
(804) 722-8750  
Welcome

19997364-0001 Tim G. 06/24/2022 10:56AM

**EG INVOICE**

ATALLAH, IHAB

2022 Item: INV-00002258

Special Exception

Request 700.00

-----  
**700.00**

**Subtotal 700.00**

**Total 700.00**

CHECK 700.00

Check Number 6515

-----  
**Change due 0.00**

Paid by: ATALLAH, IHAB

Thank you for your payment

CUSTOMER COPY

Application by Ihab Atallah  
Former Jordan Point Golf and Country Club  
Prince George County, Virginia  
June 7, 2022

Ihab Atallah (the “**Applicant**,”) is submitting this application for the purpose of a special exception for an existing commercial location name to be determined (the “**Project**.”) The special exception for this property is necessary and further required in order to operate this property for multiple commercial uses. The said applicant is seeking a special exception for the Project to accommodate and help facilitate the proposed uses.

The proposed property included in the zoning request consist of approximately 143 acre parcel located in District Two of Prince George County, Virginia, located on Jordan Point Road between Route 10 and Route 5 (the “Property,”) formally the Jordan Point Golf and Country Club. This can be seen in the attached conceptual plan date 3 May, 2022. The property tax map parcels are 040(02)00-001-0, 040(0A)00-003-A, 140(08)00-00A-1, 040(0A)00-002-A, 040(02)00-001-A. The current zoning of the Property is R-A residential- agricultural and R-1 limited residential and partially wooded with several existing structures.

**Project Description**

The purpose of this project is to reactivate a once thriving established Country Club. We look to revitalize this location and give families and community members a place to enjoy the beauty of Prince George and Jordan Point while offering activities to encourage health and wellness such as biking trails, pickle ball courts, driving ranges, dog park, a Country Club and an already beautiful backdrop to host events such as weddings, receptions ect.. Our goal is enhance an already wonderful area and give locals a place to create memories and build relationships while improving quality of life.

STATEMENT OF PROFFER  
SPECIAL EXCEPTION

Pursuant to Article XVIII of the Prince George County Zoning Ordinance, Ihab Atallah do hereby voluntarily proffer, as the applicant and prospective owner of the property (the "Property") respectively, which is the subject of this special exception request, that the development of the Property shall be in strict accordance with the following conditions set forth in this submission:

We present the following proffers for the former Jordan Point Gold and Country Club 1100 Jordan Point Rd Prince George, Virginia on tax map parcels 040(02)00-001-0, 040(0A)00-003-A, 140(08)00-00A-1, 040(0A)00-002-A, 040(02)00-001-A:

1. The development of the property shall substantially conform to the conceptual plan entitled, "Former Jordan Point Golf and Country Club," prepared by Ihab Atallah, dated June 7, 2022.
2. Country Club utilizing existing structures
3. Driving Range existing located near main entrance of property
4. Bike trails utilizing already existing golf cart pathways
5. Weddings events and receptions to be held in already existing country club structures on property

I hereby acknowledge that the Special Exception gives rise to the need for these conditions.

[Signature] Date: 6-7-22  
Signature

I Christina Dawn Grimm - a Notary for the State of Virginia, do verify that the foregoing instrument was signed before me this the 7<sup>th</sup> day of June, 2022.

April 30<sup>th</sup>, 2023  
My Commission Expires

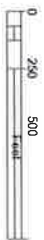






# Special Exception Exhibit

1100 Jordan Point Rd - June 13, 2022





# SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance  
Planning & Zoning Division

6602 Courts Drive, Prince George, VA 23875  
(804) 722-8678 | [www.princegeorgecountyva.gov](http://www.princegeorgecountyva.gov)

OFFICE USE ONLY

APPLICATION #:

RECEIVED  
DATE SUBMITTED:

JUL 06 2022

7-6-2022

## APPLICANT FILL-IN ALL BLANKS

### REQUEST:

Special Exception

### REQUEST PROPERTY ADDRESS / LOCATION:

8601 Robin Road, Disputanta, Virginia 23842

### REQUEST TAX MAP PIN(S): (List all)

530(OA)00-043-A

### AFFECTED ACREAGE (Each parcel):

6.21

### ENTIRE PARCEL (Y / N - Each parcel):

### ATTACHMENTS (Check if Attached; \* = Required):

☒ APPLICANT STATEMENT\* (Specify goals, details, etc.)

☐ COMMUNITY MEETING SUMMARY

☐ PROPOSED CONDITIONS

☐ ADDITIONAL ATTACHMENTS:

☐ SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN\*

(Show proposed improvements; Use GIS or Engineer Drawing)

### NAME(S):

Vonda Greene Capria

### MAILING ADDRESS: (Incl. City, State, Zip):

8601 Robin Road, Disputanta, Virginia 23842

### E-MAIL:

vonda@greenhawaiianconstruction.com

### PHONE:

808 341 0869

### NAME(S): If different than owner):

### RELATION TO OWNER:

### MAILING ADDRESS: (Incl. City, State, Zip):

### E-MAIL:

### PHONE:

RECEIVED  
JUL 11 2022  
BY: \_\_\_\_\_

## OFFICE USE ONLY (Completed at the time of application)

### ZONING DISTRICT(S):

### LAND USE(S) CODE REFERENCE(S):

### FEE DUE:

Special Exception: \$700

Special Exception Home Occ: \$350

### FEE PAID:

\$350

### PAYMENT TYPE:

CHECK / CASH / CREDIT / DEBIT

### CHECK # / TRANSACTION #:

### DATE RECEIVED:

7/11/22

### RECEIVED BY:

Engron

TJV: 0000234



RECEIVED

OWNER AFFIDAVIT

JUL 15 2022

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME:

Vonda Greene Capria

NAME:

SIGNED:

Vonda Greene Capria

SIGNED:

DATE:

7-11-2022

DATE:

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF:

Prince George

Subscribed and sworn before me this

11<sup>th</sup>

day of

July

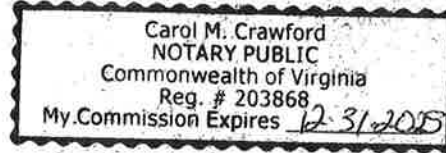
, 20 22.

Notary Public

My Commission expires:

12-31

, 20 25



AFFIDAVIT

COUNTY OF PRINCE GEORGE  
COMM DEV & CODE COMPLIANCE  
PO BOX 156  
6602 COURTS DR  
PRINCE GEORGE, VA 23875-0156  
(804) 722-8750  
Welcome

19997441-  
0001 Teresa C.07/11/2022 03:30PM

**EG INVOICE**

Capria, Vonda  
2022 Item: INV-00002311  
Special Exception  
Home Occupation on  
five (5) acre 350.00

-----  
**350.00**

**Subtotal 350.00**  
**Total 350.00**

CHECK 350.00  
Check Number 1287

-----  
**Change due 0.00**

Paid by: Capria, Vonda

Thank you for your payment

CUSTOMER COPY

The Historic Green Estate is a limited liability company seeking a \$190,000 portfolio mortgage loan to finance the purchase of the residence and farm located at 8601 Robin Road, Disputanta, Virginia, 23842. This house, currently a post mid-century modern split level, will be converted to a single family residential structure and bed and breakfast establishment. The barns will continue to serve the working farm which grows corn, peanuts, soybeans and about 20 head of cattle. The owner will be contributing \$20,000 of her own money as a down payment toward the purchase price of \$125,000 and will be paying closing costs. The house will serve as collateral for the mortgage.

In addition, the owner Vonda Greene Capria will be investing in remodeling construction costs to cover costs of the bed and breakfast conversion. The owner has already invested \$330,000 in start-up costs.

The owner plans to form a Limited Liability Company named The Historic Green Estate Bed & Breakfast to operate a bed and breakfast home. The home will be converted from a 4 bedroom split level to 4 bedrooms with private baths and working fireplaces. The Historic Green Estate Bed and Breakfast will be the owners' private residence and take in guests 365 days a year commencing in January of 2023.

This business is unique in that the business expenses include the owners' mortgage, property taxes, home insurance, and household expenses. For that reason Vonda's income are included in the cash flow chart. Vonda will continue to work part-time until the inn-keeping business reaches 40% occupancy.

The Historic Green Estate Bed & Breakfast is located south of Petersburg off Route 460. As hosts, Vonda Greene Capria will offer warm hospitality, friendship and a rural farm knowledge of the country area, along with detailed maps of historic sites and other local scenery.

The Historic Green Estate is surrounded by rural homes and business ventures, including the Lake Fung Barn Wedding and Event venue and Green's Raceway which are both less than one mile away. Taking a stroll east down the farm, guests will run into our private pond and see wildlife including wild turkeys, deer and bald eagles. The Petersburg National Battlefield and Fort Lee are less than ten minutes away. Within fifteen minutes are several fine dining restaurants. Several wedding and event venues such as The Stodola and The Barns of Kanak are 8 to 10 miles away. The Tidewater cities of Suffolk, Chesapeake, Norfolk and Virginia Beach are just an hour away. Outdoor fun may be had by simply riding bicycles or renting quad motorcycles which are available at Green's Raceway across the street.

The Historic Green Estate will be furnished in an eclectic style from original shutters and wood floors to the personal tastes of the owners which include historic and modern art. But most important will be the efforts towards comfort and non-intimidating surroundings. Breakfast will be catered from the head chef of Byrd & Baldwin Brothers in Norfolk, VA, who is one of the descendants of the original homeowners of the Historic Green Estate. It will be served an antique mahogany table in the dining room in front of one of the house's three fireplaces. For those guests wanting privacy, there is eastern exposure deck with a hot tub and screened porch constructed in early 2023. On weekdays, breakfast will be between 7:00 to 9:00 AM, consisting of homemade breads, orange juice, fruit smoothies (strawberries, banana and yogurt blended), cereals, and granola. Weekend breakfast will be served between 8:00 and 10:00 am. Magazines

will be available and handed down through the Greene family for guests to browse through. Current magazines such as Coastal Virginia Magazine, Richmond Magazine and Martha Stewart Living are also available to read either in the common room or in the guest rooms. There is a bridge table for chess, cribbage or even bridge set-up for those occasional rainy days. We provide old movie videos and Netflix, Hulu and local television channels for viewing with others or in the privacy of guest rooms.

Quiet and relaxation can also be found on the back porch off of the kitchen. In the summer guests could ride the bicycle paths, or they might choose to sit in a rocking chair on the front porch looking over a well-kept garden of flowers and herbs.

There will be three guest rooms to choose from on the second floor, one master bedroom facing the farm and two facing the front yard. There is one handicapped accessible room which will be located off the first level. There will be an office located in the basement level. There will be a pool table room located right off the front foyer. Each room is in its own corner of the house far from the next room, assuring privacy and quiet. Televisions are available upon request for each room. Prices will range from \$125.00 a night to \$175.00. Each room is named after the original mid-century residents of the Historic Green Estate. The Parrish room, the Elwood Room and the Olander rooms are all inspired by the original residents of the house; the Bruce Room will be the handicapped accessible room and will be equipped with modern conveniences for the business traveler. Security will be provided by Ring cameras and professional monitoring system.

We hope to give people, for their short stay here, a sense of a few of Prince George County's up and coming destinations — its beautiful countryside, its history and the people. On the first floor in our formal dining room with its beautiful wood floor, mid-century fireplace and large bay windows, we will be exhibiting the work of well-known local artists as well as university students.

The impact to the neighborhood from the bed and breakfast will consist of off street parking located on site located on the side or rear yards, and signage in the front yard that will be lit in the evening with solar lighting.

Our business goals are as follows:

**First year:**

- Reach 25% occupancy rate (surpassing our projected 20%)
- Establish good neighborhood relations
- Develop an award-winning website and/or brochure, partner with wedding venues to offer discounts for wedding attendees, be listed on-line and in trade associations/AAA
- Create unforgettable guest visits
- Spend ten hours a week on marketing, beginning with grand opening launch with Petersburg Symphony orchestra (Director is descendant of The Historic Green Estate)
- Rebuild rear deck and carport on house with hot tub and screened porch

**Third year:**

- Operating at 40% occupancy rate with 4 guest rooms generating \$72,000 income
- Achieve Superhost or Premier status on AirBnB and VRBO websites
- Attend a national conference for marketing tips and national networking
- Actively involved in the Hopewell/Prince George Area Chamber of Commerce
- Renovate the barn as a rental apartment for income and cleaning/meal preparation help
- Complete a third year written evaluation of the competition, market, service, finances, and personal goals

**Fifth year:**

- Repaint the outside of the barns from dull beige and brown to a more colorful mid-century farm house style to match its time period and to attract tourists
- Develop an offshoot homemade craft or salted ham business in one of the barns
- Continue to develop the front gardens and backyard, and golf cart paths
- Renovate barns as necessary
- Hire summer help
- Complete a fifth year written evaluation of the competition, market, service, finances, and personal goals