



## County of Prince George, Virginia

*"A welcoming community • Embracing its rural character • Focusing on its prosperous future"*

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### MEMORANDUM

TO: Tammy Anderson, Chair  
Alex W. Bresko, Jr., Vice-Chair  
R. Steven Brockwell  
Jennifer D. Canepa  
Imogene S. Elder  
V. Clarence Joyner, Jr.  
M. Brian Waymack

FROM: Tim Graves, Planner II

RE: February 2024 Planning Commission Work Session & Business Meeting

DATE: February 15, 2024

CC: Jeff Stoke, County Administrator  
Andrea Erard, County Attorney  
Robert Baldwin, Director of Planning  
David "Koty" Gray, Planner I  
Madison Sobczak, Planning & Zoning Technician

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The Planning Commission's Work Session will be Tuesday, February 20, 2024 at 5:30 p.m. in the Board Room. **Please note this is on Tuesday since County Government offices will be closed Monday for George Washington Day Holiday.**

The Planning Commission's regular Business Meeting will be Thursday, February 22, 2024 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.

1	Agenda
2	Draft Work Session Minutes January 22, 2024
3	Draft Business Meeting Minutes January 25, 2024
4	Subdivision Waiver # SW-23-04 Lee Family Division Private Road
5	Communications
6	
7	
8	
9	
10	
11	
12	

Begin

**TAB 1**

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

**Thursday, February 22, 2024 at 6:30 p.m.**  
County Administration Bldg. Boardroom, Third Floor  
6602 Courts Drive, Prince George, Virginia

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**CALL TO ORDER – Madam Chair Anderson**  
Roll Call - Clerk

**INVOCATION**

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

**ADOPTION OF AGENDA [1] – Madam Chair Anderson**

**PUBLIC COMMENTS – Madam Chair Anderson**

The Public Comments period is open to anyone who wishes to speak to the Commissioners on only topics that are not on the Agenda this evening. Please state your name and address and you will have three (3) minutes to speak.

**COMMISSIONERS' COMMENTS – Madam Chair Anderson**

**ORDER OF BUSINESS – Madam Chair Anderson**

**A-1.** Adoption of Work Session Meeting Minutes – January 22, 2024 [2]

**A-2.** Adoption of Business Meeting Minutes – January 25, 2024 [3]

**A-3. SUBDIVISION WAIVER SW-23-04:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into two for a family subdivision without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property is zoned (R-A) Residential Agricultural, is located on an existing private road that accesses Shands Road approximately 1,400 feet south of the intersection with Spain Drive, and is identified as Tax Map 570(09)00-00E-1. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-14. [4] **Tim Graves**

**PUBLIC HEARINGS – None**

**COMMUNICATIONS – [5] Tim Graves**

**C-1.** Actions of the Board of Zoning Appeals

**C-2.** Actions of the Board of Supervisors  
**A.** BOS Recap(s)

**C-3.** Upcoming Cases for March 2024

**C-4.** Comprehensive Plan Update Process: Preparation for Joint Work Session

**ADJOURNMENT – Madam Chair Anderson**



Begin

**TAB 2**

## **DRAFT MINUTES - WORK SESSION**

Planning Commission of Prince George County, Virginia

**Monday, January 22, 2024 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** – Mr. Bresko called the meeting to order at 5:33 p.m.

Roll Call – Madison Sobczak called roll:

Commissioners Present: Mr. Waymack, Mr. Bresko, Ms. Canepa

Commissioners Absent: Ms. Elder, Mr. Joyner, Ms. Anderson, Mr. Brockwell

Staff Present: Robert Baldwin, Tim Graves, Madison Sobczak, Koty Gray

**AGENDA REVIEW FOR JANUARY 25 BUSINESS MEETING** - Tim Graves

### **CASE REVIEW**

**P-1. SPECIAL EXCEPTION SE-23-10:** Request to permit a commercial child care center within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(28). The subject property is 0.887 acres in size, located at 5840 Allin Road, and is identified as Tax Map # 230(26)00-002-0. The Comprehensive Plan indicates the property is planned for “Village Center” land uses. – **[5] Tim Graves reviewed the Staff Report and answered questions asked by commissioners.**

**COMMUNICATIONS** – None.

**ADJOURNMENT** – At 5:40 p.m., Mr. Bresko asked for a Motion to Adjourn. Ms. Canepa made the motion, seconded by Mr. Waymack. The vote was 3-0.

Begin

**TAB 3**

**DRAFT MINUTES**  
Planning Commission  
County of Prince George, Virginia  
Organizational & Business Meeting  
6:30 p.m. January 25, 2024

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

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

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

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

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

**INVOCATION.** Mr. Waymack provided the Invocation.

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

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

Roll Call:

In favor: (5) Anderson, Canepa, Waymack, Joyner, Bresko

Opposed: (0)

Absent: (2) Brockwell, Elder

**ELECTION OF CHAIR.** Ms. Anderson asked the Commission for a motion to elect a new Chair to the Planning Commission. Ms. Canepa made a motion to elect Ms. Anderson as the new Chair of the Planning Commission. The motion was seconded by Mr. Bresko.

Roll Call:

In favor: (5) Anderson, Canepa, Waymack, Joyner, Bresko

Opposed: (0)

Absent: (2) Brockwell, Elder

**ELECTION OF VICE-CHAIR.** Ms. Anderson asked the Commission for a motion to elect a new Vice-Chair to the Planning Commission. Ms. Canepa made a motion to elect Mr. Bresko as the new Vice-Chair of the Planning Commission. The motion was seconded by Mr. Waymack.

Roll Call:

In favor: (5) Anderson, Canepa, Waymack, Joyner, Bresko

Opposed: (0)

Absent: (2) Brockwell, Elder

**ADOPTION OF THE 2024 MEETING SCHEDULE.** Ms. Anderson asked the Commission for a motion to adopt the 2024 Planning Commission meeting schedule. Ms. Canepa made a motion to adopt the 2024 meeting schedule and Mr. Waymack seconded the motion.

Roll Call:

In favor: (5) Anderson, Canepa, Waymack, Joyner, Bresko

Opposed: (0)

Absent: (2) Brockwell, Elder

**PUBLIC COMMENT PERIOD.**

At 6:34 p.m., Ms. Anderson opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on the Agenda as Public Hearings. Citizens were asked to limit their comments to three (3) minutes.

With no one present indicating they wished to speak, the Public Comment Period was closed at 6:35 p.m.

**COMMISSIONERS' COMMENTS.**

There were no Commissioners' comments.

**ORDER OF BUSINESS.**

**A-1. Adoption of the Work Session Minutes – December 11, 2023**

Ms. Anderson asked the Commissioners to review the Work Session Minutes from December 11, 2023. Mr. Bresko made a motion to approve the December 11, 2023, Work Session Minutes. The motion was seconded by Ms. Canepa.

Roll Call:

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

Abstain: (1) Joyner

Absent: (2) Brockwell, Elder

Mr. Bresko stated the December meeting minutes needed to be revised to correct his name from Stephen to Alex.

## **A-2. Adoption of Business Meeting Minutes – December 13, 2023**

Ms. Anderson asked the Commissioners to review the Minutes of the December 13, 2023, Planning Commission meeting. Ms. Canepa made a motion to approve the December 13, 2023 Meeting Minutes as written. The motion for approval was seconded by Mr. Bresko.

Roll Call:

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

Opposed: (0)

Abstain: (1) Joyner

Absent: (2) Elder, Brockwell

### **P-1. SPECIAL EXCEPTION SE-23-10: Request to permit a commercial child care center within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(28). The subject property is 0.887 acres in size, located at 5840 Allin Road, and is identified as Tax Map # 230(26)00-002-0. The Comprehensive Plan indicates the property is planned for “Village Center” land uses. – [5] Tim Graves**

Mr. Graves presented SE-23-10 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Ms. Anderson asked if the Commissioners had any questions for staff.

Mr. Joyner asked what type of fence would be used and what the height of that fence would be.

Mr. Graves stated the applicant, Ms. Ramsey, was present and willing to answer questions from the Commissioners.

LaKeisha Ramsey introduced herself and stated the following.

- A 6 foot tall fence was required by the Virginia Department of Childcare for the previous center she operated in Richmond.
- She is waiting for the Virginia Department of Childcare to tell her what the height requirement is going to be in Prince George.
- The fence would be a chain link and would comply with state regulations and laws.

Mr. Joyner asked if there was currently a fence on the property.

Ms. Ramsey stated there is currently not a fence on the property.

Ms. Anderson opened the public comment period at 6:44 p.m. and asked if there was anyone in attendance that would like to speak, stating they had (3) minutes to speak. With no one wishing to speak, Ms. Anderson closed the public comment period at 6:44 p.m.

Ms. Anderson asked if the Commissioners had any further questions for staff. With there being no further questions Ms. Anderson stated she would entertain a motion. Ms. Canepa motioned to forward request SE-23-10 to the Board with a recommendation for approval, subject to the recommended conditions in the Staff Report; The reason for this recommendation is it is expected to benefit the general welfare of the community. Mr. Joyner seconded the motion.

Roll Call:

In favor: (5) Anderson, Joyner, Waymack, Bresko, Canepa

Opposed: (0)

Absent: (2) Elder, Brockwell

## **COMMUNICATIONS.**

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

- Held their organizational meeting on Monday, January 22, 2024.
- The BZA elected the new Chair and Vice-Chair.
- There were no cases heard at that meeting and the meeting for February is canceled.

### **C-1. Actions of the Board of Supervisors (BOS)**

- Meeting recap was provided to the Planning Commission.
- Board of Supervisors approved the Special Exception request for a childcare facility in the B-1 zoning district.
- Vacated a small piece of right-of-way in the meadows.
- Bob Baldwin gave an update for the Comprehensive Plan to the Board.

### **C-2. Upcoming Planning Commission Cases for February**

- There will be at least one Public Hearing at the February meeting.

Mr. Joyner asked if because the Board of Supervisors upheld the Planning Commissions decision on the Bakers Pond Solar Facility, if that meant the case is null in void.

Mr. Graves confirmed and stated that the case cannot proceed any further because the Planning Commission and the Board of Supervisors found that it was not in compliance with the Comprehensive Plan, which is a requirement of the state code.

## **ADJOURNMENT.**

At 6:51 p.m., Ms. Anderson asked the Commissioners if they had any additional questions. If not, she would entertain a motion to adjourn. Ms. Canepa made a motion to adjourn, and Mr. Joyner seconded the motion. Roll was called on the motion.

Roll Call:

In favor: (5) Waymack, Bresko, Anderson, Joyner, Canepa

Opposed: (0)

Absent: (2) Elder, Brockwell

Begin

**TAB 4**



**SUBDIVISION WAIVER REQUEST – SW-23-04**  
**PLANNING COMMISSION STAFF REPORT – February 22, 2024**

**RESUME**

Property owners Timothy and Stacia Lee have submitted a subdivision plat proposing to subdivide one approximately 42-acre lot into two smaller lots for the purpose of conveying a 5-acre lot to a family member for a family division.

Certain design standards are required at the time of subdivision as provided in Article VII of the Subdivision Ordinance.

The subdivider has requested that the following requirements be waived:  
Section 70-724(d)(3)iii regarding construction standards for a private road serving the subdivided lots.

Section 70-208 of the Subdivision Ordinance authorizes the Planning Commission to consider this waiver request. The Commission is required to grant (approve) or deny the request, with or without conditions, and state the reason(s) for approval or denial. While a public hearing is not required, adjacent property owners have been notified by U.S. Mail pursuant to Section 70-208.6 and should be offered the opportunity to comment on the request following the staff report presentation.

**CONTENTS OF REPORT:**

1. Sample Motions
2. Draft Resolution for Approval
3. Draft Resolution for Denial
4. Staff Report
5. Copy of the Application with Attachments
6. Copy of proposed subdivision plat
7. APO letter, map and mailing list

## Sample Motions for SW-23-04

### **Sample Motion to APPROVE:**

“I move that we adopt the Resolution to APPROVE the Subdivision Ordinance Waiver Requested in Application #SW-23-04 for the following reasons:

1. There is an unusual situation, specifically:

\_\_\_\_\_;

AND/OR

Strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship, specifically:

\_\_\_\_\_;

AND

2. There is no prejudice to the health and safety of the surrounding citizens;

AND this approval is...

... subject to the conditions recommended by Staff in the Staff Report.”

OR

... subject to the conditions recommended by Staff in the Staff Report with the following changes:

\_\_\_\_\_.”

OR

... not subject to any conditions.”

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

“I move that we adopt the Resolution to DENY the Subdivision Ordinance Waiver requested in Application #SW-23-04 for the following reason(s):

This is NOT an unusual situation and this is NOT an instance where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship.”

AND/OR

There is a prejudice to the health and safety of the surrounding citizens, specifically:

\_\_\_\_\_.”

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

“I move that we POSTPONE a decision on SW-23-04 until \_\_\_\_\_ to allow time for \_\_\_\_\_.”  
(DATE) (ACTION/EVENT)

Planning Commission  
County of Prince George, Virginia

Resolution to APPROVE the Subdivision Ordinance Waiver Requested in Application #SW-23-04

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 22nd day of February, 2024:

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Present:

Tammy Anderson, Chair  
Alex Bresko, Jr., Vice-Chair  
Roy Stephen Brockwell  
Jennifer D. Canepa  
Imogene S. Elder  
V. Clarence Joyner, Jr.  
M. Brian Waymack

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Vote:

**SUBDIVISION WAIVER SW-23-04:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into two for a family subdivision without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property is zoned (R-A) Residential Agricultural, is located on an existing private road that accesses Shands Road approximately 1,400 feet south of the intersection with Spain Drive, and is identified as Tax Map 570(09)00-00E-1. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-14.

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WHEREAS, in plat review application # S-23-14, Property Owners Timothy and Stacia Lee have proposed to subdivide one lot into two; and

WHEREAS, Section 70-208 authorizes the Planning Commission, “in cases of unusual situations or where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship”, to “waive standards contained in article VII”; and

WHEREAS, the applicant requested in application # SW-23-04 that the following requirement of Article VII of the Subdivision Ordinance be waived by the Commission:

§ 70-724(d)(3)iii regarding the requirement for the private road serving the lots to meet a VDOT standard except that it may use a gravel surface; and

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

WHEREAS, the Commission acknowledges that if the applicant does not accept the decision or the approved conditions for the request, the applicant may make appeal to the Prince George County Board of Supervisors.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Prince George, after careful consideration, hereby APPROVES the above requested waiver for the following reasons:

1. There is an unusual situation, specifically \_\_\_\_\_  
OR  
Strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship, specifically \_\_\_\_\_; and
2. There is no prejudice to the health and safety of the surrounding citizens.

AND BE IT ALSO RESOLVED that the approval is subject to the following conditions:

1. [Additional conditions will be added here if they were part of the approval motion, otherwise this part of the resolution will be deleted]

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Adopted on \_\_\_\_\_, 2024 and becoming effective immediately.

Planning Commission  
County of Prince George, Virginia

Resolution to DENY the Subdivision Ordinance Waiver requested in Application #SW-23-04

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 22nd day of February, 2024:

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Present:

Tammy Anderson, Chair  
Alex Bresko, Jr., Vice-Chair  
Roy Stephen Brockwell  
Jennifer D. Canepa  
Imogene S. Elder  
V. Clarence Joyner, Jr.  
M. Brian Waymack

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Vote:

**SUBDIVISION WAIVER SW-23-04:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into two for a family subdivision without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property is zoned (R-A) Residential Agricultural, is located on an existing private road that accesses Shands Road approximately 1,400 feet south of the intersection with Spain Drive, and is identified as Tax Map 570(09)00-00E-1. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-14.

---

WHEREAS, in plat review application # S-23-14, Property Owners Timothy and Stacia Lee have proposed to subdivide one lot into two; and

WHEREAS, Section 70-208 authorizes the Planning Commission, “in cases of unusual situations or where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship”, to “waive standards contained in article VII”; and

WHEREAS, the applicant requested in application # SW-23-04 that the following requirement of Article VII of the Subdivision Ordinance be waived by the Commission:

§ 70-724(d)(3)iii regarding the requirement for the private road serving the lots to meet a VDOT standard except that it may use a gravel surface; and

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

WHEREAS, the Commission acknowledges that if the applicant does not accept the decision or the approved conditions for the request, the applicant may make appeal to the Prince George County Board of Supervisors.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Prince George, after careful consideration, hereby DENIES the above requested waiver for the following reasons:

This is not an unusual situation and this is not an instance where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship.

AND/OR

There is a prejudice to the health and safety of the surrounding citizens, specifically:

\_\_\_\_\_.”

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Adopted on \_\_\_\_, 2024 and becoming effective immediately.



## PLANNING COMMISSION STAFF REPORT

Public Meeting – February 22, 2024

**SW-23-04** – Waiver of Subdivision Requirements

**Applicant:** Lewis Wyche, Attorney (agent for property owner)

**Property Owner:** Timothy and Stacia Lee

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

### I. Request Summary

Property owners Timothy and Stacia Lee have submitted a subdivision plat proposing to subdivide one approximately 42-acre lot into two smaller lots for the purpose of conveying a 5-acre lot to a family member for a family division.

Certain design standards are required at the time of subdivision as provided in Article VII of the Subdivision Ordinance.

The subdivider has requested that the following requirements be waived:

Section 70-724(d)(3)iii regarding construction standards for a private road serving the subdivided lots.

Section 70-208 of the Subdivision Ordinance authorizes the Planning Commission to consider this waiver request. The Commission is required to grant (approve) or deny the request, with or without conditions, and state the reason(s) for approval or denial. While a public hearing is not required, adjacent property owners have been notified by U.S. Mail pursuant to Section 70-208.6 and should be offered the opportunity to comment on the request following the staff report presentation.

### II. Property

**Address:** 16700 Shands Road

**Tax Map:** 570(09)00-00E-1

**Site Size:** 42 acres +/-

**RE Taxes Paid?:** Yes

**Zoning District:** Residential Agricultural (R-A)

**Current Use:** Single-family residential

**Comp Plan Land Use:** Agricultural

**Planning Area:** Rural Conservation Area

### III. Meeting Information

Planning Commission Meeting: February 22, 2024 (NOTE: Not a public hearing)

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

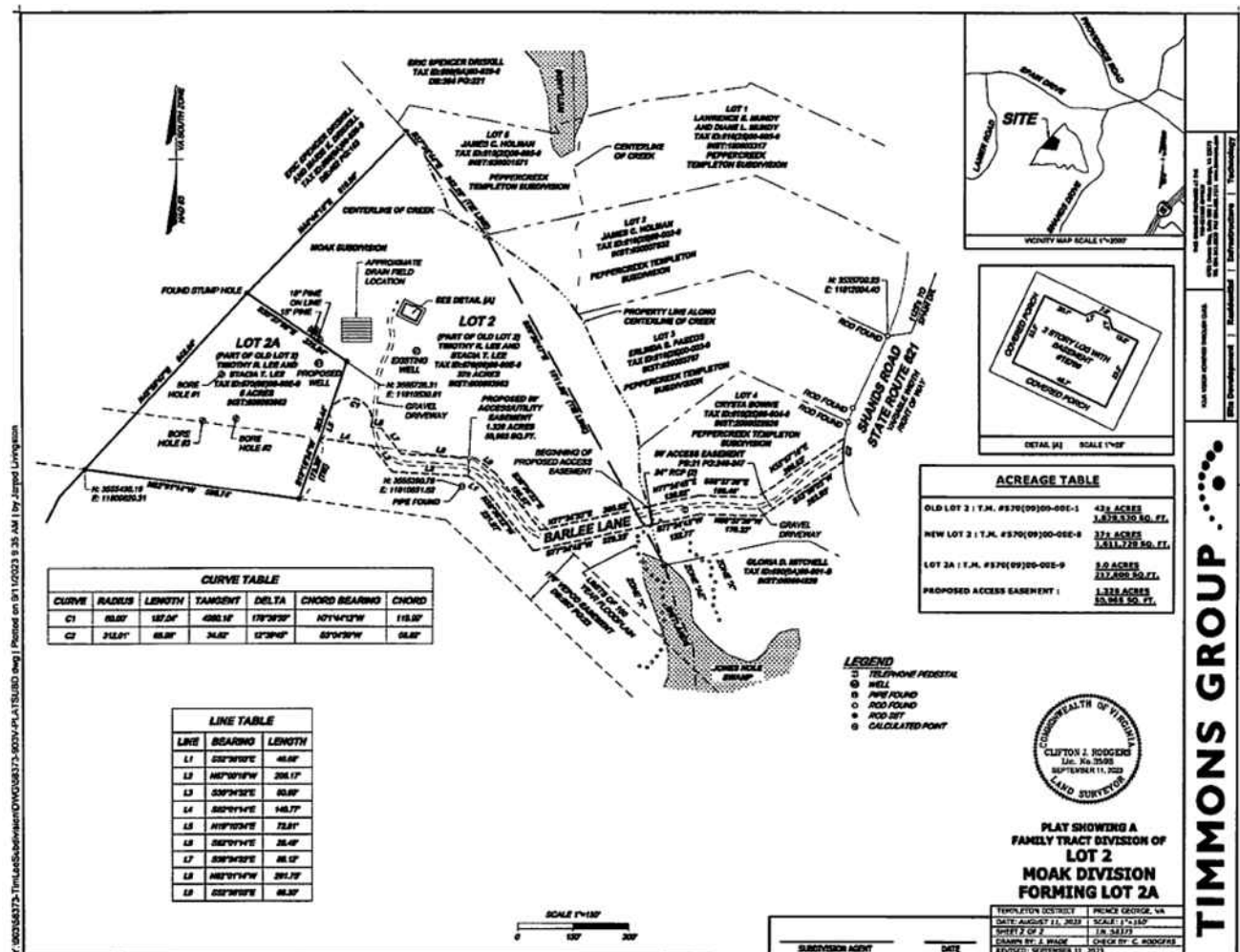
## IV. Applicant Proposal

In support of their request to waive the requirements, the applicant provided the following information:

- The property owners wish to convey 5 acres to their daughter who is married and has two children.
- Everyone currently lives in the house on the 42-acre property and the parents want to convey the 5-acre property to their daughter so her family can have their own house nearby.
- Timothy Lee retired on disability.
- There is an existing gravel driveway which crosses another property (Tax Map 510(25)00-004-0) which is owned by Krista Bowne Long.
- The owners have a road maintenance agreement with Krista Bowne Long.
- Upgrading the existing gravel driveway/road would be “cost prohibitive and unattainable by us for the purpose of this 5-acre separation to provide a home for our daughter and her family.”
- The owners believe this requirement would be an unusual situation and would result in substantial injustice or hardship.

## V. Exhibits

**Exhibit 1** – Screenshot of the proposed plat

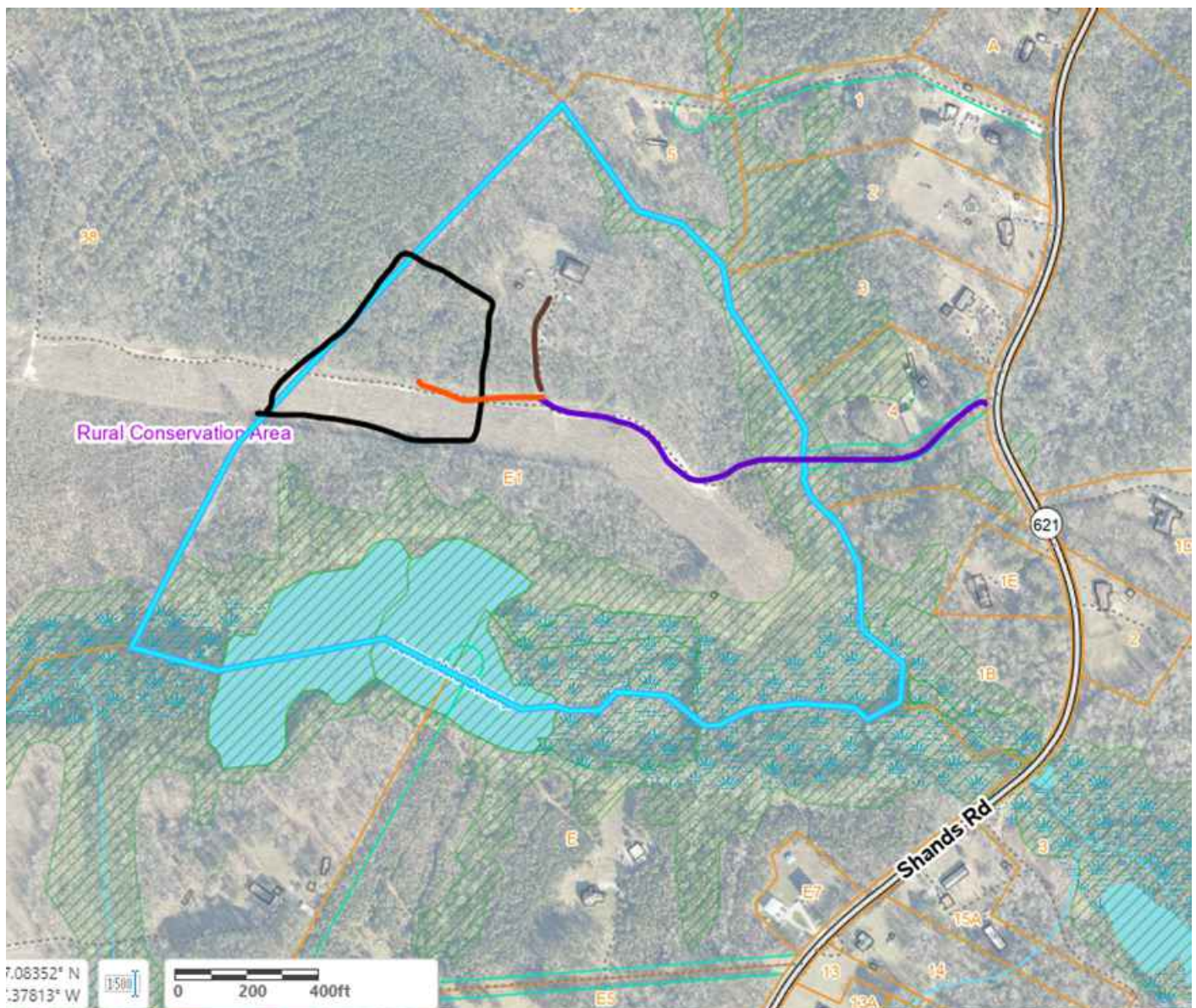




## Exhibit 2 – Satellite view of area including subject property, with illustrations

**Black outline** = proposed 5-acre lot; **Purple line** = private road;

**Brown line** = driveway to Timothy and Stacia Lee; **Red line** = driveway to proposed 5-acre lot



## VI. Background and Ordinance Requirements

1. The property owner submitted a plat for review (Application # S-23-14) which shows the proposed subdivision of one parcel into two.
2. Article VII of the Subdivision Ordinance provides the “Requirements for Design Standards and Public Improvements” that apply to new subdivisions proposed in the County (including the subdivision of one parcel into two).
3. Within that Article, Section 70-724(d)(3)iii states:  
*“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.”*

4. The above code section means that in order for the subdivision plat to be approved, the existing gravel road would have to be upgraded to meet the VDOT standard except that it can have a gravel surface. The owners have stated that the costs associated with this would pose a substantial injustice or hardship, when taking into consideration this is for a family member to build a home (as opposed to a profit-seeking development).
5. Section 70-208 of the Subdivision Ordinance authorizes the Planning Commission to waive standards of Article VII and specifies the criteria for granting approval:
  - *“In cases of unusual situations or where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship...”*
  - *“No waiver shall be granted which is illegal or which would prejudice the health and safety of citizens of the county.”*

## VII. Planning Department Comments

1. The submitted plat generally complies with the remaining requirements of the Subdivision and Zoning ordinances. If this request is approved, the resulting lots will still need to meet all other applicable requirements prior to final plat approval by the Subdivision Agent and prior to any subsequent zoning approvals.
2. Since these waivers were first authorized in the Subdivision Ordinance in December 2007, the Planning Commission has previously approved one (1) waiver for the same requirement that is requested in this application. Here is a summary of prior waivers:

Code Section / Requirements	# Approved	# Denied
Utilities Ordinances § 82-31 and § 82-351 allowing one lot to be subdivided in the PG Planning Area without connecting to public water and/or sewer systems	<b>Three (3):</b> S-12-13, SW-21-01, SW-22-02	<b>0</b>
§ 70-724(d)3 (or equivalent) limiting residential development to 3 lots on a private road	<b>Four (4):</b> SW-08-01, S-13-13, SW-22-01, SW-23-02	<b>0</b>
<b>§ 70-724(d)3iii requiring a minimum design standard for a private road serving residential lots</b>	<b>One (1):</b> SW-23-02	<b>0</b>
§ 70-752 requiring sidewalk construction in the PG Planning Area	<b>One (1):</b> SW-23-01	<b>0</b>
§70-716 which requires a newly subdivided lot to have direct access from an improved street	<b>One (1):</b> SW-23-03	<b>0</b>
§70-720 which requires a newly subdivided lot to abut on a public street	<b>One (1):</b> SW-23-03	<b>0</b>

**Totals** **11** **0**

3. For the prior waiver granted for the road construction standard, SW-23-02, the cost of road construction for a 6-lot family division was cited by the Planning Commission as resulting in substantial injustice or hardship. The present request is similar in that it involves a family division, and in that the cost of road construction is cited as the primary issue.
4. Staff reviewed this request against the waiver criteria provided in Section 70-208 and found that **it is up to the Planning Commission to decide whether it meets** the criteria provided. Below is the staff review of the criteria.

Criteria	Staff Comments
“In cases of unusual situations OR where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship...”	<p>This <b>does not</b> appear to be an unusual situation because the same requirement faces any subdivider seeking to divide land in the County, including other family divisions.</p> <p><b>It is up to the Planning Commission to decide</b> whether this is a situation where the strict adherence to the regulations would result in substantial injustice or hardship. If the Commission believes there is a substantial injustice or hardship, Staff recommends that the Commission state what the injustice or hardship is, for future reference.</p>
“No waiver shall be granted which is illegal or which would prejudice the health and safety of citizens of the county.”	<p>There <b>does not</b> appear to be anything illegal about this request, provided that the property owner has the right to use the access easement.</p> <p>There <b>does not</b> appear to be anything that would prejudice the health and safety of citizens of the county, based on the existence of the road maintenance agreement involving the other lot accessing the shared private road.</p>

## VIII. Supplemental Staff Review Comments

No comments from VDOT.

## IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by U.S. Mail prior to the public meeting date.
- Because a public hearing is not required, no notice was required or advertised in the local newspaper.
- The applicant received a copy of this report prior to the Planning Commission meeting date.
- No comments from the community were received prior to finalizing this report.

## X. Staff Recommendation/Suggestions

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 deny this request, it is required to provide the reason(s) for denial.

If the Commission wishes to approve this request, it is required to find that the request meets all of the criteria provided in the ordinance and otherwise provide the reason(s) for approval.

Staff has provided for the Commission's use:

- Sample motions for approval, denial, or postponement
- Draft resolution for approval
- Draft resolution for denial
- Recommended conditions for approval (section below)

## **XI. Recommended Conditions**

If the Planning Commission finds this request worthy of approval, Staff recommends the following minimum conditions apply to the approval:

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 Shands Road (State Route 621).
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.
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. All subdivided lots shall meet all other applicable zoning and subdivision ordinance standards at the time of further development.





# 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-23-04

DATE SUBMITTED:

DEC 21 2023

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): 570-724(d)(3)iii

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 #: 5-23-14)

☒ 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)

570(09)00-00E-1, 42 acres ±

NAME(S):

Timothy R. Lee & Marcia T. Lee, husband & wife

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

16700 Shards Rd., Smith Prince George 23805

E-MAIL:

VTPIPEHAND@gmail.com

PHONE:

804-704-2176

NAME(S): (If different than owner)

F Lewis Wyche, Jr. Attorney

RELATION TO OWNER:

Attorney

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

PO Box 160 Prince George, VA. 23875

E-MAIL:

lewis@lewiswyche-law.com

PHONE:

804-732-4019

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

COMMENTS:

IDENTIFY & LIST OTHER PARCELS AFFECTED:

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:

James R Lee  
12-21-23

SIGNATURE:

Fleming H. Hatcher Jr  
Agent of Atty.  
DATE: 12/21/23

OWNER / AGENT NAME :

Glenn T. Lee  
12/21/23

SIGNATURE:

DATE: 12/21/23

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: Prince George

Subscribed and sworn before me this 21st day of December, 2023.

Deborah M. Mathew  
Notary Public

My Commission expires: Mar. 31, 2025



AFFIDAVIT

**From:** Timothy R. Lee and Stacia T. Lee, husband and wife

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

**Re:** Subdivision Waiver Request

## **STATEMENT**

We, Timothy R. Lee and Stacia T. Lee, have owned Lot 2, Moak Division, Prince George County TP #570(09)00-00E-1, containing 42 acres since September 25, 2000 (see instrument dated October 4, 2000 recorded in the Clerk's Office of the Circuit Court of Prince George County as Instrument #000003963). This parcel is indicated as Lot 2, 37 +/- acres, and Lot 2A, 5 acres, as shown on the proposed plat made by Timmons Group dated August 11, 2023, revised September 11, 2023, attached hereto for your reference.

The "GRAVEL DRIVEWAY" as shown on the attached plat extending from Shands Road (State Route 621) was established and existed prior to my wife's purchase of this property and has been used for access to our home on Lot 2 since the home was built around the year 2000. It was originally a dirt road and is now a "Gravel Driveway" as shown on the attached plat.

My wife and I wish to convey Lot 2A, 5 acres, as shown on the attached plat, a portion of the original 42-acre parcel, to our daughter, Trinity Lee Barringer. Our daughter is married and has two children whom my wife and I care for in our home while my daughter and her husband work outside the home on a daily basis. They all live with us in our home at the present time.

I, Timothy R. Lee, retired on disability on account of my heart condition in 2021 where I worked for 10 years, during my career of 38 years as a pipefitter.

Section 70-724. Subdivider to build and dedicate roads. Section 70-74(D)3-iii provides: "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." A substantial portion of the existing gravel driveway beginning at Shands Road (State Route 621) crosses Tax ID #510(25)00-004-0, the land now owned by Krista Bowne.

We, and Krista M. Bowne, whose married name is now Krista B. Long, entered into a Road Maintenance Agreement pertaining to that portion of the Gravel Driveway across her parcel hereinabove mentioned which provides for the perpetual maintenance of that portion of the Gravel Driveway and which is binding going forward on all parties to that agreement, their heirs,

successors and assigns and would include the maintenance of the Gravel Driveway on her parcel and our parcel and any future owners of that parcel and future owners of our parcel, including this subdivided parcel 2A. (See copy of Agreement attached hereto.)


Section 70-208(a) of the Prince George County Code provides 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 82-35, 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.

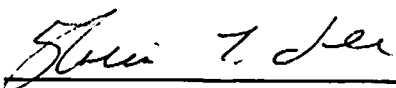
In support of this SUBDIVISION WAIVER REQUEST to require adherence to the VDOT Subdivision Street Design Guide which provides "gravel surfaces will be acceptable on private roads out of the public right-of-way to which it connects but all surfaces shall be the width prescribed for pavement in the subdivision street design guide" would be an upgrade to the existing Gravel Driveway that is cost prohibitive and unattainable by us for the purpose of this 5-acre separation to provide a home for our daughter and her family.

For the foregoing reasons, we submit that this is an unusual situation where strict adherence to the general regulation in this ordinance would result in substantial injustice or hardship.

This Commission is authorized to waive the standards contained in Article VII of this Ordinance allowing approval of this minor subdivision of our parcel of land and approval of the attached plat submitted herewith for recordation in the Clerk's Office of the Circuit Court of Prince George County, Virginia, along with the deed conveying Lot 2A as shown on said plat to our daughter, Trinity Lee Barringer, a copy of said deed being attached hereto for reference.

Respectfully Submitted,

 12-21-23  
\_\_\_\_\_  
Timothy R. Lee

 12-21-23  
\_\_\_\_\_  
Stacia T. Lee



# VIRGINIA LAND RECORD COVER SHEET

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

## FORM A – COVER SHEET CONTENT

Instrument Date: 6/27/2023

Instrument Type: DEC

Number of Parcels: 0 Number of Pages: 5

☐ City ☒ County PRINCE GEORGE COURT  
CIRCUIT COURT

Tax Exempt? VIRGINIA/FEDERAL CODE SECTION

☐ Grantor: .....

☐ Grantee: .....

Business/Name

(Area Above Reserved For Deed Stamp Only)

1 Grantor: LEE, TIMOTHY R.  
2 Grantor: LEE, STACIA T.  
1 Grantee: LEE, TIMOTHY R.  
2 Grantee: LEE, STACIA T.

Grantee Address

Name: TIMOTHY R. LEE

Address: .....

City: ..... State: VA Zip Code: .....

Consideration: \$0.00 Existing Debt: \$0.00 Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00 Fair Market Value Increase: \$0.00  
Original Book No.: ..... Original Page No.: ..... Original Instrument No.: .....

Prior Recording At: ☐ City ☐ County ..... Percentage In This Jurisdiction: .....

Book Number: ..... Page Number: ..... Instrument Number: .....

Parcel Identification Number/Tax Map Number: .....

Short Property Description: .....

Current Property Address: .....

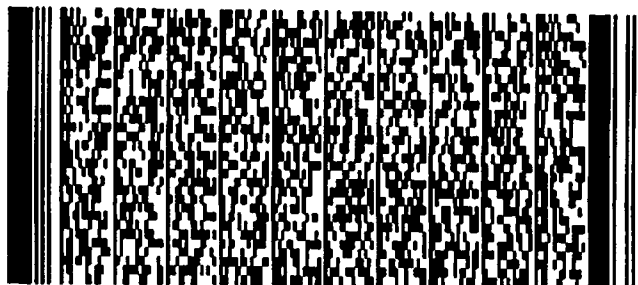
City: ..... State: ..... Zip Code: .....

Instrument Prepared By: F LEWIS WYCHE JR, PC Recording Paid By: TIMOTHY R. LEE

Recording Returned To: F LEWIS WYCHE JR PC

Address: 6405 COURTHOUSE ROAD

City: PRINCE GEORGE State: VA Zip Code: 23875



**VIRGINIA LAND RECORD COVER SHEET**  
Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

**FORM B – ADDITIONAL GRANTORS/GRANTEES**

Instrument Date: 6/27/2023

Instrument Type: DEC

Number of Parcels: 0 Number of Pages: 5

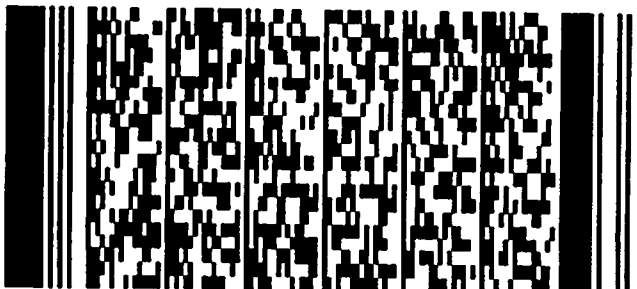
☐ City ☒ County PRINCE GEORGE COURT  
CIRCUIT COURT

**Grantor Business/Name**

3 Grantor: BOWNE, CRYSTA M.  
Grantor: \_\_\_\_\_  
Grantor: \_\_\_\_\_  
Grantor: \_\_\_\_\_  
Grantor: \_\_\_\_\_  
Grantor: \_\_\_\_\_  
Grantor: \_\_\_\_\_  
Grantor: \_\_\_\_\_

**Grantee Business/Name**

3 Grantee: BOWNE, CRYSTA M.  
Grantee: \_\_\_\_\_  
Grantee: \_\_\_\_\_  
Grantee: \_\_\_\_\_  
Grantee: \_\_\_\_\_  
Grantee: \_\_\_\_\_  
Grantee: \_\_\_\_\_  
Grantee: \_\_\_\_\_



Tax Map #510(25)00-004-0 and 570(09)00-00E-1

Prepared by F. Lewis Wyche, Jr., VSB #07407, P.O. Box 160, Prince George, VA 23875

**THIS DECLARATION OF ROAD MAINTENANCE** by and among Crysta M. Bowne, (whose married name is now Crysta B. Long) and Timothy R. Lee and Stacia T. Lee, husband and wife..

WHEREAS, Crysta M. Bowne is the owner of TM #510(25)00-004-0 containing 5.4 acres, more or less, designated as Lot 4, Peppercreek, or as more fully shown on a plat dated June 30, 1998, made by Baseline Land Surveying, entitled "Peppercreek, Templeton District, Prince George County, Virginia" said plat having been recorded in the Clerk's Office of the Circuit Court of Prince George County, Virginia, in Plat Book 21, at pages 246 and 247, to which plat reference is hereby made for a more particular description of the property. The above-described property is subject to a 50' permanent right of way easement over and across the property as shown on the hereinabove described plat which extends from the west boundary of Shands Road (State Route 621) in an easterly direction to ; and

WHEREAS, Timothy R. Lee and Stacia T. Lee are the owners of TM #570(09)00-00E-1 containing 42 acres, more or less, Lot 2, Moak Division, a subdivision of said County as shown on a certain plat entitled "Moak Division, Templeton District, Prince George, Virginia," made by J. K. Timmons and Associates, P.C., dated October 21, 1993 and amended December 30, 1993. Recorded in the Clerk's office of the Circuit Court of Prince George, County, Virginia in Plat Book 20, at page 179; and

WHEREAS, the 50' access easement which extends from the west boundary of Shands Road (State Route 621) in a southwesterly direction across Lot 4, Peppercreek, the property of Crysta M. Bowne to the east boundary of Lot 2, Moak Division, the property of Timothy R. Lee and Stacia T.

Lee, husband and wife, and

WHEREAS, the aforesaid "50' ACCESS EASEMENT" hereinabove described is the access from Shands Road (State Route 621) serving Lot 4, Peppercreek, owned by Crysta M. Bowne, and the adjacent Lot 2, Moak Division, owned by Timothy R. Lee and Stacia T. Lee, husband and wife, as shown on a plat thereof dated 8/28/2000 made by Timmons, entitled "PLAT SHOWING A PHYSICAL SURVEY OF LOT 2, 42± ACRES, MOAK DIVISION, TEMPLETON DISTRICT, PRINCE GOERGE COUNTY, VIRGINIA, SURVEYED FOR TIMOTHY R. & STACIA T. LEE" and recorded in the Clerk's Office of the Circuit Court of Prince George, Virginia, in Plat Book 20, at page 179; and

WHEREAS, the hereinabove mentioned owners of TM #510(25)00-004-0 and #570((09)00-00E-1 as shown on the hereinabove mentioned plat desire to provide for themselves, their heirs, successors and assigns, continuous, shared maintenance and upkeep of the roadways and entrances within the hereinabove described existing 50' easement, on a pro rata basis.

NOW THEREFORE: For and in consideration of the sum of ONE DOLLAR (\$1.00) and the benefits accruing to the parties hereto, Crysta M. Bowne and Timothy R. Lee and Stacia T. Lee, husband and wife, their heirs, devisees, successors and assigns, as a result of this Declaration of Road Maintenance, as is evidenced by their signatures to this Declaration of Road Maintenance, agree for themselves, their heirs, devisees and assigns to maintain the existing 50' easement.

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, entrances and rights-of-way described herein and shown on said plats, when such maintenance is required, to keep said roadways safe and passable at all times.

If any owner using the existing 50' easement described herein, causes damage beyond

normal wear and tear thereto, 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.


It is expressly understood and agreed that the extent of the obligations for maintenance of the parties hereto shall be to maintain the said roadway in their present passable condition as currently constructed. This declaration shall in no way obligate the owners hereto to upgrade the surface of said private roadway beyond its current gravel surface. The parties hereto hereby agree to maintain all portions of the entrance and roadway within the public right of way at Shands Road (State Route 631) as required and approved by VDOT.

All of the requirements of this Declaration of Road Maintenance shall be binding upon the Declarants herein, their heirs, devisees, successors and assigns and shall run with the land imposing these obligations for road maintenance on the Declarants and future owners of the aforesaid lots or subdivided portions thereof.

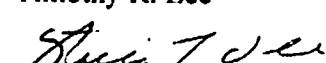
WITNESS the following signatures and seals:



\_\_\_\_\_(SEAL)  
Crysta M. Bowne



\_\_\_\_\_(SEAL)  
Timothy R. Lee

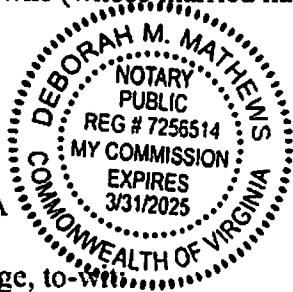


\_\_\_\_\_(SEAL)  
Stacia T. Lee

STATE OF VIRGINIA

County of Prince George, to-wit:

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of June, 2023, by Crysta M. Bowne (whose married name is now Crysta B. Long).



Deborah M. Mathews  
Notary Public  
My Commission expires: 3/31/2025

STATE OF VIRGINIA

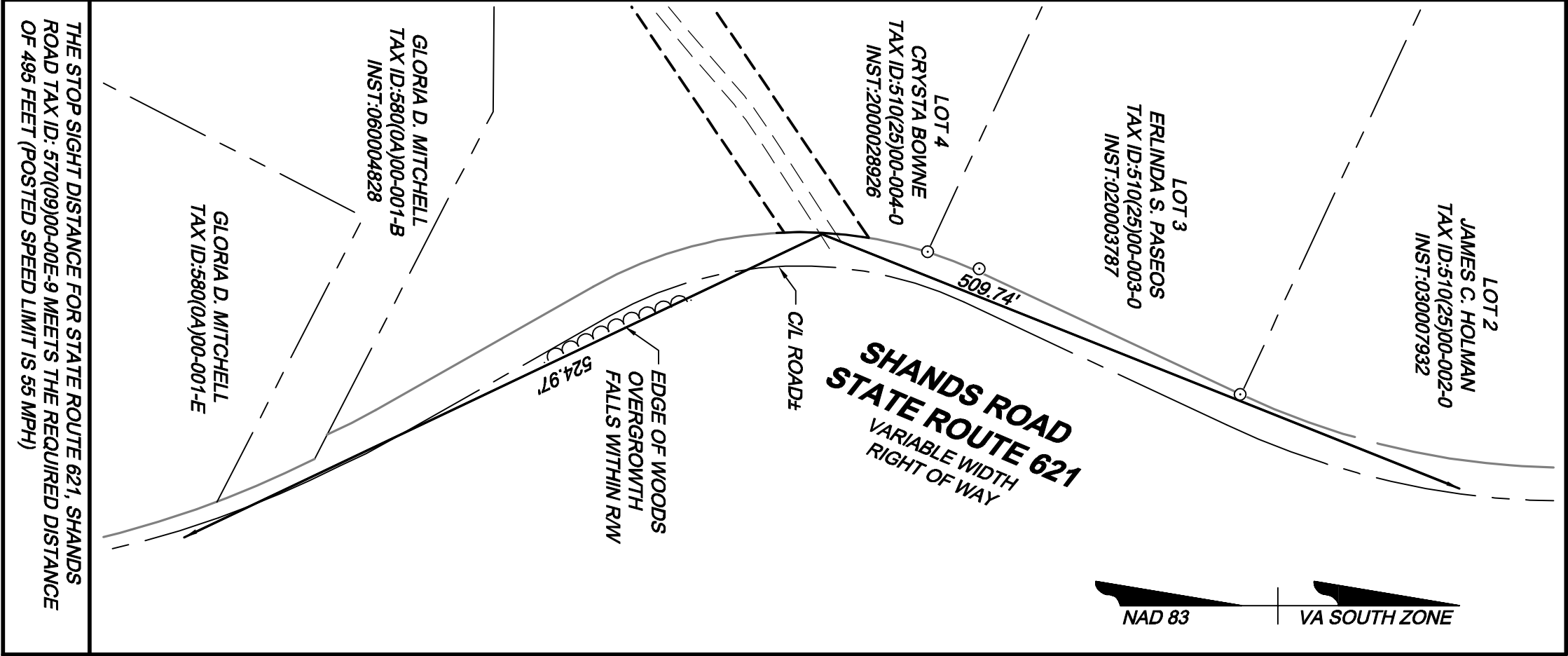
County of Prince George, to-wit:

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of June, 2023, by Timothy R. Lee and Stacia T. Lee, husband and wife.



Deborah M. Mathews  
Notary Public  
My Commission expires: 3/31/2025

INSTRUMENT 230001561  
RECORDED IN THE CLERK'S OFFICE OF  
PRINCE GEORGE CIRCUIT COURT ON  
JUNE 27, 2023 AT 03:22 PM  
JOYCE B. JACKSON, CLERK  
RECORDED BY: WRG



**GENERAL NOTES**

- OWNER: TIMOTHY R. LEE AND STACIA T. LEE  
16700 SHANDS ROAD  
SOUTH PRINCE GEORGE, VIRGINIA, 23875
- TAX MAP: 570(09)00-00E-1
- TOTAL ACREAGE OF PARCELS INVOLVED: 42 ± ACRES
- TOTAL ACREAGE SUBDIVIDED: 42± ACRES
- CURRENT NUMBER OF LOTS: 1
- PROPOSED NUMBER OF LOTS: 2
- THE BOUNDARY IS BASED ON A CURRENT FIELD SURVEY COMPLETED ON MARCH 21, 2023.
- ZONING OF PARCELS INVOLVED: R-A, RESIDENTIAL AGRICULTURAL
- ZONING OF ADJACENT PARCELS/SUBDIVISION: R-A, RESIDENTIAL AGRICULTURAL
- WATER: PRIVATE WELL
- SEWER: PRIVATE SEPTIC
- PLANNING AREA: THIS PROPERTY IS LOCATED IN THE RURAL CONSERVATION AREA.
- PARCELS LOCATED OUTSIDE OF CHESAPEAKE BAY PRESERVATION AREA (CBPA) PER PRINCE GEORGE COUNTY GIS.
- BASED ON GRAPHIC DETERMINATION THIS PROPERTY IS IN ZONE "AE & X" OF THE HUD DEFINED FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #51149C0260C & 51149C0280C DATED FEBRUARY 9, 2023.
- THIS FAMILY DIVISION IS RESTRICTED FOR A PERIOD OF FIVE (5) YEARS BY THE TERMS OF THE SUBDIVISION ORDINANCE REGARDING USE AND TRANSFER.
- THIS IS A FAMILY DIVISION BETWEEN TIMOTHY R. LEE, FATHER TO LANDON & TRINITY LEE BARRINGER, DAUGHTER AND SON IN-LAW.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE BINDER AND MAY THEREFORE NOT SHOW ALL EXISTING EASEMENTS OR OTHER PERTINENT FACTS WHICH MAY AFFECT THE PROPERTY.
- WETLANDS TAKEN FROM THE NATIONAL INVENTORY.
- AN ARMY CORP. PERMIT IS REQUIRED TO CROSS OR DISTURB ON-SITE WETLANDS.
- LOT 2 AND LOT 2A ARE ACCESSED BY A PRIVATE ROAD WHICH IS SUBJECT TO SECTION 70-724(D)(3). IT IS THE RESPONSIBILITY OF THE SUBDIVIDER OR DEVELOPER TO CONSTRUCT THE ROAD AND OF SUBSEQUENT LOT OWNERS TO MAINTAIN THE ROAD AS PROVIDED FOR IN A ROAD MAINTENANCE AGREEMENT RECORDED CONCURRENTLY WITH OR SUBSEQUENTLY TO THIS PLAT.

**OWNERS CONSENT**

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND 42± ACRES LOCATED IN PRINCE GEORGE COUNTY, VIRGINIA AND TITLED "PLAT SHOWING A DIVISION OF LOT 2 MOAK DIVISION" IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY. ALL EASEMENTS ARE FOR SURFACE AND UNDERGROUND DRAINAGE AND UNDERGROUND UTILITIES EXCEPT AS OTHERWISE STATED ON THIS PLAT.

TIMOTHY R. LEE

STACIA T. LEE

CITY/COUNTY OF \_\_\_\_\_  
COMMONWEALTH OF VIRGINIA  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY \_\_\_\_\_

NOTARY PUBLIC  
NOTARY REGISTRATION NUMBER: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

CITY/COUNTY OF \_\_\_\_\_  
COMMONWEALTH OF VIRGINIA  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY \_\_\_\_\_

NOTARY PUBLIC  
NOTARY REGISTRATION NUMBER: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

SCALE 1"=100'

0 100' 200'

THIS SUBDIVISION IS APPROVED FOR INDIVIDUAL ONSITE SEWAGE SYSTEMS IN ACCORDANCE WITH THE PROVISIONS OF THE CODE OF VIRGINIA, AND THE SEWAGE HANDLING AND DISPOSAL REGULATIONS (12 VAC 5-610-10 ET SEQ., THE REGULATIONS), (AND LOCAL ORDINANCES IF THE LOCALITY HAS AUTHORIZED THE LOCAL HEALTH DEPARTMENT TO ACCEPT PRIVATE EVALUATIONS FOR COMPLIANCE WITH LOCAL ORDINANCES).

THIS SUBDIVISION WAS SUBMITTED TO THE HEALTH DEPARTMENT FOR REVIEW TO § 32.1-163.5 OF THE CODE OF VIRGINIA WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PRIVATE SOIL EVALUATIONS AND DESIGNS FROM AN AUTHORIZED ONSITE SOIL EVALUATOR (AOSE) OR A PROFESSIONAL ENGINEER WORKING IN CONSULTATION WITH AN AOSE FOR RESIDENTIAL DEVELOPMENT. THE DEPARTMENT IS NOT REQUIRED TO PERFORM A FIELD CHECK OF SUCH EVALUATIONS. THIS SUBDIVISION WAS CERTIFIED AS BEING IN COMPLIANCE WITH THE BOARD OF HEALTH'S REGULATIONS BY: ROBERT D. BOWERS - AOSE 194000001119 - PHONE (804) 733-6519. THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THAT CERTIFICATION.

PURSUANT TO § 360 OF THE REGULATIONS THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM, AND UNLESS ALL CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF APPROVAL. THIS SUBDIVISION MAY CONTAIN LOTS THAT DO NOT HAVE APPROVED SITES FOR ONSITE SEWAGE SYSTEMS.

THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THE CERTIFICATION THAT APPROVED LOTS ARE SUITABLE FOR "TRADITIONAL SYSTEMS", HOWEVER ACTUAL SYSTEM DESIGNS MAY BE DIFFERENT AT THE TIME CONSTRUCTION PERMITS ARE ISSUED.

AOSE/PE NAME: ROBERT D. BOWERS.  
CERTIFICATION OR LICENSE NUMBER: 194000001119  
AOSE/PE SIGNATURE: \_\_\_\_\_  
DATE: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF CHESTERFIELD, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY HAVE BEEN COMPLIED WITH, GIVEN UNDER MY HAND THIS 11TH DAY OF SEPTEMBER, 2023.

CLIFTON J. RODGERS L.S., NO. 3598

**SOURCE OF TITLE**

TAX ID:570(09)00-00E-1 THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS SUBDIVISION WAS CONVEYED TO TIMOTHY R. LEE AND STACIA T. LEE, BY DEED DATED SEPTEMBER 25, 2000, FROM STACIA T. LEE, AND RECORDED OCTOBER 4, 2000, AS INSTRUMENT #000003963 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF PRINCE GEORGE COUNTY, VIRGINIA.

CLIFTON J. RODGERS L.S., NO. 3598  
DATE: SEPTEMBER 11, 2023

**APPROVAL BLOCK**

SUBDIVISION AGENT \_\_\_\_\_

VDH OFFICIAL \_\_\_\_\_

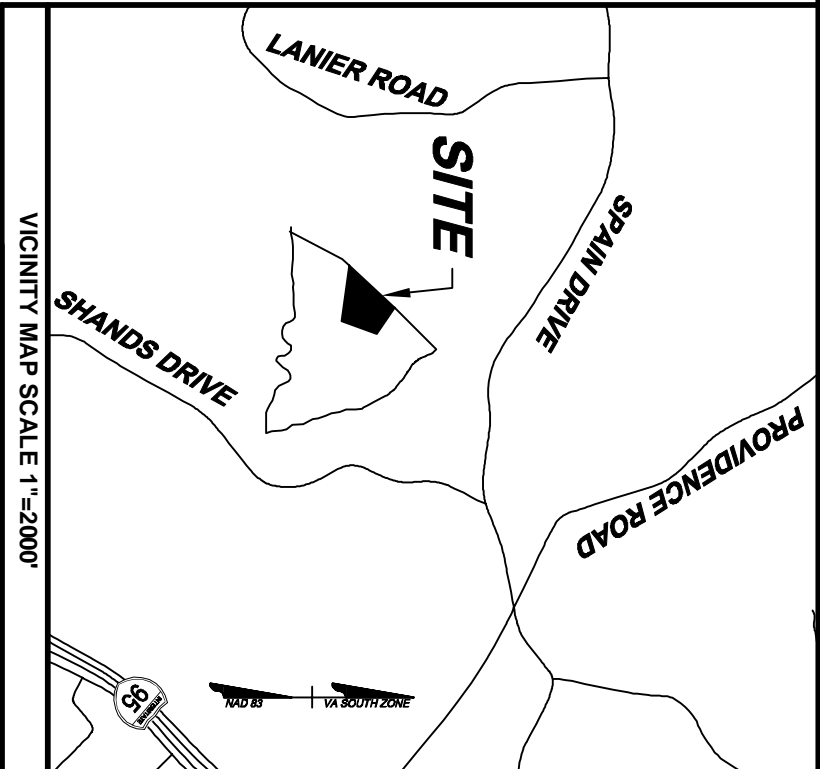
VDOT ENGINEER \_\_\_\_\_

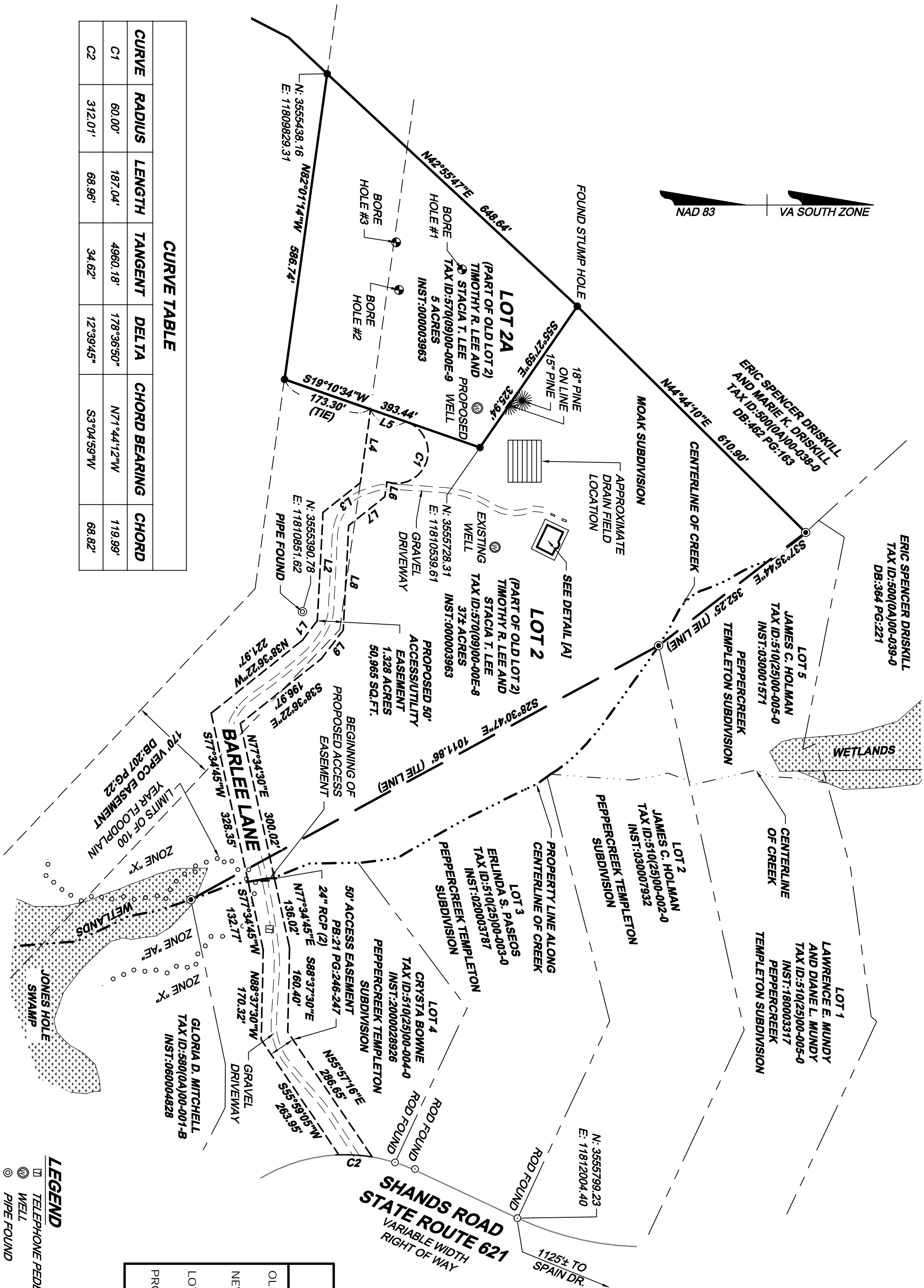
VEPCO \_\_\_\_\_

**PLAT SHOWING A FAMILY TRACT DIVISION OF LOT 2 MOAK DIVISION FORMING LOT 2A**

TEMPLETON DISTRICT PRINCE GEORGE, VA  
DATE: AUGUST 11, 2023 SCALE: 1"=150'  
SHEET 1 OF 2 J.N.:58373  
DRAWN BY: J. WADE CHECK BY: C. RODGERS  
REVISED: SEPTEMBER 11, 2023

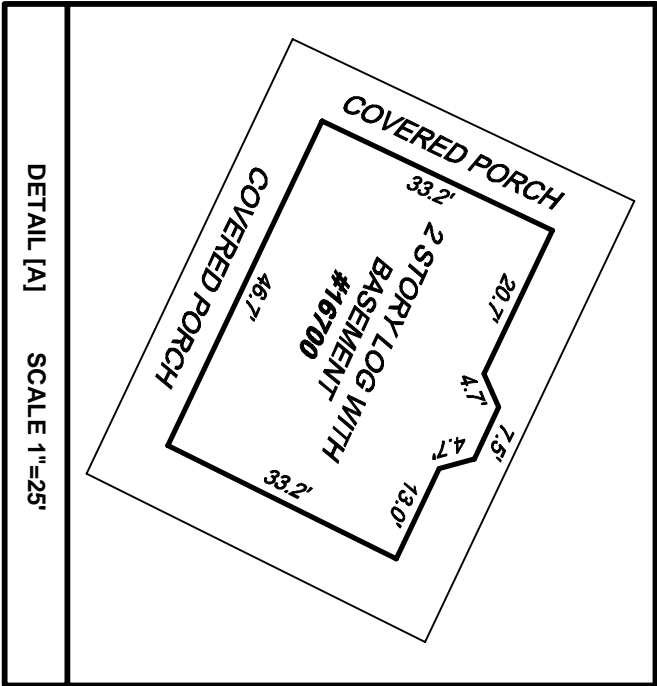
COMMONWEALTH OF VIRGINIA  
CLIFTON J. RODGERS  
Lic. No. 3598  
SEPTEMBER 11, 2023  
LAND SURVEYOR



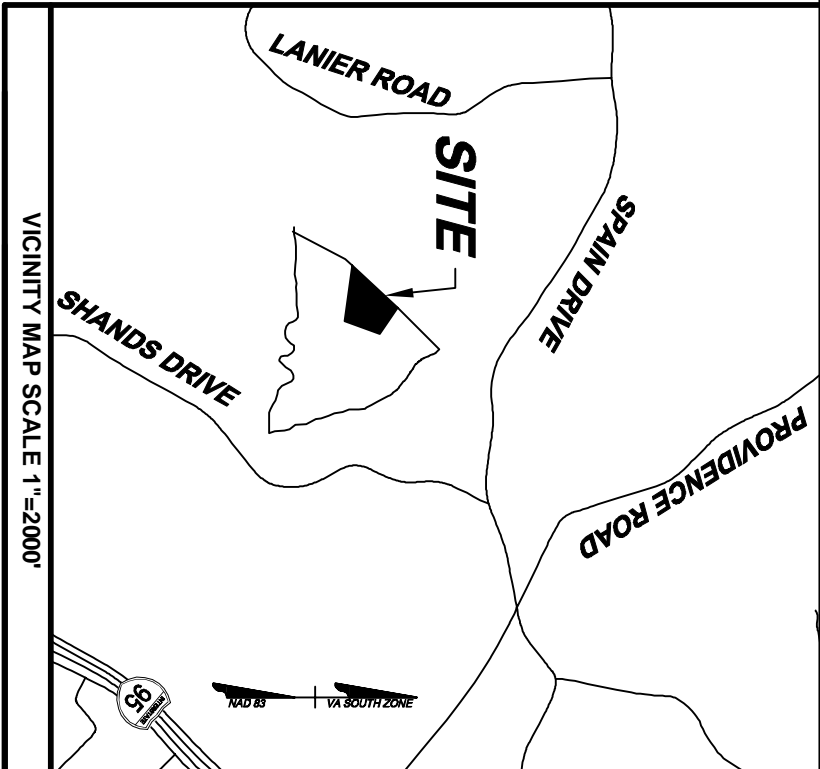


CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	60.00'	187.04'	4860.18'	178°36'50"	N71°44'12"W	119.99'
C2	312.01'	68.96'	34.62'	12°39'45"	S3°04'59"W	68.82'

LINE TABLE		
LINE	BEARING	LENGTH
L 1	S62°36'03"E	46.68'
L 2	N87°00'16"W	206.17'
L 3	S38°34'32"E	90.69'
L 4	S82°01'14"E	140.77'
L 5	N19°10'34"E	72.81'
L 6	S82°01'14"E	28.49'
L 7	S38°34'32"E	88.12'
L 8	N82°01'14"W	281.75'
L 9	S62°36'03"E	68.30'



<u>ACREAGE TABLE</u>	
OLD LOT 2 : T.M. #570(09)00-00E-1	42± ACRES <u>1,829,520 SQ. FT.</u>
NEW LOT 2 : T.M. #570(09)00-00E-8	37± ACRES <u>1,611,720 SQ. FT.</u>
LOT 2A : T.M. #570(09)00-00E-9	5.0 ACRES <u>217,800 SQ. FT.</u>
PROPOSED ACCESS EASEMENT :	1.328 ACRES <u>50,965 SQ. FT.</u>



THIS DRAWING PREPARED AT THE  
**TRI-CITIES OFFICE**  
4701 Owens Way, Suite 900 | Prince George, VA 23875  
TEL 804.541.6600 FAX 804.458.1511 [www.timmons.com](http://www.timmons.com)

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Site Development	Residential	Infrastructure	Technology
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**PLAT SHOWING A  
FAMILY TRACT DIVISION OF  
LOT 2  
MOAK DIVISION  
FORMING LOT 2A**

The seal is circular with a decorative, serrated border. The text "COMMONWEALTH OF VIRGINIA" is written in a circle around the top half. In the center, the name "CLIFTON J. RODGERS" is printed vertically. Below the name, "Lic. No. 3598" is printed, followed by "SEPTEMBER 11, 2023". The words "LAND SURVEYOR" are written in a circle around the bottom half.

**LEGEND**

 TELEPHONE PEDESTAL

- ◎ **PIPE FOUND**
- ◉ **ROD FOUND**
- **ROD SET**
- ◎ **CALCULATED POINT**

SUBDIVISION AGENT DATE

DATE \_\_\_\_\_

TEMPLETON DISTRICT	PRINCE GEORGE, VA
DATE: AUGUST 11, 2023	SCALE: 1" = 150'
SHEET 2 OF 2	J.N.:58373
DRAWN BY: J. WADE	CHECK BY: C. RODGERS
REVISED: SEPTEMBER 11, 2023	





## County of Prince George, Virginia

*"A welcoming community • Embracing its rural character • Focusing on its prosperous future"*

February 6, 2024

### PLANNING COMMISSION MEETING NOTICE

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

This is notification that the Prince George County Planning Commission will hold a meeting on **Thursday, February 22, 2024 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 that involves the Prince George County Subdivision Ordinance:

**SUBDIVISION WAIVER SW-23-04:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into two for a family subdivision without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property is zoned (R-A) Residential Agricultural, is located on an existing private road that accesses Shands Road approximately 1,400 feet south of the intersection with Spain Drive, and is identified as Tax Map 570(09)00-00E-1. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-14.

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. If you would like, you may attend the meeting, which will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the related material may be reviewed or obtained at the Planning 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 meeting date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. You may also contact Planning Department at (804)722-8678 or by e-mail at [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov) with any questions prior to the scheduled meeting.

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

Tim Graves  
Planner II

**Owner/Applicant:** Timothy & Stacia Lee  
**Address:** 16700 Shands Road  
**Tax Map #:** 570(09)00-00E-1



DRISKILL ERIC S & MARIE K  
1101 SPAIN DR  
SOUTH PRINCE GEORGE, VA 23805

HOLMAN JAMES C & TERRIE L  
16610 SHANDS RD  
SOUTH PRINCE GEORGE, VA 23805

PASEOS ERLINDA S  
16658 SHANDS RD  
SOUTH PRINCE GEORGE, VA 23805

BOWNE CRYSTA M  
16690 SHANDS RD  
SOUTH PRINCE GEORGE, VA 23805

HOLMAN JAMES C & TERRIE L  
16610 SHANDS RD  
SOUTH PRINCE GEORGE, VA 23805

CHURN SHERWOOD W III  
&CAROLE R  
16990 SHANDS RD  
SOUTH PRINCE GEORGE, VA 23805

LEE TIMOTHY R & STACIA T  
16700 SHANDS RD  
SOUTH PRINCE GEORGE, VA 23805

ATWELL WILLIAM C & VANITA G  
420 E 3RD ST  
WENDELL, NC 27591

MITCHELL GLORIA D  
16800 SHANDS RD  
SOUTH PRINCE GEORGE, VA 23805

Lewis Wyche  
P.O. Box 160  
Prince George, VA 23875

Begin

**TAB 5**

## **February 13 Recap**

### **REAL ESTATE ASSESSOR GIVES REPORT ON COUNTY LAND USE PROGRAM AND REASSESSMENT PROCESS**

Prince George County has 1,285 properties (9% of parcels) participating in the Land Use Program. The purpose of the program is to encourage the preservation and proper use of real estate in order to assure readily available sources of agriculture, horticultural and forest products and of open spaces within the reach of concentration of population while preserving scenic natural beauty and open spaces. In order to participate in the program, certain criteria must be met regarding ownership, size, zoning and production standards.

The reassessment was completed on January 1 and assessment notices were mailed January 28. According to the Federal Housing Finance Agency, home values in Virginia appreciated 6.1 percent from the second quarter of 2022 to the second quarter of 2023, nationally 4.9%. Property is assessed by groupings of comparable properties. They are assessed on a neighborhood basis, using residential neighborhoods such as non-subdivision parcels, Stratford Woods, Birchett Estates, and Eagle Preserve. They also use large acreage parcels, commercial neighborhoods including hotels and shopping centers, and multi-family apartments. They use the assessment sale price ratio, which is the assessment divided by the sales price. There are 14,106 parcels and this year's total market value overall increase was 2.41%. There will be two opportunities to appeal with an office review through March 1. Applications can be obtained through the website. In addition, people that go through the office review process and are still dissatisfied can go through the appeal process. The deadline for an appeal is April 1.

If you have any questions or concerns regarding your participation in the Land Use Program or your reassessment, please contact the Real Estate Assessor's Office at (804) 722-8639 or visit them on the Second Floor of the County Administration Building at 6602 Courts Drive, Prince George, VA 23875. Appointments are recommended.

Other matters that came before the Board at its meeting:

- Received a roads maintenance report from the Virginia Department of Transportation.
- Unanimously approved an authority to apply for a School Resource Officer grant for North Elementary School.
- Unanimously approved an appropriation in the amount of \$66,000 for Utilities cash reserves for the Temple Avenue Tank and Pump Station easements, additional Geotechnical Services and Site Plan Review costs.
- Unanimously approved an authority to advertise a public hearing for March 12 for corrections to the Land Use Ordinance.
- Unanimously approved a budget amendment and appropriation in the amount of \$54,814 for School Division carryover funding.
- Unanimously approved an appropriation in the amount of \$53,362 for retroactive Fire and EMS overtime adjustment.

- Unanimously approved a revision to Personnel Policy Section 22.1 through 22.5 entitled Overtime and Personnel Policy Section 41.1 through 41.6 entitled Employee Utilization in Emergency Situations.
- Unanimously approved a revision to Administrative Policy Section 240.1 through 240.4 entitled Utilization of CodeRed Notification System.
- Unanimously reappointed Mr. Donald R. Hunter as citizen representative on the Riverside Community Criminal Justice Board.
- Unanimously reappointed Ms. Mary Ann White and Ms. Susan Walters to the Senior Citizen Task Force.

## **Draft Agenda for Joint Kickoff Work Session on March 21, 2024**

- Welcome & Introduction (5 min)
- What is a Comprehensive Plan? (15 min)
  - Overview of purpose, process, and legal parameters for Comprehensive Plans
- Prince George Comprehensive Plan Update Process (30 min)
  - Overview of project scope & schedule; roles & responsibilities
    - Phase 1: Data Gathering & Public Engagement
    - Phase 2: Drafting & Planning Commission Worksessions
    - Phase 3: Public Review & Adoption
    - Concurrent Phase: Ordinance Diagnostic Analysis
  - Review Public Engagement Plan
    - Plan Title & Branding
    - Public Input Survey
    - Focus Groups
    - Public Workshops
- Diagnostic & Baseline Data Gathering To-Date (20 min)
  - Overview of Diagnostic Analysis of current Comprehensive Plan
  - Overview of key findings from Department Head/Staff Interviews/Tour
- Issues & Opportunities Exercise. (30 min) - Virtual polling & conversation, encourage members to bring a smart device to the meeting
- Next Steps

Prince George County  
Comprehensive Plan Update  
Project Timeline & Meeting Schedule

PROJECT TIMELINE																									
Phase	#	Task Description	2023			2024							2025												
			November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	
Investigation	A1	Mobilization/ Kick-off Meeting with Staff	V																						
	A2	Document Review																							
	A3	Plan Diagnostic																							
	A4	County Tour & Staff Interviews				X																			
	A5	Kick-off Joint Work Session					X																		
	A6	Branding & Promotions							X	X	X														
	A7	Public Workshop (up to 3)							X	X	X														
	A8	Focus Group Listening Sessions (up to 5)							X	X	X														
	A9	Community Survey						O	O	O															
Development	B1	Work Sessions (up to 6)							X																
	B2	Board Check-in Work Session									X														
	B3	Project Management & Coordination with Staff																							
	B4	Outline, Vision, About the Plan																							
	B5	Baseline Analysis / County Profile										*													
	B6-B11	Draft Plan Elements											*												
	B12	Implementation Plan																							
	B13	Mapping																							
	B14	Plan Layout & Graphics																*							
Adoption	C1	Public Draft Review + Open House (up to 2)																	X						
	C2	Final Review Joint Work Session (1)																		X					
	C3	Incorporate Final Revisions																							
	C4	Public Adoption (PC & Board Hearings)																					X		
	C5	Final Deliverables																						X	
ZO Review	D1	Document Review & Diagnostic		V			V																		
	D2	Initial Report								*															
	D3	PC & Board Presentation								X															
	D4	Comp Plan & Zoning Comparative Review																							
	D5	Final Land Use Report																							

X = Anticipated In-person Attendance; V = Virtual Attendance; O = Open to Public \* = Anticipated Discussion

X = Anticipated In-person Attendance; V = Virtual Attendance; O = Open to Public \* = Anticipated Discussion



Note: Topics to be covered at each meeting are tentative and subject to change.  Public Meeting or Event

Date, Time, Location	Event	Topics/Notes	Attendees
11/28/2023, 1pm, Zoom	Kickoff & Orientation	Staff & BG Internal Kickoff & Orientation	Berkley Group; County Staff
Nov. – May 2023	Diagnostics & Document Review	BG reviewing planning documents and conducting diagnostic of existing Comprehensive Plan and Zoning/Subdivision Ordinance Diagnostic Part I.	Berkley Group; County Staff
January 2024 TBD	County Tour & Staff Interview	Tour of County BG to conduct interviews with County Department Heads/Staff Contacts	
March 2024 TBD	Joint Worksession – Kickoff	Comprehensive Planning Overview Review Project Schedule Review Engagement Plan (Advertisement, Workshop Formats, Focus Groups, Public Survey) Review Draft Comprehensive Plan Diagnostic Discuss Current Issues & Future Vision	Berkley Group; County Staff; Planning Commission (PC); Board of Supervisors (BOS)
April – May 2024	Online Survey Open	Public Survey	N/A
April 2024 TBD	Focus Groups 1 & 2	Focus Topics and Issues Discussion with Stakeholder Groups – TBD	Berkley Group; Stakeholder Groups
April 2024 TBD	Public Workshop # 1	Strengths & Challenges Exercise Mapping Exercise	Public; Berkley Group; County Staff; Public Officials
May 2024 TBD	PC & BOS Presentation of Ordinance Diagnostic Part I	BG to present initial report of Zoning/Subdivision Diagnostic	Berkley Group; County Staff; Planning Commission (PC); Board of Supervisors (BOS)
May 2024 TBD	Focus Groups 3 & 4	Focus Topics and Issues Discussion with Stakeholder Groups – TBD	Berkley Group; Stakeholder Groups
May 2024 TBD	Public Workshop # 2	Strengths & Challenges Exercise Mapping Exercise	Public; Berkley Group; County Staff; Public Officials

## Project Timeline & Meeting Schedule

Date, Time, Location	Event	Topics/Notes	Attendees
May 2024 TBD	Focus Groups 5, 6, & 7	Focus Topics and Issues Discussion with Stakeholder Groups – TBD	Berkley Group; Stakeholder Groups
May 2024 TBD	Public Workshop # 3	Strengths & Challenges Exercise Mapping Exercise	Public; Berkley Group; County Staff; Public Officials
June 2024 TBD	PC Worksession – Plan Content	Review Draft Chapters / Workshop Content - TBD	Berkley Group; County Staff; PC
August 2024 TBD	PC Worksession – Plan Content	Review Draft Chapters / Workshop Content - TBD	Berkley Group; County Staff; PC
October 2024 TBD	PC Worksession – Plan Content	Review Draft Chapters / Workshop Content - TBD	Berkley Group; County Staff; PC
October 2024 TBD	Board of Supervisors Worksession – Plan Check In	Review Plan Progress To-Date	Berkley Group; County Staff; County Board of Supervisors (BOS)
December 2024 TBD	PC Worksession – Plan Content	Review Draft Chapters / Workshop Content - TBD	Berkley Group; County Staff; PC
Jan. 2025 TBD	PC Worksession – Plan Content	Review Draft Chapters / Workshop Content - TBD	Berkley Group; County Staff; PC
Feb. 2025 TBD	PC Worksession – Plan Content	Review Draft Chapters / Workshop Content - TBD	Berkley Group; County Staff; PC
February – April 2025	729 Review	Plan delivered for VDOT 729 Review	N/A
April 2025 TBD	Public Open House	Present plan at a public open house. Receive feedback and comments from public.	Public; Berkley Group; County Staff; Public Officials
May 2025 TBD	Joint Worksession – Final Review	Review compiled draft plan, VODT comments, and public comments.	Berkley Group; County Staff; PC; BOS

**Project Timeline & Meeting Schedule**

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Date, Time, Location	Event	Topics/Notes	Attendees
May – July 2025	Conduct ZO/SO Diagnostic Part II	BG to conduct comparative review of ordinances to newly drafted Comprehensive Plan	N/A
July 2025	Public Hearing & Recommendation Present ZO/SO Diagnostic Part II	Present Final Plan for consideration by Planning Commission.	Berkley Group; County Staff; PC
August 2025	Public Hearing & Adoption Present ZO/SO Diagnostic Part II	Present Final Plan for adoption by Board of Supervisors.	Berkley Group; County Staff; BOS