



County of Prince George, Virginia

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

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: April 2024 Planning Commission Work Session & Business Meeting

DATE: April 10, 2024

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

** (Receiving digital copy only)*

The Planning Commission's Work Session will be Monday, April 22, 2024 at 5:30 p.m. in the Board Room.

The Planning Commission's regular Business Meeting will be Thursday, April 25, 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 with any questions.

1	Agenda
2	Subdivision Waiver SW-24-01 Walker – Private Road
3	Subdivision Waiver SW-24-02 Forehand - Private Road
4	Communications
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Begin

TAB 1

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

Thursday, April 25, 2024 at 6:30 p.m.
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

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. SUBDIVISION WAIVER SW-24-01:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into three “family subdivision” lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property, zoned (R-A) Residential Agricultural and (R-2) Limited Residential, is located at 5711 Courthouse Road and is identified as Tax Maps 230(05)00-00C-1 and 23B(02)00-00D-0. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-05. [2]
- A-2. SUBDIVISION WAIVER SW-24-02:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into five lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3) which limits residential development on private roads to no more than three lots, to allow a total of five lots to share a private road. The subject property is zoned (R-A) Residential Agricultural, is located on Courtland Road (SR 35) approximately 2,600 feet southeast of the intersection with Oak Ridge Lane, and is identified as Tax Map 590(0A)00-020-A. The proposed subdivision plat is filed in the Planning Department under Application ID # P-24-07.[3]

PUBLIC HEARINGS – None

COMMUNICATIONS – [4] 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 May 2024
- C-4. Comprehensive Plan Update Process

ADJOURNMENT – Madam Chair Anderson

Begin

TAB 2



PLANNING COMMISSION STAFF REPORT

Public Meeting – April 25, 2024

SW-24-01 – Request for Waiver of Subdivision Requirements

Applicant: Yuri Tuppince, Trustee of The Walker Family Trust

Property Owner: The Walker Family Trust

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

Request Summary

The property owner has submitted a subdivision plat proposing to subdivide one approximately 20-acre lot into three smaller lots for the purpose of a family division. (Application ID # S-23-05)

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

The subdivider has requested 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.

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.

Property

Address: 5711 Courthouse Road

Tax Maps: 230(05)00-00C-1 (land subdivided)
23B(02)00-00D-0 (access easement)

Site Size: 19.82 acres (+/-)

RE Taxes Paid?: Yes

Zoning District: Residential Agricultural (R-A)

Current Use: Vacant

Comp Plan Land Use: Residential

Planning Area: Prince George Planning Area

Meeting Information

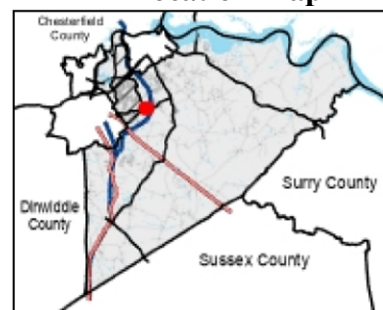
Planning Commission Meeting: April 25, 2024 (NOTE: Not a public hearing)

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

Attachments

1. Copy of the Application with Attachments including proposed subdivision plat
2. APO letter, map and mailing list
3. Draft Resolution for Approval
4. Sample Motions

Location Map



Applicant Proposal

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

- Existing 50' wide access easement serves Tax Parcel 230(05)00-00C-1 across Tax Parcel 23B(02)00-00D-0 (5711 Courthouse Road)
- Engineer for The Walker Family Trust, Koontz Bryant Johnson Williams, Inc. (KBJW) met with Alta Betley, owner of 5711 Courthouse Road to review the road plans in accordance with County requirements.
- Ms. Betley voiced concerns over the impacts the proposed road would have on her property including space for her horses and proximity of the road to her existing house.
- Ms. Betley indicated that when she purchased the property from the previous owner, she was not aware of the access easement and the impacts it could have to her property.
- KBJW on behalf of the property owner proposes an alternate road plan to minimize impact to Ms. Betley's property while still providing safe ingress/egress to the proposed subdivision:
 - Minimum center line radius of 90 feet instead of 110 feet (curvature of the road)
 - Minimum travelway width of 12 feet instead of 18 feet

Exhibits

Exhibit 1 – Screenshot of the proposed plat

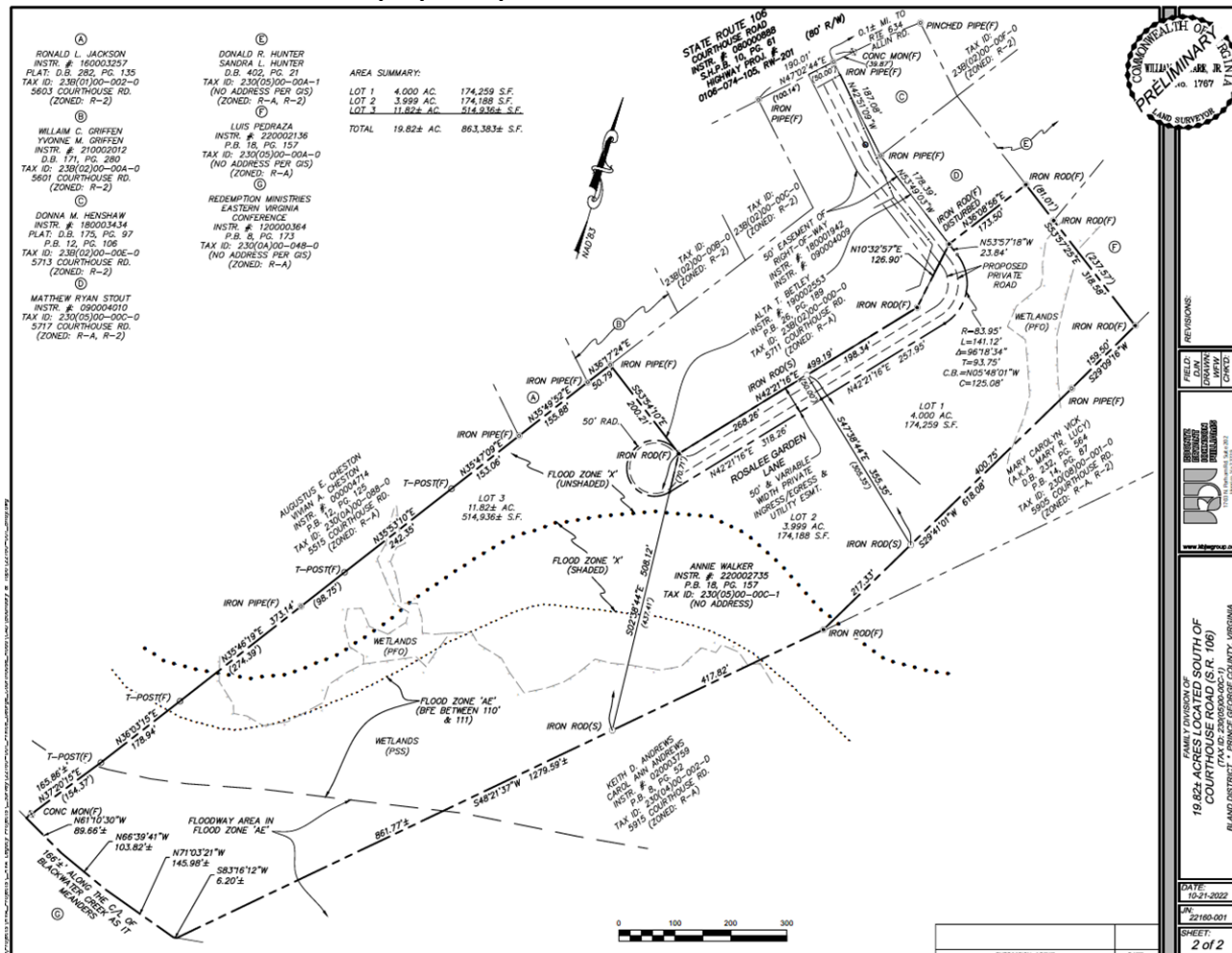


Exhibit 2 – Satellite view of area including subject property

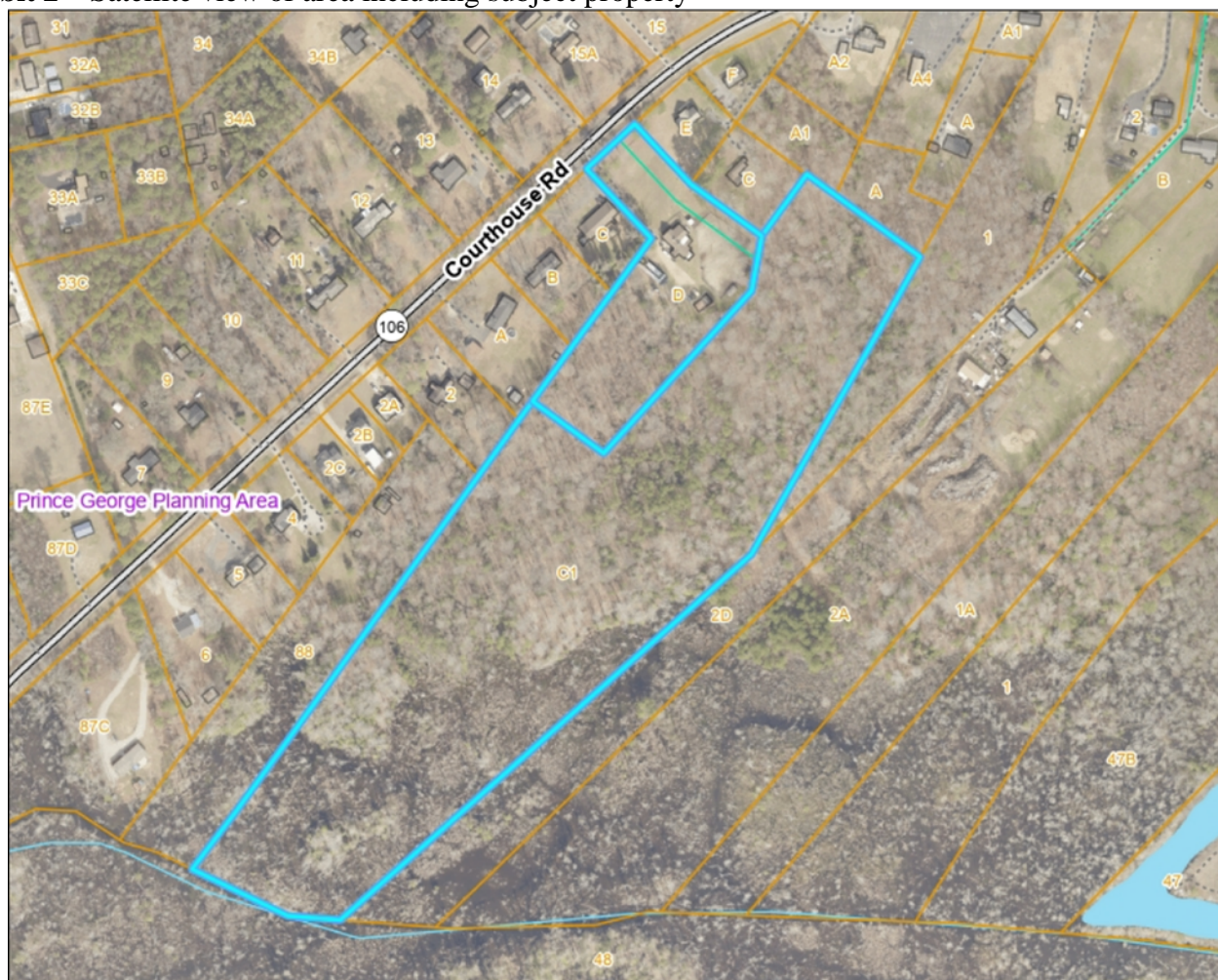


Exhibit 3 – Google Street View (2023)



Background and Ordinance Requirements

1. The property owner submitted a plat for review (Application # S-23-05) which shows the proposed subdivision of one parcel into three, utilizing a shared access easement (private road). The owner also submitted a plan for the construction of the required private road (Application # SP-23-21).
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 three). Within that Article, Section 70-724(d)(3)iii includes the following requirements:
 - 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.*
3. 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.”*

Planning Department Comments

1. The preliminary 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. The property owner at the time the subdivision plat was submitted for review was Annie Walker, who since passed away. The current property owner is the family trust that was set up by Annie Walker. As shown on the subdivision plat, Ms. Walker intended for each lot to be conveyed to a family member as family a family division pursuant to Article IV of the Subdivision Ordinance. If this waiver is granted, the subdivision plat could proceed with approval of a trustee of the trust.
3. Besides the impacts discussed in the application materials, construction of the required road will also require the removal of some of Ms. Betley’s existing fence and the road will need to avoid her well which was constructed inside the easement prior to her purchase of the property.
4. Staff recommends that if the request is granted, there should be a condition requiring a road maintenance agreement for the lots that will share the road.
5. Since these waivers were first authorized in the Subdivision Ordinance in December 2007, the Planning Commission has previously approved two (2) waivers of 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	Three (3): S-12-13, SW-21-01, SW-22-02	0
§ 70-724(d)3 (or equivalent) limiting residential development to 3 lots on a private road	Four (4): SW-08-01, S-13-13, SW-22-01, SW-23-02	0
§ 70-724(d)3iii requiring a minimum design standard for a private road serving residential lots	Two (2): SW-23-02, SW-23-04	0
§ 70-752 requiring sidewalk construction in the PG Planning Area	One (1): SW-23-01	0
§70-716 which requires a newly subdivided lot to have direct access from an improved street	One (1): SW-23-03	0
§70-720 which requires a newly subdivided lot to abut on a public street	One (1): SW-23-03	0
Totals	12	0

6. Of the waivers granted to § 70-724(d)3iii, here are additional relevant details about those requests:
 - a. SW-23-02– For a private road serving a 6-lot family division, the cost of road improvements was cited as resulting in a substantial injustice or hardship.
 - b. SW-23-04– For a private road to serve a third lot in a family division, the cost of road improvements was cited as resulting in a substantial injustice or hardship.
7. In comparison to previous waiver requests, the present request is similar in that it involves a family division, but different in that the requirements would affect another property which will not use the private road. This appears to staff to be an unusual situation, and may result in substantial injustice or hardship for the owner of the adjacent property, whose property would be traversed by the proposed road.
8. Staff reviewed this request against the waiver criteria provided in Section 70-208 and found that it **does appear to meet** 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 does appear to be an unusual situation because an adjacent property owner would be affected by the road construction across her property.</p> <p>AND</p> <p>This does appear to be a situation where the strict adherence to the regulations may result in a substantial injustice or hardship, namely that an affected property owner will lose the use of a greater portion of her property if the requirements are followed strictly.</p>
“No waiver shall be granted which is illegal or which would prejudice the health and safety of citizens of the county.”	<p>There does not appear to be anything illegal about this request.</p> <p>There does not appear to be anything that would prejudice the health and safety of citizens of the county.</p>

Supplemental Staff Review Comments

Paul Hinson, VDOT Area Land Use Engineer – comments to engineer regarding SP-23-21 Road Plan Jon,

If the entrance will serve 5 or fewer lots, it can be a low volume commercial entrance. VDOT allows a surfaced width from 12' minimum to 24' maximum for low volume commercial entrances per Figure 4-1 in Appendix F. The modifications to the entrance presented below would meet VDOT's criteria for a low volume commercial entrance.

The private road requirements are per County ordinance. You will need approvals from the County for any modifications to their private road standards.

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.

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.

Staff notes that the request does appear to meet all of the criteria for granting a waiver, and the modified road plan appears to be adequate to provide safe ingress/egress to new lots.

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 for 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
- Recommended conditions for approval (section below)

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 on Tax Map 230(05)00-00C-1 such that it may be subdivided in accordance with all applicable Subdivision Ordinance requirements with the following modifications to the private road construction requirements applicable at the time of this waiver:
 - a. Minimum center line radius shall be 90 feet.
 - b. Minimum surfaced travelway width shall be 12 feet.
2. The private road used for shared access shall 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, which shall be recorded in tandem with the subdivision plat.
4. The subdivision plat shall reference this waiver number and approval date, and meet all other applicable requirements



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

OFFICE USE ONLY

APPLICATION #:

SW-24-01

DATE SUBMITTED:

2/6/24

PLEASE FILL IN ALL BLANKS BELOW

REQUEST	TYPE OF WAIVER REQUESTED: (As authorized by Section 70-208 – Check one) <input type="checkbox"/> Minor subdivision exception Section 82-31 / 82-351 <input checked="" type="checkbox"/> Chapter 70 Article VII Standard (provide code reference): <u>70-724(d)(3)iii</u>	
	ATTACHMENTS: (Check all that apply) <input checked="" type="checkbox"/> 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. <input type="checkbox"/> PLAT REVIEW APPLICATION* (Application #: _____) <input checked="" type="checkbox"/> 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. <input type="checkbox"/> OTHER: _____ * Required	
	REQUEST TAX PARCELS: (List all parcel numbers for the request property) 230(05)00-00C-1 & 23B(02)00-00D-0	
	OWNER NAME(S): WALKER FAMILY TRUST & YURI TUPPANCE, TRUSTEE MAILING ADDRESS: (Incl. City, State, Zip) 4031 FRYE TERRACE, S. CHESTERFIELD, VA 23834 E-MAIL: yuri.tuppance@gmail.com PHONE: 804-590-7513	
APPLICANT	NAME(S): (If different than owner)	
	RELATION TO OWNER:	
	MAILING ADDRESS: (Incl. City, State, Zip)	
	E-MAIL:	PHONE:
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:

YURI TUPPANCE

OWNER / AGENT NAME :

N/A

SIGNATURE:

Yuri Tuppance

SIGNATURE:

N/A

DATE: 12/15/2023

DATE: _____

NOTARIZATION:

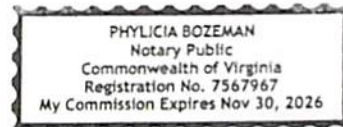
STATE OF VIRGINIA

COUNTY OF: Colonial Heights

Subscribed and sworn before me this 15th day of December, 20 23.

Phylcia Bozeman
Notary Public

My Commission expires: November 30, 2026





February 6, 2024

Planning Commission
Prince George, Virginia 23875

Reference: Annie Walker Family Subdivision
Subdivision Waiver Request – Private Roadway Standards

To Whom It May Concern:

On behalf of our client, Koontz Bryant Johnson Williams, Inc. offers the following information to support a waiver request of Subdivision Ordinance 70-724(d)(3)iii for the proposed private roadway design standards.

The planned Annie Walker Family Subdivision is located on Tax Parcel 230(05)00-00C-1 behind 5711 Courthouse Road in Prince George County, Virginia. The existing parcel subdivision was previously permitted by providing for a deed dedicated 50 ft. wide ingress\egress easement (Instr.#180001942 & Instr.# 180001820) (See Attachment “A” & “B”) on Ms. Alta Betley’s property located at 5711 Courthouse Road.

During a meeting on November 21, 2023 with Ms. Alta Betley, we presented the proposed private roadway plans as designed per the established Prince George County private roadway design standards. During the meeting, Ms. Betley expressed great concern over the impact the roadway would have on her property including the amount available space for her horses, and the location of the roadway with respect to her existing home. Ms. Betley indicated that she was not aware of the easement or understood the impact when she purchased the property from the previous owner. In response to the items detailed in that meeting our client would like to respectfully request a waiver of the private roadway standards referenced in Subdivision Ordinance 70-724(d)(3)iii in an effort to provide for a roadway solution that will minimize the impact to Ms. Betley’s property while still providing for safe ingress\egress to the planned Annie Walker family subdivision.

The VDOT Geometric Design Standards for Residential Streets (GS-SSR) Table 2 – Shoulder and Ditch Section for projected traffic volumes up to 400 ADT requires a minimum roadway centerline radius of 110 ft., a minimum travelway width of 18ft. The VDOT Design Standards allows for variances to these requirements under special conditions such as low traffic volumes as would be present (< 30 ADT) with this planned family subdivision.



We respectfully request a waiver to the minimum roadway centerline radius requirement of 110 ft, providing for a minimum centerline radius of 90 ft. Additionally, we request a waiver of the minimum travelway width of 18 ft to provide for a minimum 12 ft travelway width. A revised roadway layout has been provided with this waiver request, (See Attachment "C"). We have received correspondence from VDOT's Area Land Use Engineer, Mr. Paul Hinson indicating support for a 12 ft entrance width for roadways serving less than five (5) lots, this correspondence is included (See Attachment "D"). In addition to waiving these design standards, we will offset the roadway centerline along Ms. Betley's property further to east within the 50' ingress\egress easement, to further minimize the impact to her property.

We greatly appreciate your time and consideration concerning this request and look forward to working with Prince George County to provide for a solution that will meet the needs of your existing resident and future residents. Please do not hesitate to contact us should you have any questions or require additional information concerning this waiver request.

Sincerely yours,

A handwritten signature in black ink that reads "Jonathan M. Cosby".

Jonathan M. Cosby
Senior Project Manager
Koontz Bryant Johnson Williams, Inc.



Attachment "A" - Instrument #180001942

VIRGINIA LAND RECORD COVER SHEET
FORM A - COVER SHEET CONTENT

1800 1942

Instrument Date: 6/11/2018
Instrument Type: DBS
Number of Parcels: 0 Number of Pages: 4
☐ City ☒ County

6/26/2018

PRINCE GEORGE

TAX EXEMPT? VIRGINIA/FEDERAL LAW

☐ Grantor:

☐ Grantee:

Consideration: \$240,000.00

Existing Debt: \$0.00

Actual Value/Assumed: \$240,000.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00

Fair Market Value Increase: \$0.00

Original Book Number: Original Page Number: Original Instrument Number:

Prior Recording At: ☐ City ☐ County

Percentage In This Jurisdiction:

BUSINESS / NAME

1 ☐ Grantor: HUNTER, DONALD R.

2 ☐ Grantor: HUNTER, SANDRA L.

1 ☐ Grantee: HOKE, ROBERT F. JR.

☐ Grantee:

GRANTEE ADDRESS

Name: ROBERT F. HOKE JR.

Address: 5711 COURTHOUSE ROAD

City: PRINCE GEORGE State: VA Zip Code: 23875

Book Number: Page Number: Instrument Number:

Parcel Identification Number (PIN): Tax Map Number:

Short Property Description:

Current Property Address:

City: State: Zip Code:

Instrument Prepared By: CLONINGER AND BOURLIER, Recording Paid By: CLONINGER AND BOURLIER, PLLC

Recording Returned To: CLONINGER AND BOURLIER, PLLC

Address: 6303 COURTHOUSE RD SUITE C

City: PRINCE GEORGE State: VA Zip Code: 23875



Prepared By: David L. Cloninger
VSB No.: 25844
Consideration: \$240,000
Assessed Value: \$240,000

DEED

THIS DEED, made this 11 day of June, 2018, by and between **DONALD R. HUNTER and SANDRA L. HUNTER**, husband and wife, parties of the first part, hereinafter referred to as Grantors, and **ROBERT F. HOKE, JR.**, party of the second part, hereinafter referred to as Grantee, provides:

WITNESSETH:

That for and in consideration of the sum of **TEN DOLLARS (\$10.00)**, cash in hand, and other good and valuable consideration, paid by the Grantee to the Grantors, the receipt of which is hereby acknowledged, the parties of the first part do hereby grant, bargain, sell and convey, with **GENERAL WARRANTY** and the usual **ENGLISH COVENANTS** of Title, unto the said **ROBERT F. HOKE, JR.**, the following described property to-wit:

SEE ATTACHED SCHEDULE "A"

The Grantors covenant that they have the right to convey said property free from any and all encumbrances and that they will execute such further assurances of said property as may be requisite.

TAX PARCEL NUMBER 23B-02-00-00D

**CLONINGER AND
BOURLIER, PLLC**

David L. Cloninger, Esq.
VSB No. 25844
Jonathan P. Bourlier, Esq.
VSB No. 63677

Prince George Prof. Bldg.
6303 COURTHOUSE
ROAD, SUITE C
P.O. BOX 361
PRINCE GEORGE, VA
23875

and

SunTrust Bank Bldg.
204 N. MAIN STREET
SUITE 222A
HOPEWELL, VA 23860

This conveyance is made subject to easements, conditions and restrictions of record or apparent on the ground insofar as the same may lawfully affect the property herein conveyed.

It is further coveted and agreed that should Donald R. Hunter, his successors or assigns other than the grantee herein or the successor and assigns of the grantee herein develop a roadway within the easement of right-of-way shown on the plat referred to in Schedule A hereof thereby necessitating the abandonment of the well located within the 50 foot easement of right-of-way as shown on the aforesaid plat, Donald R. Hunter, his successors or assigns shall bear the expense of connecting the dwelling currently located on the property herein conveyed to the public water supply located along Courthouse Road.

This

Area

Left

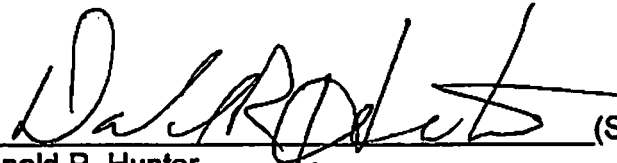

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Intentionally

TAX PARCEL NUMBER 23B-02-00-00D

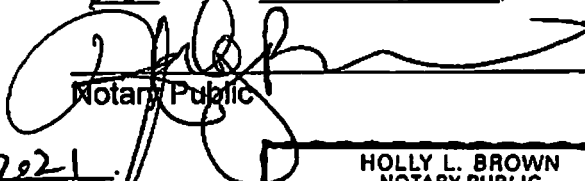
2

WITNESS the following signatures and seals.

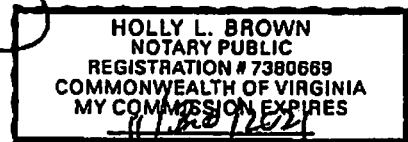
 (SEAL)
Donald R. Hunter
 (SEAL)
Sandra L. Hunter

STATE OF VIRGINIA,
CITY/COUNTY OF Prince George, to-wit:

The foregoing instrument was acknowledged before me, a notary public in and for the county and state aforesaid, on this 25th day of June, 2018, by Donald R. Hunter.

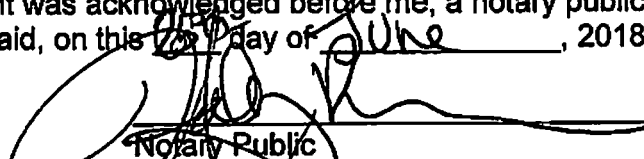
 (SEAL)
Notary Public

My Commission Expires: 11/30/2021
Notary Certificate Number: 7380669

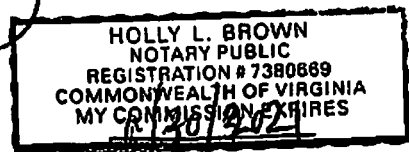


STATE OF VIRGINIA,
CITY/COUNTY OF Prince George, to-wit:

The foregoing instrument was acknowledged before me, a notary public in and for the county and state aforesaid, on this 25th day of June, 2018, by Sandra L. Hunter.

 (SEAL)
Notary Public

My Commission Expires: 11/30/2021
Notary Certificate Number: 7380669



Grantees Address:

6255 Hunter Place
Prince George, VA 23875

3

SCHEDULE "A"

All that certain lot, piece or parcel of land, with the improvements thereon and the appurtenances thereunto, lying, being and situate in Bland District, Prince George County, Virginia, containing 3.883 acres, more or less, as shown on a plat of survey made by Ronald H. Gordon & Associates, LLC, dated May 10, 2018, revised May 30, 2018, entitled, "Plat Showing A Property Line Adjustment Adding 3.190 Ac \pm To Tax Parcel # 23B(02)00-00D-0 For A Total Of 3.883 Ac. \pm Located On The South Side Of Route 106, In Bland District, Prince George County, Virginia", recorded June 15, 2018, in the Clerk's Office of the Circuit Court of Prince George County, Virginia, in Plat Book 26, page 189, reference to which is hereby made for a more particular description of the property hereby conveyed.

This conveyance is made subject to and there is expressly reserved from this conveyance an easement of right-of-way 50 feet in width as shown on the aforesaid plat for the purpose of ingress to and egress from the remaining land of Donald R. Hunter as shown on the aforesaid plat and State Route 106, Courthouse Road and for the purpose of running utilities to the remaining property of Donald R. Hunter as shown on the aforesaid plat.

It being a part of the same property conveyed to Donald R. Hunter by the following deeds: 1) Deed dated May 25, 1988, from Donald R. Hunter, unmarried, recorded May 26, 1988, in the Clerk's Office of the Circuit Court of Prince George County, Virginia, in Deed Book 306, page 905; 2) Deed dated April 10, 1986, from Edith A. Mayerhoefer, widow, recoded April 11, 1986, in Deed Book 283, page 858 and 3) Quitclaim deed dated July 1, 1986, from Diane Kingery Dingas Hunter Burton and Ralph Burton, wife and husband, recorded July 30, 1986, in Deed Book 287, page 169. By deed dated February 3, 1998, Donald R. Hunter conveyed to Donald R. Hunter and Sandra L. Hunter, a 1.958 acre tract, recorded February 4, 1998, in Deed Book 442, page 61, which was part of this property.

INSTRUMENT 180001942
RECORDED IN THE CLERK'S OFFICE OF
PRINCE GEORGE CIRCUIT COURT ON
June 26, 2018 AT 12:37 PM
\$240.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$120.00 LOCAL: \$120.00
BISHOP KNOTT, CLERK
RECORDED BY: JZC

4



Attachment "C" - Revised Roadway Layout





Attachment "D" - VDOT Correspondence

From: Hinson, Paul (VDOT) <Paul.Hinson@vdot.virginia.gov>
Sent: Thursday, November 30, 2023 12:50 PM
To: Jon Cosby <jcosby@kbjwgroup.com>; Tim Graves <TGraves@princegeorgecountyva.gov>; Robert Baldwin <rbaldwin@princegeorgecountyva.gov>
Cc: Madison Sobczak <msobczak@princegeorgecountyva.gov>; dgray@princegeorgecountyva.gov; Smith, Crystal (VDOT) <Crystal.Smith@VDOT.Virginia.gov>
Subject: RE: SP-23-21 Annie Walker Family Subdivision Site and Utility Plan

Jon,

If the entrance will serve 5 or fewer lots, it can be a low volume commercial entrance. VDOT allows a surfaced width from 12' minimum to 24' maximum for low volume commercial entrances per Figure 4-1 in Appendix F. The modifications to the entrance presented below would meet VDOT's criteria for a low volume commercial entrance.

The private road requirements are per County ordinance. You will need approvals from the County for any modifications to their private road standards.



Paul F. Hinson, P.E.
Assistant Resident Engineer/Land Use
Virginia Department of Transportation
804-863-4012
804-874-9309 (M)
paul.hinson@vdot.virginia.gov

NOTES:

1. EXISTING GROUND SURFACE LOCATION PERFORMED BY CONVENTIONAL INSTRUMENT SURVEY.
2. HORIZONTAL (NAD83) DATUM ESTABLISHED THROUGH REAL TIME KINEMATIC (RTK) GPS OBSERVATIONS ON 10-04-2022. DIFFERENTIAL CORRECTIONS WERE DERIVED FROM THE LEICA "SMARTNET" CONTINUALLY OPERATING REFERENCE STATION (CORS) "LS02" (COLONIAL HEIGHTS, VA). COORDINATE VALUES, IF SHOWN HEREON, ARE BASED ON VIRGINIA STATE GRID, SOUTH ZONE.
3. THE PROPERTY SHOWN HEREON FALLS IN THE FOLLOWING FLOOD HAZARD ZONES: "X"(UNSHADED)-AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN, "X"(SHADED)-AREAS IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AND "AE ELEVATION"-BASE FLOOD ELEVATIONS BETWEEN 110' & 111' DETERMINED (NAD83). THE APPROXIMATE BOUNDARY LIMITS OF THESE AREAS ARE SHOWN GRAPHICALLY IF THEY FALL WITHIN THE LIMITS OF THIS SURVEY, AS SCALED FROM FEMA FLOOD INSURANCE RATE MAP, MAP NUMBER 51149C0160B, EFFECTIVE DATE: MAY 16, 2012.
4. PROPERTY LINES SHOWN HEREON ARE TAKEN FROM COURT HOUSE RECORDS, EVIDENCE OF MONUMENTATION AND OCCUPATION FOUND IN THE FIELD. THIS SURVEY DOES CONSTITUTE A BOUNDARY SURVEY OF THE EXTERIOR LIMITS OF THIS FAMILY DIVISION AND WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ALL EASEMENTS MAY NOT BE SHOWN HEREON.
5. DURING THE COURSE OF OUR PERIMETER SURVEY, NO EVIDENCE OF A CEMETERY OR BURIAL GROUND WAS OBSERVED. NO FURTHER INVESTIGATIONS WERE MADE.
6. A FIELD DELINEATION OF WETLANDS FOUND ON THIS PROPERTY WAS CONDUCTED BY KOONITZ BRYANT JOHNSON WILLIAMS ON OCTOBER 5, 2022. BASED ON THE WRITTEN REPORT OF THESE FINDINGS PREPARED BY DAVID KWASNIEWSKI, PWD, NON-TIDAL PALUSTRINE FORESTED (PFO) WETLANDS AND PALUSTRINE SCRUB-SHRUB (PSS) WETLANDS EXIST. THE STUDY AREA IS WITHIN THE BLACKWATER SWAMP WATERSHED WHICH FLOWS TO NORTH CAROLINA. THEREFORE, THE CHESAPEAKE BAY PRESERVATION ACT REQUIREMENTS SHOULD NOT APPLY.
7. PER THE COUNTY GIS, THIS PARCEL IS NOT LOCATED IN A CBPA (CHESAPEAKE BAY PRESERVATION AREA).
8. LOTS 1, 2 AND 3 ARE ACCESSED BY A PRIVATE ROAD WHICH IS SUBJECT TO SECTION 70-742(d)(3). IT IS THE RESPONSIBILITY OF THE SUBOWNER OR DEVELOPER TO CONSTRUCT THE ROAD AND OF SUBSEQUENT LOT OWNERS TO MAINTAIN THE ROAD. AS MAY BE PROVIDED FOR IN A ROAD MAINTENANCE AGREEMENT RECORDED CONCURRENTLY WITH OR SUBSEQUENTLY TO THIS PLAT.
9. THIS SURVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF WILLIAM F. WARE, JR., LS FROM AN ACTUAL GROUND SURVEY MADE UNDER HIS SUPERVISION. THE IMAGERY AND/OR ORIGINAL DATA WAS OBTAINED ON OCTOBER 21, 2022. THIS PLAT, MAP, OR DIGITAL GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.

LOT REQUIREMENTS:

1. MINIMUM LOT AREA: 1 ACRE (PER ARTICLE IV, SEC. 70-400)
2. MINIMUM LOT FRONTAGE: 80% OF MINIMUM WIDTH, CUL-DE-SAC LOTS = 50'
3. MINIMUM LOT WIDTH: 150'
4. MINIMUM LENGTH-TO-WIDTH RATIO: NO GREATER THAN 4
5. MINIMUM SETBACK & YARDS
- 5.1. FRONT: 75'
- 5.2. SIDE: 15' MINIMUM / 30' + COMBINED
- 5.3. REAR: 35'
- 5.4. HEIGHT: 35'-MAIN STRUCTURE, 1 STORY+ACCESSORY STRUCTURE

AREA SUMMARY:

LOT 1	4.000 AC.	174,259 S.F.
LOT 2	3.999 AC.	174,188 S.F.
LOT 3	11.82± AC.	514,936± S.F.
TOTAL	19.82± AC.	863,383± S.F.

APPROVED FOR RECORDATION IN
PRINCE GEORGE COUNTY, VIRGINIA
THIS PLAT SHALL BE RECORDED WITHIN SIX
(6) MONTHS OF THE DATE OF APPROVAL

SUBDIVISION AGENT	DATE
VDH OFFICIAL	DATE
VDOT ENGINEER	DATE

OWNER'S CONSENT AND DEDICATION

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND KNOWN AS TAX ID: 230105100-00C-1, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

ANNIE WALKER

CITIZENS AND FARMERS BANK
TRUSTEE, ANY OF WHOM MAY ACT:

THOMAS F. CHERN
JASON E. LONG
JOHN A. SEAMAN

COMMONWEALTH OF VIRGINIA

OF { TO WITH

I, _____ A NOTARY PUBLIC IN AND FOR THE _____ OF
 _____ COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT

 _____ (PRINT NAME) .

WHOSE NAME IS SIGNED TO THE ABOVE SUBDIVISION CERTIFICATE HAS ACKNOWLEDGED
THE SAME BEFORE ME IN MY _____ AND STATE. _____
GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ 2023.

NOTARY PUBLIC MY COMMISSION EXPIRES

COMMONWEALTH OF VIRGINIA

----- OF ----- $\} TO WITH$

I, _____ A NOTARY PUBLIC IN AND FOR THE _____ OF

COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT

(PRINT NAME)

WHOSE NAME IS SIGNED TO THE ABOVE SUBDIVISION CERTIFICATE HAS ACKNOWLEDGED
THE SAME BEFORE ME IN MY _____ AND STATE. _____
GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ 2023.

NOTARY PUBLIC MY COMMISSION EXPIRES

GENERAL NOTES:

1. OWNER INFORMATION:
1.1. OWNER NAME: ANNIE WALKER
1.2. OWNER MAILING ADDRESS: 1404 SHADOWBROOK COURT,

- | | | |
|-------|---|---------------------------|
| 2. | TAX MAP NUMBER: | 230305/000-00C-1 |
| 3. | TOTAL ACRES OF PARCEL INVOLVED: | 19.824 ACRES |
| 4. | TOTAL ACRES SUBDIVIDED: | 19.824 ACRES |
| 5. | CURRENT NUMBER OF LOTS: | 1 (PARENT PARCEL) |
| 6. | PROPOSED NUMBER OF LOTS: | 3 |
| 7. | SOURCE OF BOUNDARY SURVEY: | (SEE NOTES #4 & #9) |
| 8. | ZONING: | R-4 |
| 9. | ZONING OF ADJACENT PARCELS: | (SEE SHEET 2 OF 2) |
| 10. | CASE NUMBERS: | - NONE - |
| 11. | WATER & SEWER SERVICE: | ? |
| 12. | SUBDIVIDED ACRES IS WITHIN THE PRINCE GEORGE PLANNING AREA | |
| 13. | SUBDIVIDED ACRES IS OUTSIDE OF A CBPA (SEE NOTE #6). | |
| 14. | FL OOD PLAN (SEE NOTE #3). | |
| 15. | FAMILY DIVISION NOTE: THIS FAMILY DIVISION IS RESTRICTED FOR A PERIOD OF FIVE (6) YEARS BY THE TERMS OF THE SUBDIVISION ORDINANCE REGARDING USE AND TRANSFER. | |
| 16. | CONVEYANCE INFORMATION FOR FAMILY DIVISIONS: | |
| 16.1. | GRANTOR: | ANNIE WALKER |
| 16.2. | GRANTEE LOT #1: | YURI TUPPANCE - DAUGHTER |
| 16.3. | GRANTEE LOT #2: | CHLOELLA GILES - DAUGHTER |
| 16.4. | GRANTEE LOT #3: | HELANA BURLLEY - DAUGHTER |

VICINITY MAP 1" = 2000'

BULL

HILL RD.

COURTHOUSE RD.

S.R. 108

SITE

ALVIN RD.

S.R. 634

SAWMILL RD.

INTERSTATE 295

FORT LEE

WILLIAM PREPARED BY COMMONWEALTH

REVISIONS:

FIELD:	DJN
DRAWN:	WFW
CHK'D:	GLB



**KOONTZ
BRYANT
JOHNSON
WILLIAMS**

1703 N. Parham Rd. Suite 202
Henrico, Va 23229

(804) 740-9200 FAX (804) 740-7338

FAMILY DIVISION OF
19.82± ACRES LOCATED SOUTH OF
COURTHOUSE ROAD (S.R. 106)
(TAX ID: 230(05)00-00C-1)
BLAND DISTRICT * PRINCE GEORGE COUNTY, VIRGINIA

SOURCE OF TITLE

SURVEYORS 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 PRINCE GEORGE, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY HAVE BEEN COMPLIED WITH.

KOONTZ BRYANT JOHNSON WILLIAMS (WILLIAM F. WARE, JR., LS #1767)

KOONTZ BRYANT JOHNSON WILLIAMS



County of Prince George, Virginia

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

April 5, 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, April 25, 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-24-01: Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into three "family subdivision" lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property, zoned (R-A) Residential Agricultural and (R-2) Limited Residential, is located at 5711 Courthouse Road and is identified as Tax Maps 230(05)00-00C-1 and 23B(02)00-00D-0. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-05.

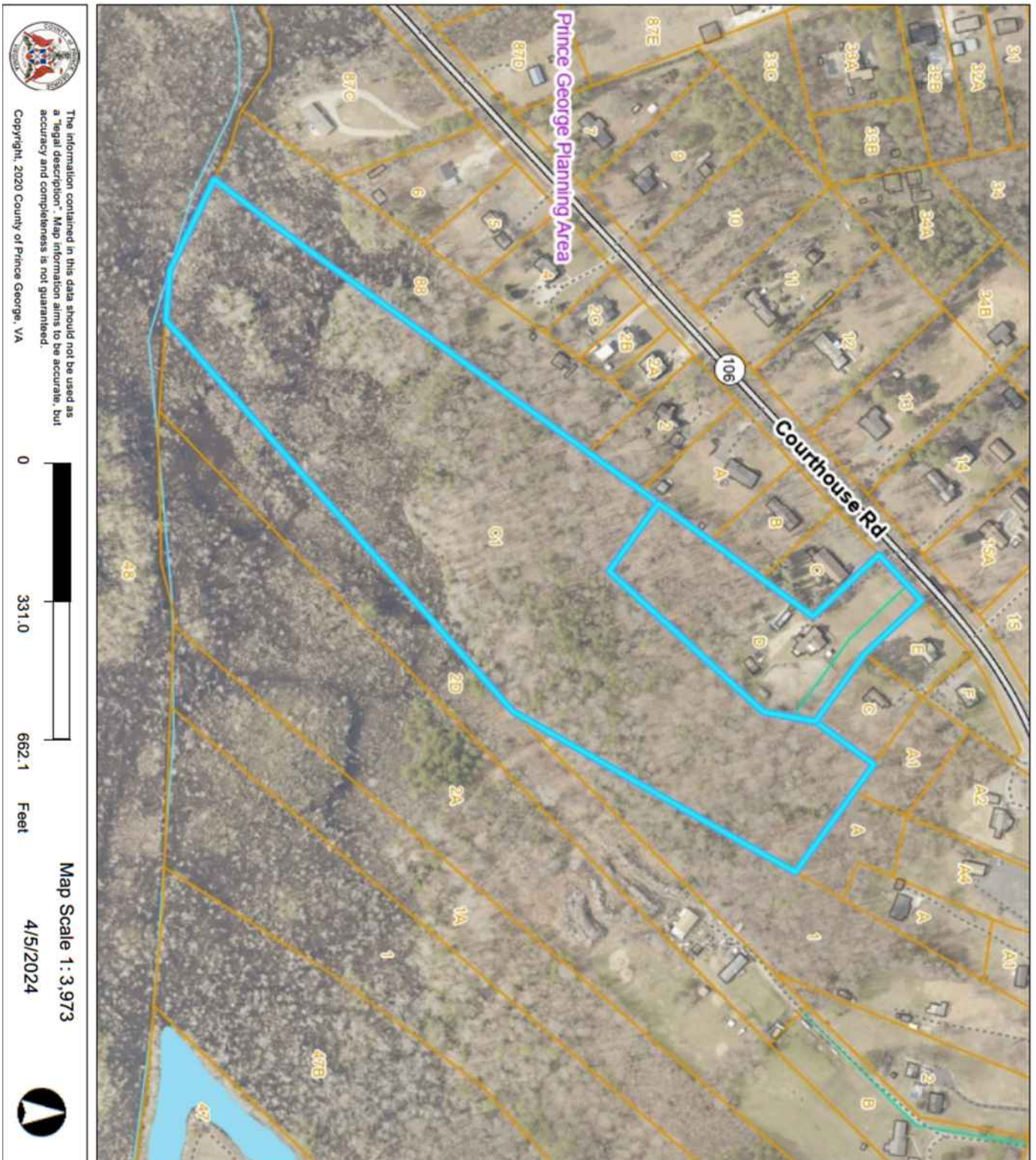
This notification is being sent to you because your property adjoins the subject property. We have included a GIS Map showing the general location of the request. This letter is for informational purposes and there is no obligation for you to respond back to the County. If you would like, you may attend 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/.

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 with any questions prior to the scheduled meeting.

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

Tim Graves
Planner II



Yuri Tuppance, Trustee
4031 Frye Terrace
South Chesterfield, VA 23834

Alta Betley
5711 Courthouse Road
Prince George, VA 23875

Thomila Wilson
930 S PARK DR
Petersburg, VA 23805

Sarah K Figg
5615 Courthouse Road
Prince George, VA 23875

William C Griffin
5601 Courthouse Road
Prince George, VA 23875

Ronald L. Jackson
5603 Courthouse Road
Prince George, VA 23875

Marvin Aleman
5511 Courthouse Road
Prince George, VA 23875

Eastern Redempton Ministries
P.O. Box 455
Prince George, VA 23875

Keith D. Andrews
5915 Courthouse Road
Prince George, VA 23875

LUCY MARY REID
4112 LEE DR
NORTH DINWIDDIE, VA 23803

Luis Pedraza
3766 ELK CT
Prince George, VA 23875

Matthew R. Stout
5717 Courthouse Road
Prince George, VA 23875

Donna M. Henshaw
PO BOX 1202
Prince George, VA 23875

SMITH THOMAS R JR
5712 COURTHOUSE RD
Prince George, VA 23875

STORY NANCY E
6817 COURTHOUSE RD
Prince George, VA 23875

Planning Commission
County of Prince George, Virginia

Resolution to APPROVE the Subdivision Ordinance Waiver Requested in Application #SW-24-01

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 25th day of April, 2024:

Present:

Vote:

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

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

WHEREAS, in plat review application # S-23-05, Property Owner Annie Walker proposed to subdivide one lot into three while sharing an access easement across another parcel; 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 and current property owner, “The Walker Family Trust” requested in application # SW-24-01 that the following requirement of Article VII of the Subdivision Ordinance be waived by the Commission so that a lesser standard may be applied:

§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.

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 _____
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 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]

Adopted on April 25, 2024 and becoming effective immediately.

Sample Motions for SW-24-01

Sample Motion to APPROVE:

“I move that we adopt the Resolution to APPROVE the Subdivision Ordinance Waiver Requested in Application #SW-24-01 for the following reasons:

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

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

AND this approval is subject to...

... the conditions recommended in the Staff Report.”

OR

... the conditions recommended in the Staff Report with the following changes:

_____.”

OR

... no specific conditions.”

Sample Motion to DENY:

“I move that we DENY Subdivision Ordinance Waiver Request #SW-24-01 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-24-01 until _____ to allow time for _____.”
(DATE) (ACTION/EVENT)

Begin

TAB 3



PLANNING COMMISSION STAFF REPORT

Public Meeting – April 25, 2024

SW-24-02 – Waiver of Subdivision Requirements

Applicant: Linda & Robert Forehand, Jr.

Property Owner: Linda & Robert Forehand, Jr.

Case Manager: Koty Gray, Planner - (804) 722-8678

Request Summary

Property owners Linda & Robert Forehand, Jr. have submitted a subdivision plat proposing to subdivide one approximately 75.79-acre parcel into five smaller lots.

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

The subdivider has requested to waive the requirement of Section 70-724(d)(3) which limits residential development on private roads to no more than three lots.

Their goal is for a total of five lots to share a private road.

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.

Property

Address: TBD

Tax Map: 590(0A)00-020-A

Site Size: 75 acres +/-

RE Taxes Paid?: Yes

Zoning District: R-A

Current Use: Agricultural Vacant

Comp Plan Land Use: Agriculture

Planning Area: Rural Conservation Area

Meeting Information

Planning Commission Meeting: April 25, 2024 (NOTE: Not a public hearing)

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

Attachments

1. Copy of the Application with Attachments including proposed subdivision plat
2. APO letter, map, and mailing list
3. Draft Resolution for Approval
4. Sample Motions

Applicant Proposal

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

- The owners believe this is an unusual situation and provided two main reasons:
 - VDOT requires Lot 2 to use a shared entrance even though it has road frontage and could use a separate private entrance if there was no requirement to share an entrance. (Note: The applicant stated that the County ordinance allows a separate private entrance, but this is not true, the County ordinance also requires the lot to use a shared entrance.)
 - The applicant's original plan was for Lot 4 to be accessed via a shared entrance with Lot 3, which would have required an additional private road, and this would have disturbed more wetlands than a private driveway would (because a private road is wider). If the waiver is approved, then Lot 4 will instead be able to share a private road with all other lots except Lot 3, thus minimizing disturbance to wetlands on Lot 3.
- The applicant stated that lots 5 and 6 will possibly be developed for "family use".
- The applicant stated that this is for only one additional lot on the private road (Note: This is not accurate, the request is to allow two additional lots on the private road.)
- The applicant is planning to build a private road that meets the design standards required by Section 70-724(d)(3)(iii) for all Lots to use except Lot 3.

Exhibits

Exhibit 1 – Aerial Map of Property

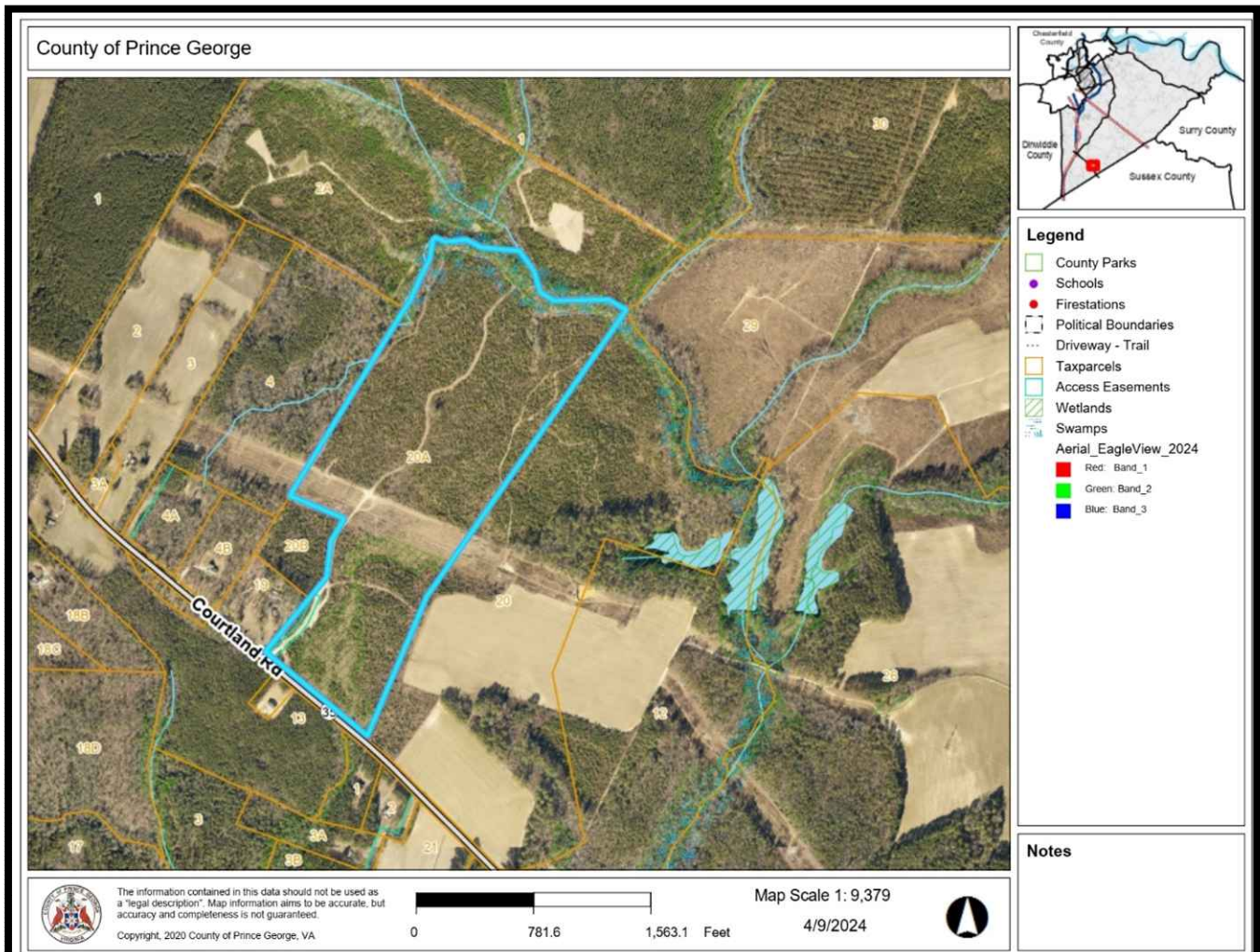


Exhibit 3- Street View from Courtland Rd (2023)



Background and Ordinance Requirements

1. The property owners submitted a plat for review (Application # P-24-07), which shows the proposed subdivision of one parcel into five lots. Lot 3 is proposed to use private entrance on Courtland Road, while existing lot 1 and proposed lots 2, 4, 5 & 6 are proposed to share a 50' access easement (private road) through Lot 2 that will be their primary point of access.
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 subdivisions such as that which is proposed). Within that Article, Section 70-724 (d) states:

(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...

3. 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."*

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 four (4) waivers 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	Three (3): S-12-13, SW-21-01, SW-22-02	0
§ 70-724(d)3 (or equivalent) limiting residential development to 3 lots on a private road	Four (4): SW-08-01, S-13-13, SW-22-01, SW-23-02	0
§ 70-724(d)3iii requiring a minimum design standard for a private road serving residential lots	Two (2): SW-23-02, SW-23-04	0
§ 70-752 requiring sidewalk construction in the PG Planning Area	One (1): SW-23-01	0
§70-716 which requires a newly subdivided lot to have direct access from an improved street	One (1): SW-23-03	0
§70-720 which requires a newly subdivided lot to abut on a public street	One (1): SW-23-03	0
Totals	12	0

3. Of the waivers granted regarding the number of lots on a private road, here are additional relevant details about those requests:
 - a. SW-08-01 – Allowed a fourth lot on a new proposed private road for a parent tract division (no longer an option in the Subdivision Ordinance)
 - b. S-13-13 – Allowed a fourth lot on an existing private road for a family division
 - c. SW-22-01 – Allowed a fourth lot on an existing private road for a family division
 - d. SW-23-02 – Allowed six lots on an existing private road for a family division.
4. In comparison to previous waiver requests, the present request is to have five lots be served by a single private road. This waiver request is also an alternative to avoid placing a second private road that would cause more disturbance to the wetlands because of increasing the length and width of the road.
5. Staff notes that strict adherence to the subdivision requirements would result in the developer needing to install two private roads instead of one, and a private road crossing the wetlands on Lot 3 would result in more disturbance to the wetlands vs. a private driveway. If this waiver request is approved, then:
 - a. It would allow the developer to only build one private road instead of two.
 - b. Five lots would share a private road instead of the maximum of three allowed by the subdivision ordinance.
 - c. Disturbance to wetlands would be minimized.
6. 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
<p>“In cases of unusual situations OR where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship...”</p>	<p>It is up to the Planning Commission to decide whether this is an unusual situation. If the Commission believes it is an unusual situation, Staff recommends that the Commission state what the unusual situation is, for future reference.</p> <p>(See comment #5 above for potential reasons this may be an unusual situation).</p> <p>It is up to the Planning Commission to decide 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>
<p>“No waiver shall be granted which is illegal or which would prejudice the health and safety of citizens of the county.”</p>	<p>There does not appear to be anything illegal about this request, nor does it appear to prejudice the health and safety of citizens of the county.</p>

Supplemental Staff Review Comments

VDOT provided the following comments during the subdivision plat review application (P-24-07) that is associated with this subdivision waiver:

The subdivision will create five lots that will use the same entrance. VDOT regulations require a Low Volume Commercial Entrance in accordance with Figure 4-1 of Appendix F of the VDOT Road Design Manual. Stopping sight distance of 495’ must be available at the proposed entrance location.

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.

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
- Recommended conditions for approval (section below)

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 on Tax Map 590(0A)00-020-A for five single-family residential lots to share an access easement (private road) to access the state-maintained Courtland Road (SR-35).
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, which shall be recorded in tandem with the subdivision plat.
4. The subdivision plat shall reference this waiver, the waiver approval date, and meet all other applicable requirements.



SUBDIVISION WAIVER REQUEST

Department of Planning
6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

SW-24-02

DATE SUBMITTED:

2/14/24

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 #: P-24-07)

☐ 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)

590 (0A) 00-020-A

NAME(S):

Robert & Linda Forehand

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

P.O. Box 2050, Prince George, VA 23875

E-MAIL:

bforehandjr@aol.com

PHONE:

804-731-2278

NAME(S): (If different than owner)

RELATION TO OWNER:

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

E-MAIL:

PHONE:

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:

Robert F. Forehand Jr.

OWNER / AGENT NAME:

Linda M. Forehand

SIGNATURE:

[Signature of Robert F. Forehand Jr.]

SIGNATURE:

[Signature of Linda M. Forehand]

DATE: 02-12-2024

DATE: 02-12-2024

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: Prince George

Subscribed and sworn before me this 12 day of February, 2024.

[Signature of Margaret Ann Conlon]
Notary Public

My Commission expires: 4/30, 2027



AFFIDAVIT

**SUBDIVISION WAIVER REQUEST
Robert E Jr. & Linda M. Forehand
Parcel # 590 (0A) 00-020-A**

February 12, 2024

This request is being made due to an unusual situation. Lot 1 on the plat has 516 LF of road frontage. County ordinance allows a private entrance on road front parcels. VDOT desired only one (1) entrance, thus requiring lot 2 be accessed off the private road.

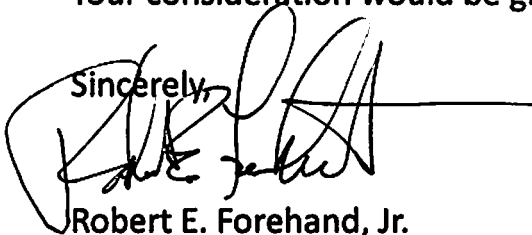
Lot 4 was originally to be accessed thru Lot 3 fronting Courtland Road. This access would be thru a "wetlands" area. Building a driveway thru the wetlands would disturb considerably less of the wetlands than a private road per VDOT standards.

Lots 5 and 6 are to be developed for possible family use.

In reality, this request is really for only 1 additional lot. Seems unfair to punish the landowner for a VDOT request when the lot meets county requirement for its own access.

Your consideration would be greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert E. Forehand, Jr.', with a long horizontal line extending to the right.

**Robert E. Forehand, Jr.
CO- Owner**

OWNER'S CONSENT and DEDICATION

The platting or dedication of the following described land **PLAT SHOWING A DIVISION OF 75.79± ACRES OF LAND LOCATED ON THE NORTH SIDE OF STATE ROUTE 35, COURTLAND ROAD TEMPLETON DISTRICT PRINCE GEORGE COUNTY, VIRGINIA** is with the free consent and in accordance with the desire of the undersigned owners, proprietors, and trustees, if any.

Owner _____

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: _____

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: Rainer F. Haggerty - ASOE #1489 - Phone (804) 746-5285. 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.

GENERAL NOTES

1. Owner: Bratic, Inc.
P.O. Box 430
Prince George, VA 23875
2. Tax Parcel No. 590(OA)00-020-A
3. Total Acreage of Parcels Involved = 75.79 ± Acres
4. Total Acreage Subdivided = 75.79± Acres
5. Current Number of Lots = 1
6. Proposed Number of Lots = 5
7. Land boundary survey shown is based on a current field survey completed on June 14, 2021.
8. Zoning: R-A
9. Zoning of Adjacent Parcels: R-A
10. Water: Private Well
11. Sewer: Private Septic
12. Property located within the Rural Conservation Area.
13. Property located outside of a Chesapeake Bay Preservation Area (CBPA).
14. Based on graphic determination this property is in zone "A&X" of the HUD defined flood hazard area as shown on F.E.M.A. Flood Insurance Rate Map, Community Panel #51149C0290C dated February 9, 2023.
15. 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.
16. No surface indications of a cemetery or grave were observed during the course of our perimeter survey. Timmons Group makes no guarantees concerning the existence or non-existence of graves or cemeteries on this site or adjacent properties.
17. This property line is defined by a water boundary and may be subject to change by natural causes and may or may not represent the actual location of the limit of title.
18. Wetland we delineated by Timmons Group February 2022.
19. A permit from the Army Corps. of Engineers is required prior to crossing or disturbing on-site wetlands.

SOURCE OF TITLE

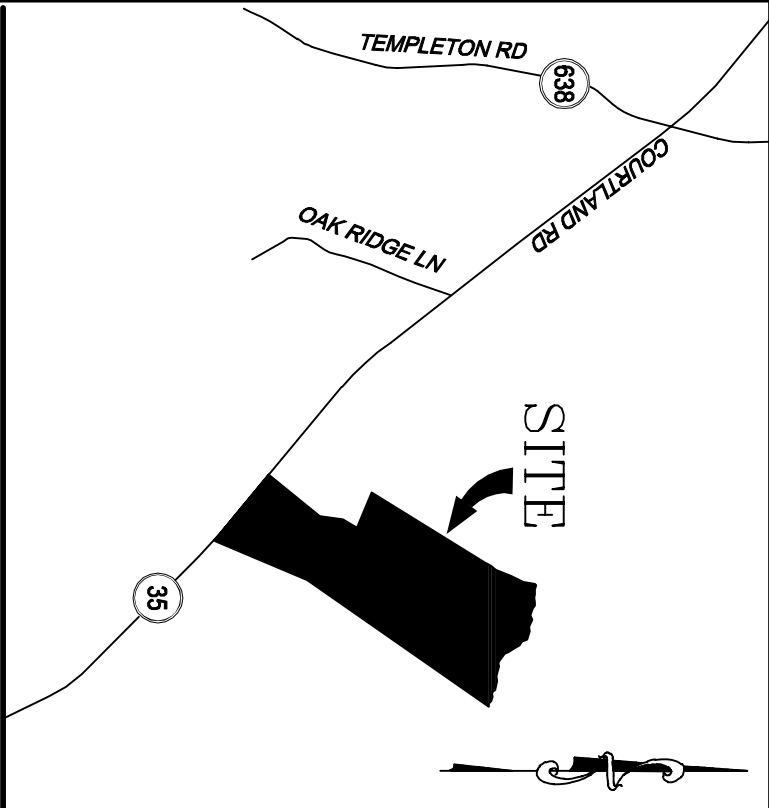
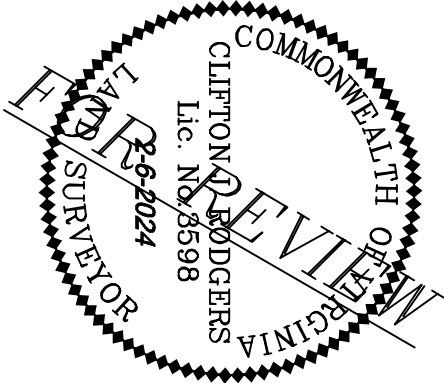
T.M. #590(OA)00-020-A
The property embraced within the limits of this subdivision was conveyed to Bratic, Inc. by deed dated December 10, 2021 recorded December 14, 2021 in Instrument #210005264 in the Clerk's Office of the Circuit Court of Prince George County, Virginia.

Clifton J. Rodgers L.S., No. 3598
Date: February 6, 2024

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 Prince George, Virginia, regarding the platting of subdivisions within the County have been complied with.
Given under my hand this 6th day of February, 2024.

Clifton J. Rodgers L.S., No. 3598



APPROVED FOR RECORDATION IN
PRINCE GEORGE COUNTY, VIRGINIA
THIS PLAT SHALL BE RECORDED WITHIN SIX
(6) MONTHS OF THE DATE OF APPROVAL

SUBDIVISION AGENT _____	DATE _____
VDH OFFICIAL _____	DATE _____
VDOT AGENT _____	DATE _____

Templeton District	Prince George County, VA
Date: February 6, 2024	Scale: 1"=200'
Sheet 1 of 2	J.N.:48188-903
Drawn By: J. Livingston	Check By: C. Rodgers

PLAT SHOWING A DIVISION OF
75.79± ACRES OF LAND
LOCATED ON THE NORTH SIDE OF
STATE ROUTE 35, COURTLAND ROAD

CURVE TABLE					
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING
C1	3907.73'	86.25'	43.13'	1°15'53"	N49°55'34"W
					295.64'

ORIGINAL	75.79± ACRES
T.M. #590(04)00-020-A	LESS
T.M. #590(04)00-020- ~ LOT 2	LESS
T.M. #590(04)00-020- ~ LOT 3	LESS
T.M. #590(04)00-020- ~ LOT 4	LESS
T.M. #590(04)00-020- ~ LOT 5	LESS
T.M. #590(04)00-020-A ~ LOT 6	REMAINING
	30.01± ACRES

IRON FOUND

PIPE FOUND

AXLE FOUND

ROD SET

CALCULATED POINT

UTILITY POLE

GUY ANCHOR

GUY POLE

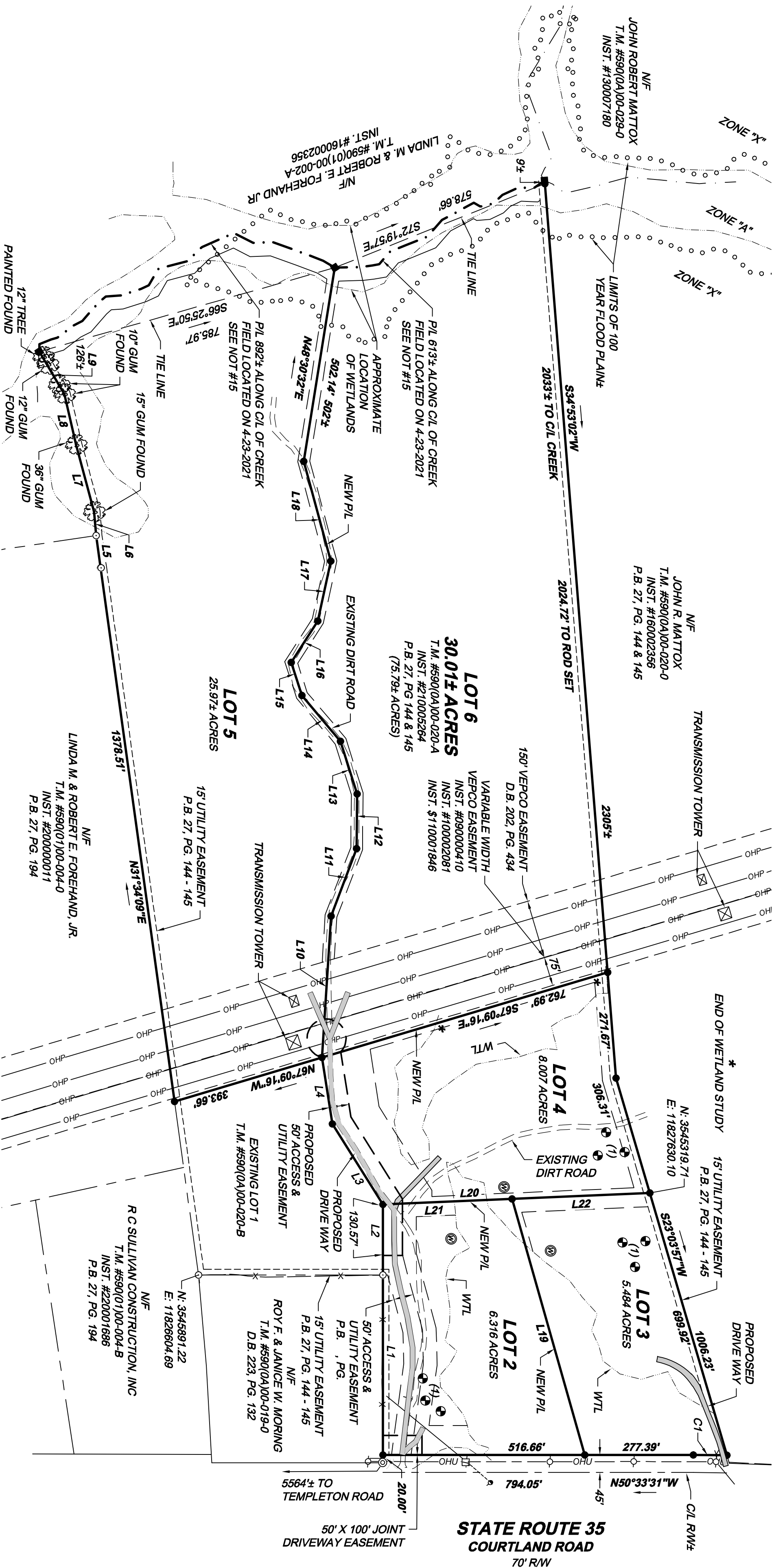
TELEPHONE PEDESTAL

PROPOSED WELL

OVERHEAD POWER

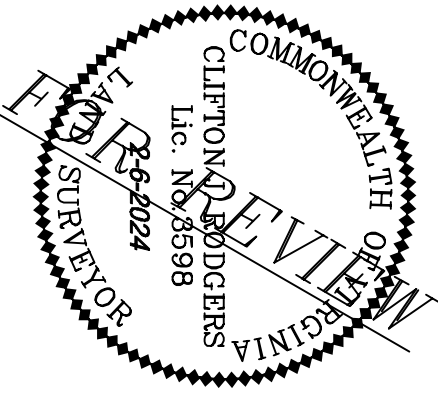
OVERHEAD UTILITIES

NAD 83 VIRGINIA SOUTH ZONE



LINE TABLE		
LINE	BEARING	LENGTH
L1	N39°26'29"E	460.50'
L2	N39°26'29"E	180.57'
L3	S7°17'58"W	243.58'
L4	N30°33'04"E	172.10'
L5	N31°31'07"E	83.46'
L6	N34°34'17"E	61.01'
L7	N24°22'16"E	177.39'
L8	N26°28'59"E	133.58'
L9	N6°50'43"E	126.20'
L10	N43°06'58"E	362.98'
L11	N60°15'40"E	184.58'

LINE TABLE		
LINE	BEARING	LENGTH
L12	N40°01'19"E	140.02'
L13	N21°55'50"E	141.14'
L14	N0°42'55"W	153.46'
L15	N21°34'23"E	89.05'
L16	N72°13'28"E	126.73'
L17	N51°34'03"E	156.95'
L18	N24°21'32"E	264.28'
L19	N23°33'19"E	681.36'
L20	N53°01'56"W	663.61'
L21	S53°01'56"E	330.46'
L22	S53°01'56"E	353.14'



PLAT SHOWING A DIVISION OF
75.79± ACRES OF LAND
LOCATED ON THE NORTH SIDE OF
STATE ROUTE 35, COURTLAND ROAD

SUBDIVISION AGENT		DATE
Templeton District	Prince George County, VA	
Date: February 6, 2024	Scale: 1"=200'	
Sheet 2 of 2	J.N.:48188-903	
Drawn By: J. Livingston	Check By: C. Rodgers	



County of Prince George, Virginia

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

April 5, 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, April 25, 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-24-02: Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into five lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3) which limits residential development on private roads to no more than three lots, to allow a total of five lots to share a private road. The subject property is zoned (R-A) Residential Agricultural, is located on Courtland Road (SR 35) approximately 2,600 feet southeast of the intersection with Oak Ridge Lane, and is identified as Tax Map 590(0A)00-020-A. The proposed subdivision plat is filed in the Planning Department under Application ID # P-24-07.

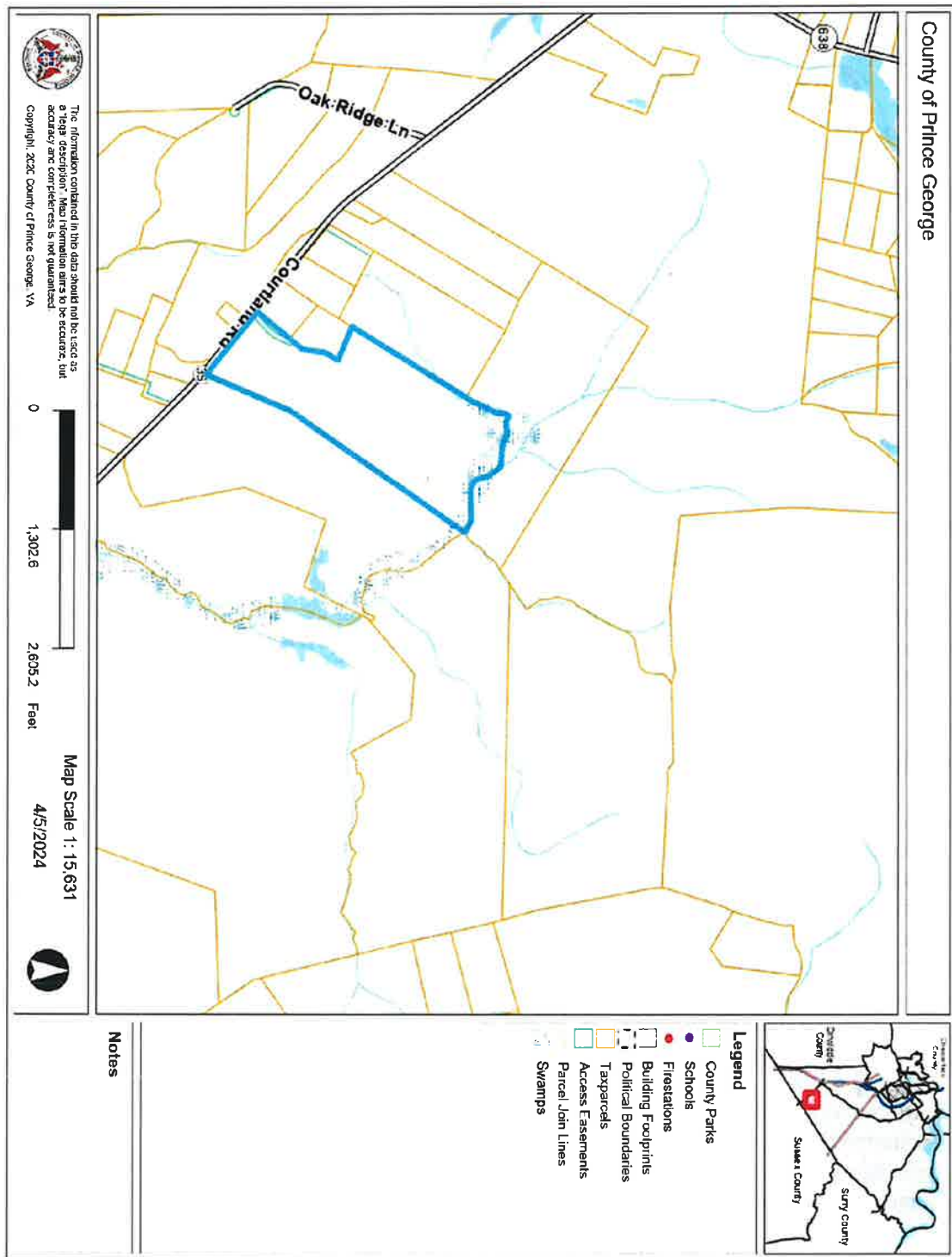
This notification is being sent to you because your property adjoins the subject property. We have included a GIS Map showing the general location of the request. This letter is for informational purposes and there is no obligation for you to respond back to the County. If you would like, you may attend 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/.

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 with any questions prior to the scheduled meeting.

You may also contact me with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Koty Gray
Planner

P.O. Box 68 – 6602 Courts Drive, Prince George, VA 23875
Phone: 804.722.8678
www.princegeorgecountyva.gov



P.O. Box 68 – 6602 Courts Drive, Prince George, VA 23875

Phone: 804.722.8678

www.princegeorgecountyva.gov

FOREHAND SUBDIVISION WAIVER APO MAILING LIST

FOREHAND ROBERT E JR
PO BOX 2050
PRINCE GEORGE, VA 23875

MORING ROY F
4504 COURTLAND RD
DISPUTANTA, VA 23842

WILLIAMS EDDIE
6851 TATUM RD
DISPUTANTA, VA 23842

CAROLYN PARNELL REVOCABLE LIVING TRUST
5000 TOWNE CENTER UNIT 1906
SOUTHFIELD, MI 48075

MATTOX JOHN R
5108 COURTLAND RD
DISPUTANTA, VA 23842

COX JONATHAN B
4655 COURTLAND RD
DISPUTANTA, VA 23842

R.C. SULLIVAN CONSTRUCTION INC
14106 SPRUCE AVE
CHESTER, VA 23836

Planning Commission
County of Prince George, Virginia

Resolution to APPROVE the Subdivision Ordinance Waiver Requested in Application #SW-24-02

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 25th day of April, 2024:

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

Vote:

SUBDIVISION WAIVER SW-24-02: Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into five lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3) which limits residential development on private roads to no more than three lots, to allow a total of five lots to share a private road. The subject property is zoned (R-A) Residential Agricultural, is located on Courtland Road (SR 35) approximately 2,600 feet southeast of the intersection with Oak Ridge Lane, and is identified as Tax Map 590(0A)00-020-A. The proposed subdivision plat is filed in the Planning Department under Application ID # P-24-07.

WHEREAS, in plat review application # P-24-07, Property Owners Linda and Robert Forehand, Jr. proposed to subdivide one lot into five while sharing a single 50' access easement; 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 and current property owner, “Linda and Robert Forehand, Jr.” requested in application # SW-24-02 that the following requirement of Article VII of the Subdivision Ordinance be waived by the Commission:

§70-724(d)(3) which limits residential development on private roads to no more than three lots.

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 _____
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 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]

Adopted on April 25, 2024 and becoming effective immediately.

Sample Motions for SW-24-02

Sample Motion to APPROVE:

“I move that we adopt the Resolution to APPROVE the Subdivision Ordinance Waiver Requested in Application #SW-24-02 for the following reasons:

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

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

AND this approval is subject to...

... the conditions recommended in the Staff Report.”

OR

... the conditions recommended in the Staff Report with the following changes:

_____.”

OR

... no specific conditions.”

Sample Motion to DENY:

“I move that we DENY Subdivision Ordinance Waiver Request #SW-24-02 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-24-02 until _____ to allow time for _____.
(DATE) (ACTION/EVENT)”

Begin

TAB 4

Upcoming Cases for May 23 Planning Commission Meeting

(subject to change)

REZONING # RZ-24-02: Request to rezone land from R-A to B-1 for future commercial development and to allow a boundary line adjustment to proceed. The area to be rezoned is approximately 1.081 acres on tax parcels 230(0A)00-041-0 and 230(0A)00-041-B and is located behind the existing commercial buildings off of Courthouse Road and Sawmill Road.

SPECIAL EXCEPTION # SE-24-04: Request to allow a day support center for the care of individuals with developmental and intellectual disabilities including adults and children. The subject property is approximately 1.5 acres in size, located at 4224 Branchester Parkway and identified as Tax Map # 130(06)00-003-D.