

**Northumberland County Planning Commission
September 16, 2010
Minutes**

The regular monthly meeting of the Northumberland County Planning Commission was held on September 16, 2010 at 7:00 p.m. in the Courthouse at Heathsville, VA with the following attendance:

Thomas Basker	Absent	Bill Kling	Present
Chris Cralle	Present	George Kranda	Present
Kevin Elmore	Present	Garfield Parker	Present
Alfred Fisher-Chairman	Present	Jim Stone	Present
Ed King	Present	Charles Williams	Present

Others in attendance:

Richard Haynie (Board of Supervisors Liaison)
Luttrell Tadlock (Assistant County Administrator)
W.H. Shirley (Zoning Administrator)

RE: CALL TO ORDER

Al Fisher, Chairman, called the meeting to order.

Ed King gave the invocation.

RE: MINUTES- AUGUST 19, 2010

With a motion from Jim Stone, seconded by Garfield Parker, and approved by all, the August 19, 2010 minutes were approved as written. The vote was as follows:

Thomas Basker	Absent	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	AYE	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE

RE: BOARD OF SUPERVISORS REPORT

Luttrell Tadlock gave the Board of Supervisors' Report.

RE: PROPOSED REZONING OF THOSE PROPERTIES FOUND ON MAP 53A FROM RESIDENTIAL WATERFRONT (R-2) TO RESIDENTIAL RECREATIONAL (R-4)

Luttrell Tadlock discussed the proposed rezoning with the Commission.

Al Fisher opened the public comment period to take comments on this matter.

Gary Swift noted he was the current President of the Indian Creek Estates Property Owners Association, and they are in support of this rezoning. Mr. Swift also provided a copy of the survey that the Indian Creek Estates Property Owners Association Board of Directors conducted earlier to determine the amount of support they would have in pursuing this rezoning. Mr. Swift noted the majority of the individuals on map 53A (97.53%) are in favor of this rezoning.

Bill Kling asked Mr. Swift what the difference was between the number of properties being shown as having voted vs. the number of individuals being shown as having voted.

Mr. Swift noted the number of properties displays the total properties in the development that answered the survey; however, there are several individuals who own multiple properties and that vote is shown in the individuals' votes, therefore showing a lower number.

George Kranda asked Mr. Swift if the covenants and restrictions for Indian Creek Estates had expired.

Mr. Swift responded yes, they had expired.

Charles Williams asked if the ones that did not support this rezoning explained why?

Mr. Swift commented no. There may have been some confusion as to the exact language of the R-4 Zoning District; however, no comments were received as to why they were opposed.

Ron Herring complimented the Board and Staff for moving forward with this. He would like to see the rezoning take place for Indian Creek Estates.

Tom Kimmitt noted he was asked to be present at tonight's meeting by a property owner. He wanted to obtain more information regarding the R-4 Zoning District.

Luttrell Tadlock provided Mr. Kimmitt with a copy of the R-4 Zoning language.

With no further public comments, Al Fisher closed the public hearing.

Garfield Parker questioned why the County was getting involved with creating a district that prohibited mobile homes. This should be done through the covenants and restrictions of Indian Creek Estates.

Gary Swift noted the Indian Creek Estates Property Owners Association Board of Directors was interested in changing and re-adopting the covenants and restrictions; however, to do so, there needed to be 100% approval, which they knew would not be

possible to obtain. He noted they weren't able to obtain a 100% return rate on the survey they conducted.

W.H. Shirley noted it would be only in this district that mobile homes would not be allowed. They would be allowed in other districts under the County Zoning Ordinance.

Luttrell Tadlock added it was the Property Owner's Association that approached the County to have this property rezoned. The County was not actively seeking properties to rezone to the R-4 Zoning Classification.

Ed King noted it is rare to have 80-90% of the people agree to something like this.

Bill Kling commented he felt we are solving a problem here without shutting out other possibilities.

Richard Haynie asked if those properties not considered part of the Indian Creek Estates were polled on this proposal as well.

Gary Swift noted all of 53A (both sheets 1 and 2) were provided with the survey. This includes those properties not part of Indian Creek Estates.

Richard Haynie then asked how many of those who objected to this rezoning were from outside of the Indian Creek Estates area, but would still be affected by this rezoning.

Gary Swift noted he was not sure. He would need to go back to the responses to determine that information.

With a motion from Ed King, seconded by Bill Kling, and approved, the Commission is recommending to the Board of Supervisors that the area on Map 53A (Sheets 1 and 2) be rezoned from Residential Waterfront (R-2) to Residential Recreational (R-4). The vote was as follows:

Thomas Basker	Absent	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	AYE	Garfield Parker	NAYE
Alfred Fisher-Chairman	AYE	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE

RE: ZONING REVIEW (R-5 PLANNED UNIT DEVELOPMENT) WORK SESSION

George Kranda commended staff for providing the matrix of public comments to the Commission, as it aided in reviewing the comments.

The Commission decided they needed more time on this matter and will therefore continue the working session on the proposed R-5 language at their October 21, 2010 meeting.

RE: OTHER BUSINESS

There was no further business to be brought before the Commission.

RE: PUBLIC COMMENT PERIOD

There were no public comments received.

RE: ADJOURNMENT

With a motion from Garfield Parker, seconded by Bill Kling, and approved by all, the meeting was adjourned. The vote was as follows:

Thomas Basker	Absent	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	AYE	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE