

## JULY 25, 2012

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Board Room of the Hanover County Administration Building on the 25th day of July, 2012, at 2:00 p.m.

Present: Mr. G.E. "Ed" Via, III, Chairman  
Mr. W. Canova Peterson, Vice-Chairman  
Mr. Sean M. Davis  
Mr. Wayne T. Hazzard  
Mr. Aubrey M. Stanley  
Mr. Elton J. Wade, Sr.  
Mr. Cecil R. Harris, Jr., County Administrator  
Mr. Sterling E. Rives, III County Attorney

Absent: Mrs. Angela Kelly-Wiecek

### Call to Order

The Chairman called the meeting to order at 2:00 p.m. Six Board Members were present, Mrs. Kelly Wiecek was absent for the meeting.

### Invocation

Mr. Stanley gave the Invocation.

### Pledge of Allegiance

Mr. Davis led the Pledge of Allegiance.

### Approval of Board of Supervisors' Minutes – June 27, 2012

The Chairman asked if there were any corrections or additions to the minutes.

Hearing none entertained a motion for approval. On a motion by Mr. Davis, seconded by Mr. Peterson, minutes were approved as submitted.

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Minutes Approved.

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**Consideration of Amendments to the Agenda**

The Chairman asked if there were any agenda amendments.

Mr. Peterson noted that Staff has placed an addendum to **Item IV. E. – Appointments** at their place this afternoon. This adds the consideration of nominations completed since the packet went out last week for the Community Services Board.

Mr. Peterson then moved the consent agenda Item IV. E. – Appointments be amended to include this additional nomination, seconded by Mr. Stanley.

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

**Citizens' Time**

The Chairman opened Citizens' Time and asked anyone who wished to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting to come forward.

Mr. Mark Creery, Mechanicsville MD, Chair, Hanover Business Chamber, came forward to review achievements over the last year. Plan to be at more board meetings, increase voice for business community, participation in educational support, Hanover Trades Fair scheduled in October, expand cabinet to involve more of the business community.

No one else to address the Board. The Chairman closed Citizens' Time.

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**Consent Agenda**

On a motion by Mr. Stanley, seconded by Mr. Hazzard, the consent agenda was approved with the exception of the items considered removed.

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Consent Agenda Approved.

**Authorization for Conveyance of Real Estate – St. Peters Church Road (GPIN #7830-01-3935) (South Anna Magisterial District) (Consent Agenda)**

On a motion by Mr. Stanley, seconded by Mr. Hazzard, the Board authorized the conveyance of real estate designated as GPIN 7830-01-3935.

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

**Request for Authorization to Advertise: Ordinance Amendment 12-09: Beaverdam Motor Company and Tri-County Bank Overlay Historic Preservation (OHP) District (Beaverdam Magisterial District) (Consent Agenda)**

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On motion by Mr. Stanley, seconded by Mr. Hazzard, the Board authorized advertisement of a public hearing – Ordinance Amendment 12-09: Beaverdam Motor Company and Tri-County Bank Overlay Historic Preservation (OHP) District.

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

### **Adoption of Proclamation – John Nelms (Consent Agenda)**

On a motion by Mr. Stanley, seconded by Mr. Hazzard, the Board adopted the proclamation.

### **PROCLAMATION**

WHEREAS John Nelms began his service to the County of Hanover on January 24, 1990, as Hanover's first Chief Assessor; and

WHEREAS John Nelms was responsible for the establishment of the Assessor's Office and its staffing, operational requirements, systems and legal compliance in preparing for the County-wide real property assessment performed for January 1, 1992 and annual assessment process thereafter; and

WHEREAS under the leadership of John Nelms, the Assessor's Office converted from a manual assessment process in 1993 to the current Computer Assisted Mass Appraisal System responsible for the valuation of over 45,000 parcels, an increase from 26,000 parcels prior to 1992, and an overall value of \$12.1 billion, an increase from \$2.0 billion prior to 1992; and

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WHEREAS John Nelms has served the citizens and businesses in responding to questions or concerns regarding their properties, managed an appeals process in adjusting valuations, has served as staff support to the Board of Equalization; all of which met or exceeded professional and legal standards of assessment; and

WHEREAS John Nelm's was instrumental in the hiring and training of appraisers that have earned appraisal professional designations and State licenses which is one of the highest rates in the State; and

WHEREAS in 1993, the Hanover County Assessor's Office was presented with an award for Outstanding Service and Professionalism by the Central Virginia Chapter of the Appraisal Institute in appreciation for service given to the public and community; and

WHEREAS John Nelms served as President of the Central Virginia Chapter of the Appraisal Institute in 1995 and currently serves as the Membership Chair for the Virginia Association of Assessing Officers; and

WHEREAS John Nelms will retire from active service with Hanover County on August 15, 2012; and

WHEREAS John Nelms' dedicated, able, and stalwart service to the County and its citizens represents the best attributes of the County of Hanover's employees.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors, on behalf of the citizens, wishes to recognize and congratulate John Nelms for twenty-two (22) years of outstanding service to the County of Hanover and offers its best wishes for a long, healthy, and happy retirement.

The members of the Board of Supervisors voted to adopt this Proclamation as follows:

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	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Proclamation Adopted.

### Approval of FY13-14 Performance Contract with the Virginia Department of Behavioral Health and Developmental Services (Consent Agenda)

On a motion by Mr. Stanley, seconded by Mr. Hazzard, the Board approved the FY13-14

Performance Contract.

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

### Appointments (Removed from Consent Agenda) (Approved as Amended)

COMMITTEE NAME	NON- DISTRI CT APPT	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	EXPIRATIO N	# OF MTGS HELD IN LAST 6 MOS	# OF MTGS ATTEN DED IN LAST 6 MOS	WILLING TO BE REAPPOI NTED: YES/NO/P ENDING	Recommendati on By APPLICABLE BD MEMBER

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Community Services Board (Chapter 10)	*	At-Large/(CR)	Christie	Leake	11/23/10	3 years	12/31/2013			NO (Resigned effective 06/30/12)	Mr. Via recommends the nomination of Ms. Laurie Beth Mathews to fill the unexpired term ending 12/31/13
Hanover County Council on Aging		Chickahominy	Nancy	Mountjoy	09/01/11	1 Year	08/31/12				Mrs. Kelly-Wiecek recommends reappointment
Historical Commission		Chickahominy	Loretta	Reardon	06/09/10	2 years	06/30/12				Mrs. Kelly-Wiecek recommends reappointment
Community Criminal Justice Board	*	Crim Def Attny	Michael	Clower	07/23/08	4 years	07/31/12			YES	Mr. Via recommends reappointment
Community Criminal Justice Board	*	HC-Local Educ	Dana	Cosby	07/23/08	4 years	07/31/12			YES	Mr. Via recommends reappointment
Pamunkey Regional Library Board	*	N/A	Anne	Cross	07/01/08	4 years	06/30/12			N/A HAS SERVED MAXIMUM TERMS	Mr. Via recommends the nomination of Joe O'Conner

**Vote:**

G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Appointments / Reappointments Approved as Recommended.

**Adoption of Proclamation – Eagle Scout - Johnathan Fitzgerald (Henry Magisterial District) (Removed from Consent Agenda)**

On a motion by Mr. Davis, seconded by Mr. Hazzard, the Board adopted the proclamation.

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**PROCLAMATION**

WHEREAS the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910; and

WHEREAS the Boy Scouts of America was founded to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS Johnathan Fitzgerald is a resident of the Henry Magisterial District in Hanover County, Virginia, and a junior at Lee-Davis High School; and

WHEREAS on the 6<sup>th</sup> day of March, 2012, Johnathan Fitzgerald attained the rank of Eagle Scout, the highest award granted by the Boy Scouts of America; and

WHEREAS to achieve this high honor Johnathan Fitzgerald carried out a community project by obtaining donations for supplies and recruiting and supervising the work crew in painting the locker rooms and gym stage at Stonewall Jackson Middle School in Hanover County, Virginia; and

WHEREAS Johnathan Fitzgerald of Boy Scout Troop 544 which meets at Shady Grove United Methodist Church has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout; and

WHEREAS the Hanover County Board of Supervisors fully supports the programs of the Boy Scouts of America and recognizes the important service they provide to the youth of our Country.

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NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors hereby extends its congratulations to Johnathan Fitzgerald and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

The members of the Board of Supervisors voted to adopt this Proclamation as follows:

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Proclamation Adopted.

### **Presentation - Virginia Department of Health – Silver Award to Department of Public Utilities – Doswell Wastewater Treatment Plant**

Mr. Meyer came forward along with Public Utilities Staff, Jonathan England, Superintendent, Doswell WWTP. Doswell Staff had met the sedimentation and filtration goals since adopted. Mr. Meyer then presented the award 20,000 perfect readings earned the Doswell WWT Team, their eighth consecutive waterworks performance award for excellence. Mr. Meyer noted that Doswell is the largest treatment plant to have such a success level. Mr. Via congratulated the entire public utilities department on their great work.

### **Presentation of the *War Comes To Hanover 1861-1865* Brochure – Hanover Sesquicentennial Committee**

Item Background: On September 8, 2010 the Board of Supervisors adopted a resolution (attached to the board packet) for the observance of the 150th anniversaries of the Civil War and Emancipation, and the establishment of local committee to support the Virginia Sesquicentennial

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of the American Civil War Commission. The local committee is commonly referred to as the Hanover County Sesquicentennial Committee (Committee).

The Committee is administered through the resources of the Historical Commission and its objective is to raise awareness and increase tourism revenues in the County from the observance of the 150th anniversaries. As part of this effort the Committee created and produced the *War Comes To Hanover 1861-1865* brochure.

Mr. David Deal, Executive Director of the Hanover Tavern Foundation and Chair of the Hanover County Sesquicentennial Committee, described the brochure and formally presented it to the Board. Mr. Deal also provided an update on the Committee's activities. One future project will be to revise the civil war monument and rededicate to correct the names that were left off when it was originally dedicated in 1914.

Mr. Peterson complimented the committee for the brochure.

**Presentation of Claim Against County on Behalf of the Shaia Group Regarding Woodside Estates Utility Service Agreements**

The Shaia Group, LLC, which has purchased the subdivision known as Woodside Estates, has submitted a claim against Hanover County seeking an extension of the utility service agreements that provide capacity fee credits for certain offsite utility improvements. Hanover County and Woodside Estates Development, LLC, the previous owner, entered into these agreements on August 29, 2007. The provision allowing for credits to be used for capacity fees originally was scheduled to expire after three years but was extended for an additional two years by the Board of Supervisors in August 2010. The provision for connection fee

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credits will expire on August 29, 2012. The County Administrator and County Attorney recommend that the claim be denied.

Attached to the Board packet: memo from the County Attorney's office providing background information and a letter from Mr. Rennie, attorney for Shaia Group, with a number of attachments.

The County Attorney briefly introduced this matter and advised that there is a request from the Shaia Group through their Attorney, Mr. Rennie, that this claim not be presented this afternoon. That request comes in anticipation that the claim will be dismissed and will not be necessary. That has not formally happened yet but that is what Mr. Rennie and Mr. Rives anticipate. Mr. Rives then reviewed the background. Subsequent to the filing of the claim Mr. Stanley and Mr. Rives met with the Shaia Group and their Attorney and Mr. Herzog and Mr. Rives have had several meetings with the Shaia Group and with their attorney. Although the Staff still does not recommend any extension of the Utility Service Agreement or the time within which the credits may be used. Mr. Herzog and Mr. Rives have worked with the Shaia's to show them how they might utilize at least some portion of these credits during the next month for that portion of the subdivision that is already platted. In addition, staff have worked with them regarding the deadline for completion of the waterline route that will serve this development on Woodside Lane and other future developments on Woodside Lane. In recognition and appreciation for our assistance in that matter and also because they want to maintain good working relationships with the staff and with the Board, Shaia Group indicated that they anticipate dismissing the claim and there are

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a few details to be worked out. If those are not worked out this will return to the Board meeting in August.

No questions from the Board.

**Transportation Update -**

- A. **Highway Matters** - Mr. Cade unable to attend. Mr. Marshall Winn presented. Normal maintenance activities, mowing occurring, Spring Road Bridge 617 contractor is installing beams, today surface treatment on deck Friday and opening Monday, Summer Hill Road will be completed in August. Lee Davis Road emergency contract pre-bid Friday, start work first full week of August. \$200,000 to repair structure. Route 301 paving by next week, and route 54. A full copy of the report is on file with the Board's papers.
- B. **Road Project Status Report** - Mr. Vidunas Creighton Road Bridge Project - Mr. Via replacing deck and what else. Mr. Winn beams and deck, abutments ok. 11. Atlee Road. U.S. Route 301 - Mr. Via asked where the turn lane will be. Mr. Vidunas advised currently northbound approach of Atlee to 301 we will add a second dedicated left turn lane. There will also be two receiving lanes or two lanes in the opposite direction on that approach. 13. Atlee Road Extension - Mr. Via what are major changes Atlee Road Ext. Mr. Vidunas advised most significant is we are proposing to keep existing rail crossing on Cool Spring Road to provide access to properties along the railroad track rather than Atlee Road extension access as it caused an impact on one particular property owner (Mr. Keaton). Mr. Via will there still be a dead end beyond the businesses. Mr. Vidunas proposing a cul de sac and on opposite side of extension utilizing existing road bed to provide access via a service road to the self-storage unit and realigned Cool Spring to tie in with Atlee Extended. Minor adjustments to the access for the Farley property just opposite the connection to the service

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road to address Mr. Farley's needs. Mr. Via what is the date of bids, construction start. Mr. Vidunas - Bids 2014 and construction 12-15 months with completion by summer 2015. Mr. Vidunas advised with the Lewistown Road bridge - significant Change VDOT will build bridge wider so it may be expanded to accommodate a sixth lane in the future. Ashland Road Shoulder Wedge – question from Mr. Via will the whole road be paved. Mr. Vidunas will find the information and get back on that. Mr. Via status of fixing Sliding Hill Road and Airpark Road. Mr. Vidunas response soon as environmental doc for expanded scope will go through and public hearing then on to right of way acquisition phase, adjacent property owners have to agree to property donation then on to construction. Mr. Stanley Route 33 and Route 54 status October bid time. Mr. Vidunas Oct is correct. Mr. Hazzard Route 54/301 why tear this up to repave. Not sure how this was prioritized and no mention in roads committee meeting. Mr. Vidunas staff is providing the paving schedule and will share that in the future. Mr. Winn advised that each year they get funded for overlays primaries and interstate and go by paving rate 100-0 anything with a 60 or below can be paved. Mr. Winn paving engineers ride it and rate it utilizing a machine and they make the decisions. Mr. Peterson 360 and 301 citizens are asking how come we are repaving these routes. Would be good if we can get the information out to the public. Is it two different departments? Mr. Winn – yes. Mr. Davis – commended work recently done in the Henry district.

A full copy of the report is on file with the Board's papers.

**Review of the 2012 Hanover Tomato Festival and Information Regarding Upcoming Bicycle Festival**

Mr. Sager introduced Mrs. Durrer, Recreation Program Director and Mr. Tim Bowring, Habitat for Humanity, will answer questions related to bike race.

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Mrs. Marcy Durrer, Parks and Recreation, provided the Board of Supervisors an update on the recently held 2012 Hanover Tomato Festival.

Mr. Davis commended staff for their work on this project.

Mr. Sager noted Mr. Dave Fuller, PRAC Member was present.

Mr. Sager presented information related to the Heart of Virginia bike festival.

Hanover Habitat for Humanity 2012 Heart of Virginia Bike Festival, being conducted in conjunction with the Richmond Area Bicycling Association (RABA). The Bike Festival will be based at the Hanover Courthouse Complex and feature a Century (101 Miles), Metric Century (62 Miles), Short (31 Miles) and Family Rides (10 Miles). A country BBQ lunch and live entertainment will be provided with proceeds helping support Hanover Habitat for Humanity and RABA. The date of the Bike Festival is September 15, 2012.

No questions from the Board.

**Update - Virginia Operations Plan Exercise (VOPEX)**

Chief Fred Crosby, Fire/EMS reviewed the recent VOPEX Exercise. At this event response personnel from state and local governments and Dominion Virginia Power demonstrated their ability to protect public health and safety in a full-scale North Anna Radiological Emergency Preparedness exercise July 10 for the utility's North Anna Power Station. The exercise involved localities within 10 miles of the power station.

The Virginia Department of Emergency Management led the simulated radiological emergency, to help state and local governments test their response procedures in the unlikely event of a radiological emergency.

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The Federal Emergency Management Agency will monitor the drill's progress and conduct an in-depth analysis of the results, outlining any areas that may need improvement. FEMA reviewed the success of the exercise at a public meeting July 13, 2012.

Mr. Peterson noted Sheriff Hines and Chief Crosby and all the Staff who did such great work during the recent storms.

**Public Information Update**

Mr. Tom Harris, Public Information Officer, presented information regarding Hanover Access News (HAN), the County's e-mail news bulletin service, and the County's new Facebook page.

**Closed Session –**

- A. Section 2.2-3711(A)(1) of the Code of Virginia – Personnel Discussion - Community Services Board Executive Director; Internal Audit Director and Chief Assessor
- B. Section 2.2-3711(A)(5) of the Code of Virginia – Previously Unannounced Business Prospect
- C. Section 2.2-3711(A)(7) of the Code of Virginia –
  - 1. Consultation with Legal Counsel and Staff Regarding Radio System Contract Discussion – Various Localities
  - 2. Consultation with Legal Counsel Regarding – Brandy Hill Shopping Center Tax Appeal

Mr. Peterson moved that the Board of Supervisors go into Closed Session pursuant to the following:

Section 2.2-3711(A)(1) of the Code of Virginia – Personnel Discussion - Community Services Board Executive Director; Internal Audit Director and Chief Assessor

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Section 2.2-3711(A)(5) of the Code of Virginia – Previously Unannounced Business Prospect

Section 2.2-3711(A)(7) of the Code of Virginia –

Consultation with Legal Counsel and Staff Regarding

Radio System Contract Discussion – Various Localities

Consultation with Legal Counsel Regarding – Brandy Hill Shopping Center Tax Appeal

Seconded by Mr. Stanley.

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

Board Members entered Closed Session at 3:43 p.m. At the conclusion of the Closed Session, all Board Members returned to the Boardroom, and the Chairman called the regular meeting back to order at 5:27 p.m.

### **Certification of Closed Session**

Mr. Peterson moved that the Board of Supervisors certify that during the Closed Session only public business matters lawfully exempted from the open meeting requirement of the Freedom of Information Act and only such public business matters as were identified in the motion for the Closed Session were discussed.

Mr. Stanley seconded the motion.

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	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

**Closed Session Action - Appointments – Internal Audit Director and Acting Chief Assessor**

Mr. Wade recommended that the Board Appoint Mike Taylor as the new Internal Audit Director, Salary Grade 44 effective October 1, 2012 and Richard Paul as Acting Chief Assessor effective August 16, 2012, seconded by Mr. Hazzard.

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

**Recess**

At 5:30 p.m. the Board went into recess.

**Reconvene**

At 7:00 p.m. the Board reconvened. Six Board Members were present. Mrs. Kelly-Wiecek was absent.

**Citizens' Time**

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The Chairman opened Citizens' Time and asked anyone who wished to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting to come forward.

Ms. Portia Bagby, Chickahominy District, came forward to address the Board related to her recent experience with the Planning Commission and Mixed Use Development in the Rutland community. Requested that the Board develop a policy amending the Code to ensure that mixed used developments are clear going forward to all residents and that there is no confusion about rezoning after the fact as it is very disturbing. Requested the Board set up a committee or change policy and to please consider doing that.

Seeing no one else come forward, the Chairman closed Citizens' Time.

**Presentations of Proclamations –**

1. **Sue Forbes Watson – Recognizing Years of Service in Educating Hanover Youth and Service on the Hanover County School Board**, Ashland Magisterial District-Chairman came forward and Mrs. Forbes Watson. Mr. Via read comments provided by Mr. Hank Lowry, School Board Rep. who was unable to attend. Mr. Via made comments and then read and presented Mrs. Forbes-Watson her proclamation. Mrs. Watson recognized School Board Members present and Dr. Wilson.
2. **Eagle Scout - Benjamin Nathaniel Tehan, Henry Magisterial District** – Mr. Davis came forward and Eagle Scout Tehan. Mr. Davis then read and presented the proclamation.
3. ~~Eagle Scout – Robert L. Garner, Cold Harbor Magisterial District~~ – unable to attend the meeting.

**B. Presentation and Acceptance of Donation – Woodmen of the World – Parks and Recreation / Human Services Center**

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Woodmen of the World/Omaha Woodmen Life Insurance Society Lodge 468 is donating six (6) 5' x 8' United States flags to Parks and Recreation and one (1) flag to the Hanover Human Services Center. Since 2002, Woodmen of the World have periodically donated flag poles and United States flags to various county departments to be flown at county facilities including fire stations, parks and offices. Mr. Via came forward; Ivy Sager and Stan Thorne also came forward. John Finney, Local Field Rep. A Woodmen of the World representative made a brief presentation about the organization and then presented flags.

### **Planning Public Hearings**

Mr. David Maloney, Acting Director of Planning, came forward to present the Planning Public Hearings.

### **Expedited Public Hearings**

#### **Rezoning**

**C-3-12(c) EMILY E. AND ERNEST H. MASON**, Request to rezone from A-1, Agricultural District to AR-6(c), Agricultural Residential District with conditions on GPIN 7729-49-7047, consisting of approximately 11.10 acres, and located at the terminus of Hearts Ease Lane (Private Road), approximately 2,700 feet south of its intersection with St. Peter's Church Road (State Route 611) in the **SOUTH ANNA MAGISTERIAL DISTRICT**. The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would create a 6.1 acre parcel and a 5.0 acre parcel with an existing residence.

Mr. Rives left the meeting.

Mr. Maloney introduced this request, displayed the General Parcel Map, reviewed background of the request as follows:

#### **Executive Summary:**

- ❖ The rezoning will allow a boundary adjustment between two existing parcels:
  - Parcel A – 6.1 acres to be added to the adjacent Parcel C
    - Parcel C is owned by the applicants' daughter
  - Parcel B – 5.0 acres to remain with the existing house

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❖ The existing access for both parcels will remain unchanged

Conceptual Plan was displayed and parcels C, A and B were pointed out.

Recommendations:

The Planning Commission and staff recommend **APPROVAL** subject to the submitted proffers and conceptual plan

The Chairman asked Board Members if they had any questions. Hearing none, opened the public hearing and asked all those in favor or in opposition to this request to come forward.

Mr. Ernest Mason, Applicant, came forward, advised they do not live on Beaverdam Road as stated in the staff presentation and corrected the location to St. Peters Church Road. Mr. Mason reviewed the reasons for the request as the community had several misconceptions – there will be no large subdivision nor will there be a school built. They will sell their current house which was primarily used when they had all their family and at times extended family living together and build a new home more suitable for a downsized family.

Mr. Harlan Mason, South Anna Magisterial District, came forward to review the original intent was to keep the 11 acres with his parents home and since that time there is now a sixth generation on the property and they want to keep as much of the land on hand for the grandchildren through the sister's acceptance of the proffers they have added 6 acres to her parcel to make this available for them now and in the future, discussed property line of sister's home and through the acceptance of these proffers the property line is moved back about equal distances from their parents home which is intended for sale and his sister's house which sets up a more appropriate boundary for both homes into the future. The acceptance of this proffer minimizes further homes being built on either parcels of land.

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Mr. Hazzard asked about the proffers. Mr. Maloney reviewed the proffers are very basic, developing the property in accordance with the conceptual plan as displayed as well as actually moving the property line in that location. What really transpired to require the rezoning, the adjacent property was less than 10 acres and you can always add land to a non-conforming lot, the minimum lot size in the A-1 district is ten acres. With 11 plus acres they could have added some property but not as much as they wanted to the existing smaller lot. In order to create two equal parcels they chose to rezone which would allow a smaller lot size in the AR-6 District than what would otherwise be required in A-1.

Mr. Rives returned to the meeting. Seeing no one else come forward, the Chairman closed the public hearing. Hearing no further questions from the Board, entertained a motion.

Mr. Hazzard made comments in support of the request and then made a motion for approval, seconded by Mr. Stanley, the Board approved C-3-12(c) with conditions.

**ORDINANCE C-3-12(c)**

**OWNER OF RECORD:** EMILY E. AND ERNEST H. MASON

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 25<sup>th</sup> day of July, 2012, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

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NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPIN 7729-29-7047, consisting of 11.10± acres located at the terminus of Hearts Ease Lane (Private Road), approximately 2,700 feet south of its intersection with St. Peter’s Church Road (State Route 611), (a detailed description is filed with the Board’s papers) from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on May 31, 2012, and accepted by the Board:

1. Conceptual Plan. The property shall be divided in substantial conformity with the conceptual plan attached, titled “Mason Conceptual Plan,” dated March 27, 2012, and prepared by Ernest H. Mason.
2. Property Line Adjustment. As shown on the Conceptual Plan, Parcel “A” shall be added to GPIN 7729-49-2212 within six (6) months of the date of rezoning approved by the Board of Supervisors.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

The members of the Board of Supervisors voted to approve Ordinance C-3-12(c), Emily E. and Ernest H. Mason, as follows:

	Vote:
G. E. “Ed” Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

C-3-12(c) Approved

**Special Exceptions**

**SE-12-12 KRISTINE A. AND STEPHEN O. MIHAJLOVITS**, Request a Special Exception Permit in accordance with Title I, Article 5, Section 1.6.25 of the Hanover County Zoning Ordinance to allow an accessory family housing unit on GPIN 7852-33-0909, consisting of approximately 13.6 acres, zoned A-1, Agricultural District, and located at the terminus of

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Wood Pasture Lane (Private Road) approximately 1,400 feet south of its intersection with Tower Road (State Route 795) in the **BEAVERDAM MAGISTERIAL DISTRICT**.

Mr. Maloney introduced this request, displayed the General Parcel Map, reviewed background of the request as follows:

Planning Analysis:

- ❖ The garage was constructed in 2006 by the previous owners
  - The interior of the 2<sup>nd</sup> story was never completed
- ❖ The applicants would like to finish construction of the 2<sup>nd</sup> story to allow a residence for a family member

The sketch plan was displayed which showed location of garage in relationship to the property and 150 ft. from the boundary line.

Staff Recommendation:

**APPROVAL** subject to conditions as outlined in the staff report

The Chairman asked Board Members if they had any questions. Hearing none, opened the public hearing and asked all those in favor or in opposition to this request to come forward.

Mr. Mihajlovitz, Applicant, came forward, advised that they recently purchased the property with the goal of the garage being used in the future for an apartment, for caretakers of their horses, pastures and barn.

Seeing no one else come forward, the Chairman closed the public hearing. Hearing no further questions from the Board, entertained a motion.

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Mr. Stanley advised that he has spoken to Mr. Mihajlovitz related to the request. Mr. Stanley then made a motion to approve, seconded by Mr. Wade, the Board approved SE-12-12 with conditions.

**RESOLUTION**

WHEREAS the Board finds that, in its opinion, as a matter of fact, such exception will not substantially affect adversely the uses of adjacent and neighboring property.

NOW, THEREFORE, BE IT RESOLVED that Stephen O. and Kristine A. Mihajlovits are granted a Special Exception Permit in accordance with Title I, Article 5, Section 1.6.25 of the Hanover County Zoning Ordinance to allow an accessory family housing unit on GPIN 7852-33-0909, consisting of approximately 13.6 acres, zoned A-1, Agricultural District, and located at the terminus of Wood Pasture Lane (Private Road) approximately 1,400 feet south of its intersection with Tower Road (State Route 795) in the Beaverdam Magisterial District subject to the following conditions:

1. The accessory housing unit shall be developed in substantial conformity with the sketch plan, titled "Mihajlovits Sketch Plan," dated May 15, 2012 and prepared by Stephen Mihajlovits.
2. This permit shall be valid for three (3) years following the date of approval, or until the family member no longer resides within the accessory housing unit, whichever occurs first. The permit shall then be void unless the Director of Planning approves an extension beyond that time pursuant to written application. If approved, all original conditions of approval shall continue in effect. If disapproved, or when the family member no longer resides in the unit, the stove shall be removed from the kitchen and use of the garage as

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an accessory housing unit shall cease. The applicants shall notify the Hanover County Planning Office if the family member ceases to reside in the unit.

3. All requirements of the Building Inspector's Office and the Hanover County Health Department shall be met.
4. All development and use of the Property shall comply with all federal, state and local statutes, ordinances and regulations.

The members of the Board of Supervisors voted to approve this resolution as follows:

	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

SE-12-12 Approved

**SE-13-12 SUSAN AND GLENN SHERROD**, Request a Special Exception Permit in accordance with Title I, Article 5, Section 1.6.25 of the Hanover County Zoning Ordinance to allow an accessory family housing unit on GPIN 7779-41-6731, consisting of approximately 4.5 acres, zoned A-1, Agricultural District, and located at the terminus of Holly Oaks Lane (Private Road) approximately 600 feet south of its intersection with Gwathmey Church Road (State Route 663) in the **SOUTH ANNA MAGISTERIAL DISTRICT**.

Mr. Maloney introduced this request, displayed the General Parcel Map, reviewed background of the request as follows:

Planning Analysis:

- ❖ The accessory unit is for the parents of one of the applicants
- ❖ The 1<sup>st</sup> floor of the garage will serve as the accessory housing unit and the 2<sup>nd</sup> floor will be used for storage
  - The 1<sup>st</sup> floor is constructed to serve as a 3 bay garage in the future

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- ❖ The garage will be attached to the existing house and will be constructed with similar materials; therefore, it will be compatible with the surrounding area

Elevations, Site Layout and Floor Plan were displayed.

Staff Recommendation:

**APPROVAL** subject to conditions as outlined in the staff report

The Chairman asked Board Members if they had any questions. Hearing none, opened the public hearing and asked all those in favor or in opposition to this request to come forward.

Mrs. Susan Sherrod, South Anna Magisterial District, came forward to advise this is to assist her parents. Wanted to clarify the garage will not be attached to the house. Will have some separation. Mr. Maloney stated staff may have misinterpreted, it may need to be clarified as a breezeway.

Seeing no one else come forward, the Chairman closed the public hearing. Hearing no further questions from the Board, entertained a motion.

On a motion by Mr. Hazzard, seconded by Mr. Peterson, the Board approved SE-13-12 with conditions.

**RESOLUTION**

WHEREAS the Board finds that, in its opinion, as a matter of fact, such exception will not substantially affect adversely the uses of adjacent and neighboring property.

NOW, THEREFORE, BE IT RESOLVED that Susan and Glenn Sherrod are granted a Special Exception Permit in accordance with Title I, Article 5, Section 1.6.25 of the Hanover County Zoning Ordinance to allow an accessory family housing unit on GPIN 7779-41-6731, consisting of approximately 4.5 acres, zoned A-1, Agricultural District, and located at the

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terminus of Holly Oaks Lane (Private Road) approximately 600 feet south of its intersection with Gwathmey Church Road (State Route 663) in the South Anna Magisterial District subject to the following conditions:

1. The accessory housing unit shall be developed on the property in conformity with the sketch plan titled "Site Layout, 12076 Holly Oaks Lane, Ashland, VA," prepared by Keith Hunter, and dated June 4, 2012. The accessory housing unit shall have a design and layout generally as shown on the illustrative elevations and floor plan submitted with the application, showing that the unit shall have no more than 840 square feet, which is 24.9% of the area of the 3,367 square foot primary residence.
2. This Special Exception Permit shall be valid for three (3) years following the date of approval, or until the family member no longer resides within the accessory housing unit, whichever occurs first. The permit shall then be void unless the Director of Planning approves an extension beyond that time pursuant to written application. If approved, all original conditions of approval shall continue in effect, unless modified by the Director. If disapproved, or when the family member is no longer a resident of the accessory housing unit, the stove shall be removed from the kitchen and use of the garage as an accessory housing unit shall cease. The applicants shall notify the Hanover County Planning Office if this occurs, and upon request of the County, shall provide evidence of continued compliance.
3. All requirements of the Building Inspector's Office and the Hanover County Health Department shall be met.
4. All development and use of the Property shall comply with all federal, State and local statutes, ordinances and regulations.

The members of the Board of Supervisors voted to approve this resolution as follows:

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	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

SE-13-12 Approved

**Individual Public Hearings**

**Conditional Use Permit**

**CUP-2-12 DOMINION LAND & DEVELOPMENT CORPORATION AND NORTHLAKE LAND INVESTMENTS**, Request a Conditional Use Permit in accordance with Title I, Article 7, Section 3.2.25(f), of the Hanover County Zoning Ordinance to permit two (2) freestanding destination commerce signs on GPIN 7788-69-2400 (Location 1), and GPIN 7789-51-4882 (Location 2) consisting of approximately 19.68 acres. The area of the Conditional Use Permit will be limited to approximately 0.50 acres (0.25 acres at each location). The property is zoned M-2(c), Light Industrial District with conditions, and is generally located on the northwest quadrant of the Interstate 95/Lewistown Road (State Route 802) interchange. Location 1 is on the west line of Interstate 95 approximately 1,125 feet north of Lewistown Road, and Location 2 is on the west line of Interstate 95 approximately 4,125 feet north of Lewistown Road, in the **ASHLAND MAGISTERIAL DISTRICT**. The subject property is designated on the General Land Use Plan Map as Destination Commerce.

Mr. Maloney introduced this request, displayed the General Parcel Map, reviewed background of the request as follows:

**Comprehensive Plan:**

- ❖ The land use plan designates the area parallel to I-95 and east of North Lakeridge Parkway as Destination Commerce
- ❖ Destination Commerce areas are intended to accommodate:
  - Uses for which Interstate visibility and access is critical
  - Uses that are regional in scope and unique in character
  - Uses that draw customers from beyond the boundaries of the County and region

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- ❖ The users currently proposed for this development include:
  - Existing Rolling Hills RV
  - Future Harley Davidson
  - Future Outlets at Richmond
- ❖ These businesses meet the criteria for Destination Commerce uses; however, all future businesses within the development (and advertised on the sign) must also meet the criteria
- ❖ The sign ordinance requires that Destination Commerce developments be at least 100 acres
- ❖ The 3 proposed tenants do not meet this acreage requirement
  - Prior to site plan approval for the first sign a conceptual unified plan of development must be submitted which demonstrates the project will meet the requirements of the destination land use classification (100 acre minimum) per the destination commerce sign ordinance

### Elevations:

- ❖ The submitted elevations include materials that are consistent with those proffered with the underlying zoning
- ❖ The signs meet the size and height criteria as established in the ordinance and the applicants have indicated their understanding of the following requirements:
  - The sign can only advertise on-site tenants
  - LED images must remain on screen for at least 10 seconds (as outlined in the Ord.)
  - No special effects are permitted

### Transportation:

- ❖ VDOT must review and approve the location of the signs prior to site plan approval
- ❖ Since the staff report was issued, the FAA completed its review of the height of the signs and has provided a “no-hazard determination” for each sign location

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The area the applicant intends to develop for destination commerce uses was outlined for the Board in blue and location of sign 1 – Lewistown road and location of sign 2 were displayed. The detail of how the sign will be situated on the particular parcel was displayed and showed general landscaping. The applicant has submitted the elevations of the proposed sign and photo simulations were displayed and location from 95 north and south.

Recommendations:

The Planning Commission and staff recommend **APPROVAL** subject to the conditions as outlined in the staff report.

The Chairman asked Board Members if they had any questions. Hearing none, opened the public hearing and asked all those in favor or in opposition to this request to come forward.

Ms. Caroline Cooke, Beaverdam MD, came forward to address the Board and stated that one of the comments that came out of the presentation to Planning Commission, Ms. Winborne raised a question about name on the sign Outlets of Richmond would like to see Hanover on the sign instead of Richmond.

Ms. Kaye Pangraze, Applicant Representative for the Northlake Developer and Outlet Center Developer, came forward and advised she and the Northlake Developer met with representatives from VDOT today and wanted to clarify what their position was as they had not received anything formal and wanted to review the locations with VDOT. VDOT reps advised they would formally provide letter of agreement for the two locations based on premise signage which is one of the requirements of installation of the signs, had a conference call with the outlet center developers and they had received information regarding the option of including Hanover

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in the name and it is under consideration but Ms. Pangraze cannot say if they have made a definitive decision one way or the other but they respect the fact that is part of the request from the Board of Supervisors and Planning Commission. Mr. Davis mentioned that Ms. Pangraze attended a number of meetings specific to the Hanover Tourism Supporters and the branding meeting as well and that she was aware of the partnership we have here. Mr. Davis asked it is under consideration until when and if the developers were aware the vote would be held this evening. Ms. Pangraze advised they were but could not say one way or the other tonight. Mr. Davis asked if they understood Ms. Pangraze's participation in the Hanover Tourism Supporters and the branding etc. Ms. Pangraze advised yes and when she received the preliminary sketch she supplied a couple of options for them to review on name options. Mr. Davis then asked how far outside any locality would someone be and still name with a different locality name. Ms. Pangraze advised she does not have a response for that.

Seeing no one come forward, the Chairman closed the public hearing. Hearing no further questions from the Board, entertained a motion.

Mr. Via made comments that this is a great destination location for Hanover County and hopefully as the economy improves that area will build out and be very good money maker for Hanover County. Mr. Via then made a motion for approval of CUP-2-12, seconded by Mr. Hazzard.

Mr. Peterson complimented the team for the overall design, this Board has no authority to tell anyone what to name their business, the suggested alternative was then displayed, Hanover Outlets at Richmond for future consideration. Mr. Peterson advised that the Planning

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Commission Minutes stated the final name had not been selected at this time and asked that Hanover is identified so we can all be successful.

Mr. Stanley agrees with Mr. Peterson. Mentioned the change that BassPro did as it started out as BassPro Hanover and then switched to BassPro Richmond.

**RESOLUTION**

WHEREAS after a public hearing held on this 25th, day of July, 2012, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.1-431 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Dominion Land & Development Corporation is granted a Conditional Use Permit in accordance with Title I, Article 7, Section 3.2.25(f), of the Hanover County Zoning Ordinance to permit two (2) freestanding destination commerce signs on GPIN 7788-69-2400 (Location 1), and GPIN 7789-51-4882 (Location 2) consisting of approximately 19.68 acres. The area of the Conditional Use Permit will be limited to approximately 0.50 acres (0.25 acres at each location). The property is zoned M-2(c), Light Industrial District with conditions, and is generally located on the northwest quadrant of the Interstate 95/Lewistown Road (State Route 802) interchange. Location 1 is on the west line of Interstate 95 approximately 1,125 feet north of Lewistown Road, and Location 2 is on the west line of Interstate 95 approximately 4,125 feet north of Lewistown Road, in the Ashland Magisterial District, subject to the following conditions:

1. The two subject destination commerce signs shall be designed, located and constructed in substantial conformity with the sketch plans and elevations set titled, "Proposed LED Signage for Northlake Subdivision," prepared by StudioProgetti, and Craig Realty Group received by the Planning Department on June 7, 2012.

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2. A master sketch plan of the destination commerce development shall be submitted for review and approval prior to site plan approval for either sign location, which shows all parcels included in this destination commerce development, the total acreage and the proposed.
3. Construction of either of the two destination commerce signs shall not begin prior to issuance of building permits for the construction of the “outlets” site within the Northlake Subdivision development.
4. Use of either destination commerce sign for advertisement of the “outlets” may commence only after approval of the first framing inspection of the “outlets” structures by the Building Inspection Department.
5. Prior to issuance of building permits for either sign, the owners shall submit evidence to the Planning Department that the signs are exempt from or are in compliance with the Virginia Department of Transportation’s outdoor advertising permit regulations.
6. Within 5 days of the date that each sign is constructed to its greatest height, the owners shall file Form 7460-2, Part II, with the Federal Aviation Administration, and provide a copy of the form and all supporting documentation to the Hanover County Department of Public Works.
7. At the time a building permit application is submitted for either sign, the sign owner shall submit to the Planning Department a maintenance plan, which shall include the schedule required to keep the signs in general conformity with the approved elevations.
8. All development and use of the Property shall comply with all federal, State and local statutes, ordinances and regulations.

The members of the Board of Supervisors voted to approve this resolution as follows:

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	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

The Board approved CUP-2-12 with conditions.

**Ordinance Amendment**

**ORDINANCE 12-01  
SIGN REGULATIONS APPLICABLE TO REAL ESTATE**

An Ordinance to amend the Hanover County Code, Appendix, Title I, Zoning Ordinance, Article 7, Section 3.2 to amend the regulations related to signs to provide that temporary real estate sales signs and permanent directional signs may be permitted within the RC, Rural Conservation District, the RS, Single-Family Residential District and the RM, Multi-Family Residential District under certain specified conditions.

Mr. Maloney introduced this request, displayed the General Parcel Map, reviewed background of the request as follows:

- ❖ Amend the sign ordinance to permit, with conditions, temporary real estate signs and permanent directional signs within the RC, Rural Conservation District, RS, Single-Family Residential District and the RM, Multi-Family Residential District. Mr. Maloney advised there is another residential district MX and there are sign requirements particular to that district.

**Planning Analysis:**

- ❖ This Ordinance will provide for additional advertising and directional signs, both temporary and permanent, within residential developments
- ❖ Temporary sales signs:

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- Limited to 6' by 10' with a sign face area not to exceed 4' by 8'
- Permitted at each development entrance and at the intersection of 2 through crossroads within a development provided they are within common open space

❖ Permanent directional signs:

- Sign face area not to exceed 4' by 4'
- Permitted within common open space or within an easement shown on the conceptual plan and the recorded subdivision plat

Recommendations:

The Planning Commission and staff recommend **APPROVAL** of draft Ordinance 12-01, Sign Regulations Applicable to Real Estate

Input was received from the Development, Building and Real Estate industries, letters of support from the Richmond Association of Homebuilders and Richmond Association of Realtors that were presented to the Planning Commission and after the Board packet went out staff received an additional letter of support to the Board from the Richmond Association of Realtors in support of the ordinance as drafted (Exhibit 2 of 2, dated July 20, 2012).

The Chairman asked Board Members if they had any questions. Hearing none, opened the public hearing and asked all those in favor or in opposition to this request to come forward.

Seeing no one come forward, the Chairman closed the public hearing. Hearing no further questions from the Board, entertained a motion.

On a motion by Mr. Hazzard, seconded by Mr. Wade, the Board approved Ordinance 12-01.

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ORDINANCE 12 - 01

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, APPENDIX, TITLE I, ZONING ORDINANCE, ARTICLE 7, SECTION 3.2 TO AMEND THE REGULATIONS RELATED TO SIGNS TO PROVIDE THAT TEMPORARY SALES SIGNS AND PERMANENT DIRECTIONAL SIGNS MAY BE PERMITTED WITHIN THE RC RURAL CONSERVATION DISTRICT, THE RS SINGLE-FAMILY RESIDENTIAL DISTRICT AND THE RM MULTI-FAMILY RESIDENTIAL DISTRICT UNDER CERTAIN SPECIFIED CONDITIONS.

WHEREAS the Hanover County Board of Supervisors has determined that the general sign regulations located in the Hanover County Zoning Ordinance applicable to the RS Single-Family Residential District and the RM Multi-Family Residential District should be amended to permit for the construction of temporary sales signs and permanent directional signs within a development; and

WHEREAS the Board of Supervisors finds that the public necessity, convenience, general welfare and good zoning practice require that the Zoning Ordinance be amended to provide for such regulations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That the Hanover County Code, Appendix, Zoning Ordinance, Title I, Article 7 Section 3.2, subsection (22), regarding general sign requirements applicable to agricultural and residential districts, shall be amended to read in its entirety as follows:

*3.2 General requirements, all signs.* The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this ordinance:

\* \* \*

22. Agricultural/residential district requirements.

- (a) The following signs are permitted in the A-1, AR-2, AR-1, RC, AR-6, RS, R-1, R-2, R-3, R-4, R-5, and RM Zoning Districts:

- (1) A name plate or directional sign, limited in area to two (2) square feet, to identify the owner or occupant of a dwelling or building or a permitted home occupation.

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- (2) "No trespassing" or "No Hunting" signs, without limitations on number or placement, limited in area to two (2) square feet each.
  - (3) A sign, limited in area to twenty (20) square feet, neatly constructed and maintained, advertising products raised on the premises.
  - (4) A sign, limited in area to ten (10) square feet, for identification of a farm or estate, or a sign, limited in area to twenty (20) square feet, for a subdivision or its occupants, with one (1) sign being permitted for each entrance. When two (2) single face signs are placed on either side of an entrance to a subdivision, each sign may comprise up to twenty (20) square feet.
  - (5) A sign for a church bulletin board or identification of permitted public and semipublic uses, recreational uses, or clubs. The sign shall conform to the size and location regulations contained in section 24(a), below.
  - (6) A temporary sign, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in progress, limited to thirty-two (32) square feet.
  - (7) Signs, other than those permitted by subsection 22 (d), below, at locations on or off the premises, limited to the direction of the traveling public, truck deliveries, and employees to a subdivision or community, a construction site or excavation, airport, or other center of employment or visitor center or recreational facility, limited in area to six (6) square feet.
- (b) Except as provided in subsection 22 (c), below, in the RM, R-3, R-4, and R-5 Zoning Districts a sign, limited in area to ten (10) square feet, giving the name and/or address or management of a multiple-family dwelling or group of multiple-family dwellings shall be permitted in addition to those limited in section 22(a). If such sign is placed on a marquee, awning, or canopy, the height of letters shall not exceed one (1) foot.
  - (c) In the RM District within which a manufactured home community is located, a sign, limited in area to thirty-two (32) square feet, giving the name and/or address of management of a manufactured home community shall be permitted in addition to those listed in sections 22(a) and 22(b).
  - (d) Within a development in the RC, RS or RM Zoning Districts, the following internal directional signs shall also be permitted:(1)
    - Temporary sales signs directing the public to houses or lots for sale within a development (or section of a development), in accordance with the following:
      - a. Signs at the entrance to the development.
        - i. One sales sign shall be permitted at each entrance to the development; and

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- ii. An entrance sales sign shall be removed when building permits have been issued for 95% of the lots within the development.
  - b. Internal sales signs.
    - i. One sign shall be permitted at each intersection of two through cross roads within the development; and
    - ii. An internal sales sign shall be removed when building permits have been issued for 95% of the lots (a) within the section or subdivision advertised or (b) within the section or subdivision in which the sign is located, whichever occurs first.
  - c. The area of any temporary sales sign permitted by this subsection shall not exceed six feet by ten feet, and the area of the sign face shall not exceed four feet by eight feet.
  - d. Temporary sales signs permitted by this subsection shall be located within common open space owned by a homeowners' association.
  - e. Temporary sales signs shall not be lighted in any way.
- (2) Permanent internal directional signs directing the public to residential sections, amenities, or improvements within the development shall be permitted in accordance with the following:
- a. The area of the sign face shall not exceed four feet by four feet;
  - b. All internal directional signs shall be located on common open space or within an easement as shown on conceptual plan and recorded subdivision plat;
  - c. Such signs shall be owned and maintained by the owners' association; and
  - d. Permanent internal directional signs shall not be lighted in any way.

For purposes of this subsection, a development shall be a recorded subdivision, or multiple recorded subdivisions, that are developed and marketed as a single community.

2. This ordinance shall be effective on the date of adoption.

The members of the Board of Supervisors voted to approve Ordinance No. 12-01 as follows:

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	Vote:
G. E. "Ed" Via, III	Aye
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Absent
Aubrey M. Stanley	Aye
Elton J. Wade, Sr.	Aye

Ordinance 12-01 Approved

**Announcements**

There were no announcements.

**Adjournment**

At 7:50 p.m., the Chairman adjourned the meeting to August 22, 2012 – Hanover County

Administration Building – 2:00 p.m.



CHAIRMAN