

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 30TH DAY OF MARCH, NINETEEN HUNDRED EIGHTY-NINE, AT 7:00 P.M. IN THE AUDITORIUM AT LAFAYETTE HIGH SCHOOL, 4460 LONGHILL ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Thomas D. Mahone, Chairman, Jamestown District
Stewart U. Taylor, Vice-Chairman, Stonehouse District

Jack D. Edwards, Berkeley District
Perry M. DePue, Powhatan District
Thomas K. Norment, Jr., Roberts District
David B. Norman, County Administrator

B. PUBLIC HEARINGS

1. Case No. Z-1-89 and Case No. CP-6-88. Non-PSA Development Policy A-1 and A-2 Zoning Ordinance Amendments

Mr. Marvin Sowers, Jr., Director of Planning, presented the proposed amendments' relationship to the Comprehensive Plan and the Zoning Ordinance.

Mr. John McDonald, Manager, Financial and Management Services, defined a survey prepared by the Real Estate Assessments office on the anticipated input of the proposed Zoning Ordinance on the County's tax base.

Mr. Martin Garrett, Planning Commission Vice Chairman, explained reasons for the Planning Commission's decision recommending the proposed amendment to the minimum lot size and land use provision of the A-1 section of the Zoning Ordinance.

Mr. Mahone opened the public hearings.

1. Mr. Calvin Roseberry, III, President of the Williamsburg Area Chamber of Commerce, spoke in opposition to the proposed amendment suggesting the need to provide industrial and commercial areas in the A-1 zoning district, that certain agricultural uses should not require a special use permit and suggesting an overall maximum density of one unit per two acres or less depending on the availability of public utilities.

2. Mr. Andy Bradshaw, P.O. Box 456, Norge, opposed the proposed amendment citing reasons as an increase in the cost of housing, driving residential uses into the Primary Service Area, causing congestion, and obtaining special use permits is expensive and difficult.

3. Ms. Cheryl Ferreira, Vice President of the Norge Civic Association, 100 Fairmont Drive, expressed the Association's support for the proposed Zoning Ordinance amendments.

4. Mr. Calvin C. Owen, Sr., 9932 Fire Tower Road, Toano, spoke in opposition to the changes and voiced his concern for dividing the County's rural and urban area.

5. Ms. Paige Hewlett, 403 Neck-O-Land Road, expressed her concern suggesting that the amendment will depress property values in Non-PSA areas and inflate property values within the PSA. Mrs. Hewlett opposed the zoning amendment.

6. Mr. Edward Bell, Chairman of the Coalition for Quality Growth, 115 Fall East, informed the Board that the Coalition at its last meeting had voted to support the proposed zoning changes.

7. Mr. A. W. Durant, Williamsburg, landowner in Stonehouse District, spoke in opposition to the proposed amendments.

8. Ms. Susan McCleary, 129 Mirror Lake Drive, spoke in support of the proposed amendments stating that affordable housing would not be affected since few opportunities for affordable housing exist, that this is an effort for controlled growth, and action should be taken.

9. Mr. Ryan Jones, 2987 John Tyler Highway, asked the Board to oppose the amendments, suggesting that the proposal would reduce opportunities for free enterprise.

10. Mr. Sam Hazelwood, P.O. Box 27, Toano, opposed the proposed amendments stating that construction of duplexes or fish farming would not be allowed in an A-1 zoning district, and he further expressed concern for the costs and difficulty of acquiring a special use permit.

11. Mr. G. J. Mayfield, 5098 Riverview Road, spoke in opposition to the proposed amendments citing its effect on property values.

12. Mr. Robert Jones, 2983 John Tyler Highway, stated he supports growth control, wants more County unity, and opposes the proposed amendments.

13. Mr. David Ware, Jr., 6967 Richmond Road, opposed the proposal relating that a trust problem, rather than a growth problem, exists.

14. Mr. Howard Clayton, 119 Smith Street, Yorktown, representing 13 individuals who own 1,367 acres of land in the A-1 zoning district, spoke in opposition to the proposed amendments.

15. Mr. Charlie Crawford, P.O. Box 142, Toano, spoke in opposition stating concerns about obtaining a special use permit to operate an antique business in the A-1 zone if the proposal was approved. Mr. Crawford concluded that he would seek legal action if the proposed zoning amendments are approved.

16. Mr. Jack Scruggs, Norge, opposed the zoning amendment due to the anticipated negative effect on property values, and he stated that 40,000 square foot lot minimums were adequate to handle residential septic systems.

17. Mr. Robert F. Sherman, 1308 Lightfoot Road, spoke in opposition to the amendments.

18. Reverend J. B. Tabb, 4024 Ironbound Road, representing the congregation of his church, expressed opposition to the proposal.

19. Mr. William Beck, P.O. Box 324, Toano, spoke in opposition to the proposal.

20. Mr. Walker Ware, Cypress Point Drive, stated that one-acre lots were adequate in the A-1 zoning district.

21. Ms. Mildred Wright, 4797 Fenton Mill Road, stated that more trust was needed between the Upper and Lower County, and suggested that the Board of Supervisors place a moratorium on development.

22. Mr. Michael Smith, P.O. Box 702, Lightfoot, expressed opposition to the proposal.

23. Ms. Beverly Hall, 8509 Richmond Road, Toano, stated concerns for effect on property values, and suggested that the Board of Supervisors support the majority of the people.

24. Ms. Gladys Jones, 2981 John Tyler Highway, stated that she opposed the proposal.

25. Mr. John Filichko, 9290 Six Mt. Zion Road, expressed opposition to the proposal.

26. Mr. Jay Everson, 130 Oslo Court, spoke in favor of the proposal which would provide tools to better manage growth and improve the County's future.

27. Mr. M. O. Smith, P.O. Box 636, spoke in opposition to the proposal.

28. Ms. Linda Crump, 5206 Riverview Road, voiced her opposition, stating that the area residents would not benefit from the proposal.

29. Mr. Jim Dorsey, 105 Glenwood Drive, expressed support for the proposal which shows foresight and thought, and added that additional growth management tools were needed.

30. Mr. Frank Tsutras, 204 Richard Brewster, asked the Board to respect the attitude of the residents and disapprove the proposal. He further felt that staff and A-1 residents have a breach in communications.

31. Mr. Howard Smith, 101 Dogwood Drive, expressed concern about the difficulty of obtaining a special use permit as the proposal would require special use permits for most commercial and industrial uses in the A-1 zoning district.

32. Mr. Gene Farley, 4125 S. Riverside, Lanexa, stated citizens had insufficient time to respond to the amended Planning Commission recommendation, which lowers the minimum lot size from 10 acres to 3 acres.

33. Ms. Inez Mihalcoe, 4627 Ware Creek Road, asked how long a special use permit would be valid. She further stated that the proposed zoning amendments would devalue and restrict the use of land.

34. Mr. Mel Bryant, Farmville Lane, Norge, stated that not all residents of Norge were in favor of the proposal.

Mr. Mahone closed the public hearings.

Mr. Taylor made a motion to delete the proposed amendment, recommended by the Planning Commission, to the Zoning Ordinance.

On a roll call, the vote was: AYE: Taylor (1). NAY: Norment, Edwards, DePue, Mahone (4).

Mr. Taylor made a motion to indefinitely table the vote.

On a roll call, the vote was: AYE: Taylor (1). NAY: Norment, Edwards, DePue, Mahone (4).

Mr. DePue made a motion to consider and act on the proposed zoning amendments at the regular Board of Supervisors meeting on May 1, 1989.

On a roll call, the vote was: AYE: Norment, Taylor, Edwards, DePue, Mahone (5). NAY: (0).

Mr. Mahone made a motion to approve the ordinance establishing a procedure for obtaining vested rights relating to the proposed zoning amendment.

On a roll call, the vote was: AYE: Norment, Edwards, DePue, Mahone (4). NAY: Taylor (1).

R E S O L U T I O N

ZONING ORDINANCE TRANSITION

WHEREAS, the Board of Supervisors is considering a comprehensive revision and amendment of Article IV, Districts Division 2, General Agricultural, District, A-1 and Division 3, Limited Agricultural District, A-2 of Chapter 20, Zoning of the Code of the County of James City, Virginia; and

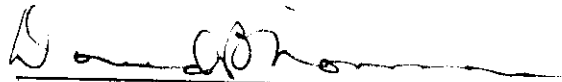
WHEREAS, the orderly transition from the existing zoning regulations to revised regulations requires a transition period to effect the changes in law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that only those site plans and subdivision plans having preliminary approval on or before the date of the adoption of the comprehensive revision and amendment of Article IV Districts, Division 2, General Agricultural District A-1 and Division 3, Limited Agricultural, District, A-2 of Chapter 20, Zoning, of the Code of the County of James City, Virginia, shall have vested rights under the regulations in effect prior to the adoption of the comprehensive revision.

Mr. Taylor made a motion to adjourn.

On a roll call, the vote was: AYE: Norment, Taylor, Edwards, DePue, Mahone (5). NAY: (0).

The Board adjourned at 10:45 p.m.



David B. Norman
Clerk to the Board

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