

KING GEORGE COUNTY



VIRGINIA

Board of Zoning Appeals
10459 Courthouse Drive, Suite 104
King George, VA 22485

Dr. Robert V. Gates, *Chairman*

AGENDA

Board of Zoning Appeals
February 25, 2020
6:30 p.m.

1. Call to Order.
2. Approval of Minutes.
- Meeting of January 28, 2020
3. Public Hearings.
None
4. Old Business.
None
5. New Business.
- Harold Anderson Commendation
6. Other Business.
None
7. Adjournment.

THE KING GEORGE COUNTY BOARD OF ZONING APPEALS
January 28, 2020

The regular meeting of the King George County Board of Zoning Appeals (BZA) was called to order at 6:31 PM by Chairman, Dr. Robert V. Gates in the Board Room of the Revercomb Building, located at 10459 Courthouse Drive, King George County Virginia 22485.

Staff Present: Louis Pancotti, Planner
Jaci Fish, Recording Secretary

Members Present: Chairman, Dr. Robert V. Gates
Jason Greenwood
Caroline Mack
Steve Tarrell
Penny Smith

Members Absent: Vice Chairman, Harold Anderson

Quorum:
Chairman, Dr. Gates called the meeting to order at 6:31 PM and noted there was a quorum.

Approval of Minutes:

Approval of King George County (KGC) Board of Zoning Appeals (BZA) meeting minutes included: April 23, 2019.

There being no revisions, Chairman, Dr. Gates called for a motion. A motion from Ms. Mack to approve the April 23, 2019 meeting minutes was made, seconded by Mr. Greenwood, and carried by a vote of 4-0-1. Each member voting as follows: Chairman, Dr. Gates, Aye; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Abstain and Mr. Tarrell, Aye.

Public Hearing: No public hearings.

Old Business: No old business.

New Business:

a. Annual Report

- BZA Board members reviewed the BZA 2019 Annual Report, including but not limited to: Term of Office, Variance Requests, Appeals to Zoning Administrators Determinations, and Membership.

After review of the BZA 2019 Annual Report, Chairman, Dr. Gates called for a motion. A motion from Mr. Greenwood to approve the BZA 2019 Annual Report was made, seconded by Ms. Mack, and carried by a unanimous vote of 5-0-0. Each member voting as follows: Chairman, Dr. Gates, Aye; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Aye, and Mr. Tarrell, Aye.

b. 2019 Text Amendments Updates:

- Mr. Pancotti, Planner with KGCD CD reviewed 2019 Text Amendments Updates.
 - **Case Number 19-01-Z01:** Zoning Ordinance Text Amendment to Section 1.9 Definition of Terms, Section 2.9.3 and Section 2.10.3 Commercial uses permitted by Special Exception and Section 2.12.2 Industrial Uses by Right to include Data Centers. Amendment to add Section 4.17 Data Centers.

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- **Case Number 19-06-Z02:** Amendment to the King George County Zoning Ordinance to allow the keeping of chickens in the One-Family Dwelling District, R-1 and General Dwelling District, R-2. Amendment to Sections 1.9, 2.6.2 and 2.7.2, and Article 4.
 - Mr. Tarrell inquired about the fee associated with the keeping of chickens.
 - Mr. Pancotti stated there is a fee of \$25. Mr. Pancotti stated those who would want to keep chickens would submit an application to the KGCD CD. The application would be reviewed for compliance with text amendment regulations.
- Mr. Pancotti stated in January of 2020, **Case Number 19-10-Z03:** Amendment to the King George County Zoning Ordinance to allow microbreweries in the Retail Commercial District, C-1 and General Trade District, C-2 and to allow breweries in the Industrial Light District, I-1 and the Industrial District, I. Amendment to Sections 1.9, 2.9 and 2.11 was approved by the KGCBOS.
 - Mr. Greenwood inquired about microbrewers vs. breweries.
 - Mr. Pancotti stated, a large-scale brewery where the primary use is the production of beer on site for retail or wholesale sale and where beer production exceeds fifteen thousand barrels per year. Permitted accessory uses may include onsite eating establishment, retail sales establishment, office, tasting rooms and used as otherwise permitted in the zoning district. Breweries must be licensed by the Virginia Department of Alcohol Beverage Control and shall operate in accordance with any requirements by the Code of Virginia or other applicable laws.
 - Microbrewery: “a small-scale brewery where beer production shall not to exceed fifteen thousand (15, 000) barrels per year.....”
 - Microbreweries in the Retail District C-1 will automatically permit the use in the General Trade District, C-2, the Industrial Light District, I-1 and the Industrial District, I. Likewise, permitting breweries in the Industrial Light District, I-1 will automatically permit the use in the Industrial District, I.
 - Chairman, Dr. Gates inquired if a microbrewery could sell food.
 - Mr. Pancotti stated yes, microbreweries could sell food as long as they comply with Code of Virginia and other applicable laws.
- c. **2019 KGC Comprehensive Plan Update**
 - Mr. Pancotti stated the 2019 KGC Comprehensive Plan was updated.
 - Mr. Pancotti stated Primary Settlement Areas were updated and reconfigured, i.e. Dahlgren Settlement Area and Route 3/301 Settlement Area.
 - Mr. Pancotti stated language throughout the 2019 KGC Comprehensive Plan was updated.
 - Chairman, Dr. Gates inquired if Primary Settlement Areas, i.e. Dahlgren Primary Settlement Area was reconfigured due to the Naval Surface Warfare Center Dahlgren Division (NSWCDD) base.
 - Mr. Pancotti stated the KGCBOS had interest in shrinking the settlement area around the NSWCDD base.
 - Mr. Pancotti stated the Community Planning Liaison Officer, Naval Support Activity South Potomac, Dahlgren has been working closely with KGCD CD and the 2019 KGC Comp Plan mentions goals for a NSWCDD Military Overlay District.

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d. **Election of Officers**

• **Chairman:**

- Chairman, Dr. Gates called for nomination(s) for the 2020 BZA Chairman from the Board members respectively.
- Ms. Mack nominated Chairman, Dr. Gates respectively. Mr. Greenwood seconded the nomination.
- Chairman, Dr. Gates closed the floor for nominations.
 - A motion from Ms. Mack was made to close the floor for nominations, seconded by Mr. Greenwood, and carried by a vote of 5-0-0. Each member voting as follows: Chairman, Dr. Gates, Aye; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Aye and Mr. Tarrell, Aye.

Chairman, Dr. Gates called for a motion to elect Dr. Gates as the 2020 BZA Chairman. A motion from Ms. Mack was made to elect Chairman, Dr. Gates as the 2020 BZA Chairman, seconded by Mr. Greenwood, and carried by a vote of 4-0-1. Each member voting as follows: Chairman, Dr. Gates, Abstain; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Aye and Mr. Tarrell, Aye.

• **Vice Chairman:**

- Chairman, Dr. Gates called for nomination(s) for the 2020 BZA Vice Chairman from the Board members respectively.
- Ms. Mack nominated Mr. Tarrell respectively. Ms. Smith seconded the nomination.
- Chairman, Dr. Gates closed the floor for nominations.
 - A motion from Ms. Mack was made to close the floor for nominations, seconded by Mr. Greenwood, and carried by a vote of 5-0-0. Each member voting as follows: Chairman, Dr. Gates, Abstain; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Aye and Mr. Tarrell, Aye.

Chairman, Dr. Gates called for a motion to elect Mr. Tarrell as the 2020 BZA Vice Chairman. A motion from Ms. Mack was made, seconded by Mr. Greenwood, and carried by a vote of 4-0-1. Each member voting as follows: Chairman, Dr. Gates, Aye; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Aye, and Mr. Tarrell, Abstain.

e. **Review of By-Laws**

- The BZA Board members reviewed the annual BZA Bylaws.
There being no revisions to the BZA Bylaws, Chairman, Dr. Gates called for a motion. A motion from Ms. Mack to approve the BZA Bylaws was made, seconded by Mr. Tarrell, and carried by a unanimous vote of 5-0-0. Each member voting as follows: Chairman, Dr. Gates, Aye; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Aye, and Mr. Tarrell, Aye.

f. **Establish regular meeting date as fourth Tuesday of each month at 6:30 PM.**

- It was the consensus of the BZA that the regular meeting of the BZA will be held on the fourth Tuesday of each month at 6:30 PM.

g. **Standards of Conduct**

- After review of the proposed 2020 Standards of Conduct, Chairman, Dr. Gates stated numbers 6, 9, and 10 from the 2019 SOC were removed.
 - Number 6: Offer criticism of colleagues or county employees only in private meetings with appropriate individuals or in closed sessions.
 - Number 9: To emphasize planning, policy making and public relations rather than becoming involved in the day to day management of departments or County administration.

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- Number 10: To set clear goals for the County Administrator and/or departments and agency heads and to provide financial resources to help ensure the community is aware of these goals.

There being no revisions to the 2020 SOC, Chairman, Dr. Gates called for a motion. A motion from Ms. Mack was made to adopt the 2020 Standards of Conduct, seconded by Ms. Smith, and carried by a unanimous vote of 5-0-0. Each member voting as follows: Chairman, Dr. Gates, Aye; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Aye, and Mr. Tarrell, Aye.

Other Business:

a. 2020 Disclosure of Real Estate Holdings Filings

- Mr. Pancotti stated for Board members to fill out 2020 Disclosure of Real Estate Holdings Filings and turn completed forms into KGCD CD.
 - Due by February 01, 2020.

b. Upcoming Certified Board of Zoning Appeals Training

- Mr. Pancotti stated the Board of Zoning Training will be held in Richmond, VA at Virginia Commonwealth University.
 - Mr. Pancotti stated BZA Board members may select a training program based on Board members schedule and availability.
- c. Mr. Pancotti stated Mr. Harold Anderson has resigned from the BZA due to health reasons.
 - After discussion, it was the consensus of the Board to schedule a separate BZA meeting to award Mr. Anderson a commendation plaque for his services to KGC and BZA.
 - Discretion of BZA meeting date & time will be left to Mr. Pancotti and what best fits Mr. Anderson's schedule.

Adjournment:

Having completed their agenda, Chairman, Dr. Gates called for a motion to adjourn. Ms. Mack motioned to adjourn, seconded by Mr. Tarrell and carried by a unanimous vote of 5-0-0. Each member voting as follows: Chairman, Dr. Gates, Aye; Mr. Greenwood, Aye; Ms. Mack, Aye; Ms. Smith, Aye, and Mr. Tarrell, Aye. The King George Board of Zoning Appeals adjourned their meeting at 06:48 PM.

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Dr. Robert V. Gates, Chairman
Steve Tarrell, Vice Chairman

COMMENDATION

WHEREAS, the quality of life in King George County is enhanced by the contributions, commitment, and dedication of its citizenry; and

WHEREAS, Mr. Harold Anderson served on the King George County Board of Zoning Appeals for twenty-five years, from April 1995 to January 2020; and

WHEREAS, Mr. Anderson demonstrated serious commitment to the tasks presented; including hearing and acting upon numerous appeals made in the administration or enforcement of the Zoning Ordinance; and

WHEREAS during Mr. Anderson's tenure the Board of Zoning Appeals heard and acted upon many requests for Variances from the regulations of the Zoning Ordinance of King George County, Virginia; and

WHEREAS, Mr. Anderson's contributions and dedication to the Board of Zoning Appeals has enhanced King George County and served as an astounding example of public service;

NOW THEREFORE BE IT RESOLVED, as Chairman of the Board and on behalf of the King George County Board of Zoning Appeals, we do hereby commend and express appreciation to Mr. Harold Anderson for his unselfish contributions to King George County and our admiration for his continuous efforts to define excellence through active support and participation in the service of the County.

Dr. Robert V. Gates, Chairman

King George County Board of Zoning Appeals

12 February 2020

Date