



Mathews County Planning Commission
Regular Meeting
Historic Courthouse
27 Court Street, Mathews, VA 23109

Tuesday, July 8, 2025 at 7:00 PM

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION**
 - 3.A. Mr. Wilton is to give the Invocation
- 4. ROLL CALL / ESTABLISHMENT OF A QUORUM**
- 5. APPROVAL OF AGENDA**
- 6. APPROVAL OF MINUTES**
 - 6.A. Approval of May 13, 2025 Planning Commission Meeting Minutes
- 7. PUBLIC COMMENT PERIOD** *(One opportunity of 3 minutes per speaker)*
- 8. UNFINISHED BUSINESS**
 - 8.A. Agritourism
 - 8.B. Progress on Special Events Permit
- 9. COMMITTEE REPORTS**
 - A. Report from Workforce Housing Committee
- 10. NEW BUSINESS**
 - 10.A. Non-Compliant Conditional Use Permits
 1. **Application 3-CUP-17:** Request from Pamela Mullins for a Conditional Use Permit per Section 175-5.3b(24) of the Mathews County Zoning Ordinance to allow a travel trailer on a

temporary basis. The parcel is known as Tax Map 20 (A) 100, 1022 Church Street, Mathews, VA 23109. The property is in the Rural (RU) Zoning District

2. **Application 3-CUP-18:** Request from Robert Blake for a Conditional Use Permit per Section 175-5.3b (24) of the Mathews County Zoning Ordinance to allow a travel trailer on a temporary basis. The parcel is known as Tax Map 26 (A) 51, 458 Tabernacle Road, Mathews, VA 23109. The property is in the Rural (RU) Zoning District.
3. **Application 3-CUP-20:** Request from Kevin Hunter for a Conditional Use Permit per Section 175-5.3b (24) of the Mathews County Zoning Ordinance to allow a travel trailer on a temporary basis. The parcel is known as Tax Map 35 (A) 147, 336 Hamburg Road, Mathews, VA 23109. The property is in the Rural (RU) Zoning District.

10.B. South Bay Haven

1. Vote for Public Hearing

10.C. Mathews County Board of Supervisors would like the Planning Commission to consider an ordinance exempting Mathews County from zoning and subdivision requirements.

1. June 18th, 2025 Agenda Packet Resolution 2025-21 Excerpt
2. § 15.2-2285. Preparation and adoption of zoning ordinance and map and amendments thereto; appeal

11. **PLANNING DIRECTOR'S REPORT** *Notice of Variance and Appeal*
12. **PLANNING COMMISSION REQUESTS/DIRECTIVES**
13. **PUBLIC COMMENT PERIOD** *(One opportunity of 3 minutes per speaker)*
14. **ADJOURN**

STAFF REPORT
Conditional Use Permit #3-CUP-17
Mathews County, Virginia
Board of Supervisors
October 24, 2017

Property Owner: Pamela S. Mullins
P.O. Box 460
Ark, VA 23003
(804) 384-1366

Applicant: Same

Property Characteristics:

Physical Address: 1022 Church Street
Tax Map: 20 (A) 100
Zoning: Rural
Acreage: .89 acres
Community Planning Area: Central
Magisterial District: Westville
Authority: Article 5.3b(24)

Requested Action:

The applicant is requesting a Conditional Use Permit to allow a travel trailer on a temporary basis on parcel 20 (A) 100.

Background:

The applicant's parcel 20 (A) 100 consists of .89 acres. The parcel has an existing single-family dwelling that is in disrepair and uninhabitable. The applicant has requested to place a travel trailer on the parcel to use on a temporary basis while the house is being renovated. Section 175-5.3b(24) of the Mathews County Zoning Ordinance allows a travel trailer with a Conditional Use Permit under the following circumstances: "Travel trailers (licensed), located outside of travel trailer parks, which are to be occupied for habitation on a temporary basis, other than allowed by Section 175-3b, if the Board of Supervisors grants a temporary conditional use permit and if the applicant agrees in writing to remove the travel trailer on or before the period specified in the permit."

Topography and Physical Features

The site is located on Church Street with an existing entrance. The property is neither within the Chesapeake Bay Preservation Act overlay district nor in the 100-year floodplain.

Surrounding Development and Zoning

All adjacent parcels are zoned Rural (RU). Many of the parcels in the area have been developed with single-family dwellings. Other properties in the area are undeveloped parcels.

Zoning Considerations

A travel trailer is allowed on a temporary basis in the Rural Zoning District with an approved Conditional Use Permit. Department policy has allowed travel trailers to be brought onto a parcel as a temporary dwelling without a conditional use permit, if the travel trailer remains on a very limited basis, e.g. a long weekend. Any longer-term continuous use of a travel trailer requires a conditional use permit. The B-1 district has two campgrounds which are allowed as a by-right use.

There is a provision in the Zoning Ordinance which allows property owners engaged in construction to stay in a travel trailer without a conditional use permit; however, a property owner is required to have a valid building permit for construction work and the trailer must be removed upon completion of the construction work. At the time of this report, the applicant has no valid building permit that would allow them to pursue this avenue.

The travel trailer must be placed in the footprint shown on attached sketch.

Agency Comments

The Health Department has provided comments as follows: "1972 2 bedroom permit on file, black water system, grey water system (older). No inspection document from time of install. An EHS spoke with family who indicated it does exist. With septic tank in driveway at the rear of house. Lines may be as shown in permit or vary from it. Trailer must not be placed on drain field, septic tank or grease trap and drain field. Assuming house repair or replacement if not so inform me. Temporary to be less than 1 year from this date."

The Building Official has indicated that a Flood Zone Permit will not be required.

Public Input

As of the writing of this report, staff has received no public input.

Comprehensive Plan

The 2030 Comprehensive Plan's Future Land Use Map identifies the area as Rural Residential. "This land use category is proposed to include areas of the county that are still rural in character and exhibit very low-density residential uses. The recommended density is one dwelling unit

per 2.5 acres. This category would provide for small-tract, low intensity agriculture and residential uses with larger lots". This lot is a pre-existing, non-conforming lot that is approximately .89 acres in size.

Requirements for Approval of a Conditional Use Permit

Before issuing any conditional use permit, the Planning Commission and the Board of Supervisors shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use and appears on the Official Schedule of District Regulations, or elsewhere in the ordinance;
2. Will be harmonious with and in accordance with the general objectives of the County's Comprehensive Plan and the Zoning Ordinance;
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
4. Will not be hazardous or disturbing to existing or future neighboring uses;
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the County;
7. Will not involve uses, activities, processes, materials equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors;
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
10. Will not result in the destruction or degradation of sensitive environmental features.

And that before any conditional use permit shall be issued, the governing body shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangement has been made concerning the following, where applicable:

1. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;
2. Off-street parking and loading areas where required, with particular attention to the items in No. 1 above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district;

3. Refuse and service areas, with particular attention to the items in No. 1 and No. 2 above;
4. Utilities, with reference to locations, availability and compatibility;
5. Screening and buffering with reference to type, dimensions and character;
6. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
7. Required yard and other open space; and
8. General compatibility with adjacent properties and other property in the district.

Staff Recommendation

Staff supports approval of Case No. 3-CUP-17. Staff finds this temporary proposal to be a reasonable use of the property with minimal impacts to the adjacent development. With appropriate conditions, the proposal should be harmonious with the existing character of the general vicinity. Should the Planning Commission or Board of Supervisors consider this application appropriate for approval, staff proposes the following conditions:

1. This Conditional Use Permit and all conditions listed below are for Pamela Mullins on property identified as Tax Map 20 (A) 100, 1022 Church Street.
2. The use of the subject property shall be for the identified travel trailer to be occupied for habitation on a temporary basis, not to exceed ~~twelve~~ **twenty-four** months from date of approval, as determined by the Board of Supervisors and agreed upon in writing by the applicant.
3. This Conditional use permit shall **not** run with the land.
4. Septic tank and drain field must be identified before the placement of the travel trailer to ensure the trailer is not on top of either one.
5. Proper licensing documentation shall be provided to staff for the travel trailer from the Virginia Department of Motor Vehicles.
6. Placement of the travel trailer on the property shall conform to the setback and yard regulations established for the Rural (RU) Zoning District.
7. This permit may be revoked by the County of Mathews or its designated agent for failure by the applicant or it assigns to comply with any of the listed conditions or any provision of Federal, State or local regulations.

Attachments:

1. Application
2. Health Department Comments and proposed Septic System Location

Planning Commission Recommendation

At its meeting on October 17, 2017, the Planning Commission voted 5-0 to **recommend approval of Case 3-CUP-17 with a change to condition #2**. The motion was made by Mr. Hill and seconded by Ms. Machen. The vote was as follows: Ms. Davis – aye, Ms. Machen – aye; Mr. Leary – aye; Mr. Hill – aye; Mr. Rollins – aye.



Mathews County Dept. of Planning & Zoning,
50 Brickbat Road, Mathews, VA 23109
O: 804-725-4034 F: 804-725-7249

Application for a CONDITIONAL USE PERMIT

FOR INTERNAL USE ONLY

Application No: _____

FEE: _____ Paid: ☐

Date Received: _____

Approval Date: _____

*****IMPORTANT NOTICE:** For certain large-scale developments, state law now requires that a Traffic Impact Analysis be completed.

TO BE COMPLETED BY APPLICANT

Project Name/Proposed Use: _____

Address/Location: _____

Tax Map #: _____ **Zoning:** _____ **Election District:** _____

Owner of Record: _____

Address: _____

Owner(s) Phone #: _____ Email: _____

Applicant/Agent: _____

Address: _____

Phone #: _____ Email: _____

Is this an amendment to an existing CUP? _____ Previous approval date: _____

Have you submitted a preliminary site plan if required? _____

I. Please provide a detailed description of the project addressing the following items:

1. What effects will this use, if approved, have on adjoining properties? (noise, glare, odor, fumes, vibration)
2. Is the proposed use generally compatible with adjacent properties and other properties in the district?
3. How does the proposed use fit within the Mathews County Comprehensive Plan?

II. Describe your request in detail including hours of operation, number of employees, or other unique features.

III. Describe the improvements proposed. Will new buildings be constructed or structures removed? Renovations or additions to existing structures? Please provide the dimensions of any such items and where they are located on the property.

IV. Additional Requirements:

1.

ATTACH A LIST OF ALL ADJACENT PROPERTIES TO THE SUBJECT PROPERTY (To include the Tax Map#, property owner’s name and mailing address, and the property address if different from the owner’s address).
2.

ATTACH PLAT OF PROPERTY SHOWING EXISTING STRUCTURES AND PROPOSED USES AND STRUCTURES

Owner/Agent Must Read and Sign:

I hereby certify that I own the subject property, or have legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true and correct to the best of my knowledge.

Owner/Contract Purchaser

COMMONWEALTH OF VIRGINIA:
County of Mathews

Subscribed and sworn to before me this _____ day of _____, 200_____ in my
County and State aforesaid, by the aforementioned Principal.

NOTARY PUBLIC

My Commission Expires:

Certification Number:

STAFF REPORT
Conditional Use Permit #3-CUP-18
Mathews County, Virginia
Board of Supervisors
April 24, 2018

Property Owner: Lydia Blake-Teacher, et al.
c/o George Blake
13172 John Clayton Memorial Highway

Applicant: Robert H. Blake (co-owner)
454 Tabernacle Road

Property Characteristics:

Physical Address: 458 Tabernacle Road
Tax Map: 26 (A) 51
Zoning: Rural
Acreage: 1.28
Community Planning Area: Bayside
Magisterial District: Chesapeake
Authority: Article 5.3b (25)

Requested Action:

The applicant is requesting a Conditional Use Permit to inhabit a travel trailer on a permanent basis on parcel 26 (A) 51.

Background:

The applicant's parcel 26 (A) 51 consists of 1.28 acres. He suffered a structural fire earlier this year that destroyed his home. Since that time he has acquired a travel trailer and intends for that to be his residence for the future.

Section 175-5.3b(24) of the Mathews County Zoning Ordinance allows a travel trailer with a Conditional Use Permit under the following circumstances: "Travel trailers (licensed), located outside of travel trailer parks, which are to be occupied for habitation on a temporary basis, other than allowed by Section 175-3b, if the Board of Supervisors grants a temporary conditional use permit and if the applicant agrees in writing to remove the travel trailer on or before the period specified in the permit."

Typically, the Board has issued these permits in the past for one year. This request is an indefinite request, and the zoning ordinance mandates that the Board agree to a specified date. Staff is comfortable with permanent placement on the property. Staff suggests that should Mr.

Blake eventually reside elsewhere, that the travel trailer be removed from the property.

Requirements for Approval of a Conditional Use Permit

Before issuing any conditional use permit, the Planning Commission and the Board of Supervisors shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use and appears on the Official Schedule of District Regulations, or elsewhere in the ordinance;
2. Will be harmonious with and in accordance with the general objectives of the County's Comprehensive Plan and the Zoning Ordinance;
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
4. Will not be hazardous or disturbing to existing or future neighboring uses;
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the County;
7. Will not involve uses, activities, processes, materials equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors;
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
10. Will not result in the destruction or degradation of sensitive environmental features.

And that before any conditional use permit shall be issued, the governing body shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangement has been made concerning the following, where applicable:

1. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;
2. Off-street parking and loading areas where required, with particular attention to the items in No. 1 above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district;
3. Refuse and service areas, with particular attention to the items in No. 1 and No. 2 above;
4. Utilities, with reference to locations, availability and compatibility;

5. Screening and buffering with reference to type, dimensions and character;
6. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
7. Required yard and other open space; and
8. General compatibility with adjacent properties and other property in the district.

Staff Recommendation

Staff supports approval of Case No. 3-CUP-18. Staff finds this temporary proposal to be a reasonable use of the property with minimal impacts to the adjacent development. With appropriate conditions, the proposal should be harmonious with the existing character of the general vicinity. Should the Planning Commission or Board of Supervisors consider this application appropriate for approval, staff proposes the following conditions:

1. This Conditional Use Permit and all conditions listed below are for Robert Blake on property identified as Tax Map 26 (A) 51, 458 Tabernacle Road.
2. The use of the subject property shall be for the identified travel trailer to be occupied for habitation ~~on a permanent basis~~, **for five years and may be renewed if conditions are met** and subject to removal should the applicant eventually reside elsewhere off the parcel or if a house is built on the property..
3. This Conditional use permit shall **not** run with the land.
4. **The trailer needs to be properly secured according to Building Official requirements.** ~~Proper licensing documentation shall be provided to staff for the travel trailer from the Virginia Department of Motor Vehicles.~~
5. Placement of the travel trailer on the property shall conform to the setback and yard regulations established for the Rural (RU) Zoning District.
6. This permit may be revoked by the County of Mathews or its designated agent for failure by the applicant or it assigns to comply with any of the listed conditions or any provision of Federal, State or local regulations.

A final note that is not a condition of this permit: staff will continue to monitor the local availability of manufactured homes that may offer the applicant a more permanent living situation.

Attachments:

1. Application

Planning Commission Recommendation:

At its meeting on **April 17, 2018**, the Planning Commission voted 6-0 to **recommend approval of Case 3-CUP-18 with conditions as presented by staff and changes made by the Planning Commission**. The motion was made by Mr. Robinson and seconded by Ms. Machen. The vote was as follows: Ms. Machen – aye; Mr. Rollins – aye; Mr. Whitley – aye; Mr. Hill – aye; Mr. Robinson – aye and Ms. Davis – aye.



Application Requiring a Public Hearing

Department of Planning, Zoning & Wetlands P.O. Box 839, 50 Brickbat Road, Mathews, Virginia 23109

Phone: 804-725-4034 Fax: 804-725-7249

Web Site: www.mathewscountyva.gov

PROPERTY INFORMATION

MAP ID: 35 (A) 147
PHYSICAL ADDRESS: 336 Hamburg Rd
ZONING: R0 ACREAGE: 1.0
CURRENT USE OF PROPERTY: SF dwelling
PROJECT/PROPOSED USE: travel trailer while rebuilding

FOR OFFICIAL USE ONLY

APPLICATION NO. 3-CUP-30
DATE: _____ AMOUNT: waived CHK # _____
☐ Approved ☐ Denied _____
Date Approved: _____
Approved By: _____

Type of Request

☐ ADMINISTRATIVE VARIANCE \$75.00

BOARD OF ZONING APPEALS

☐ VARIANCE \$275.00
☐ APPEAL \$275.00

PLANNING COMMISSION

☐ REZONING \$250.00 + \$10 PER ACRE
☒ **CONDITIONAL USE PERMIT** \$200.00
☐ TEXT AMENDMENT \$250.00

PROPERTY OWNER INFORMATION

Name: Kevin Hunter E-Mail: _____
Mailing Address: Mathews VA Phone: (804) 384-6039
City: Mathews State: VA Zip: 23109
Property Owner Signature: Kevin Hunter

APPLICANT INFORMATION

Name: Kevin Hunter E-Mail: _____
Mailing Address: Mathews VA P.O. Box 298 Phone: 804-815-5718
City: Mathews State: VA Zip: 23109
Applicant Signature: Kevin Hunter

By signing above I/we certify that the foregoing information and attachments are true and accurate to the best of my/our knowledge. I/we understand this permit is invalid if necessary approvals from Federal, State, and Local agencies are not also obtained.



Conditional Use Permit Application

APPLICATION NO. 3-CUP-20

Conditional Use Permit Request

What code section of the Zoning Ordinance is the applicant seeking the Conditional Use Permit:

Article: 5 - Rural District Section: 3-26

Proposed Use: Travel trailer to be occupied for habitation on a temporary basis

Requirements of a Conditional Use Permit

Before issuing any conditional use permit, the Planning Commission and the Board of Supervisors shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use and appears on the Official Schedule of District Regulations, or elsewhere in the ordinance;
2. Will be harmonious with and in accordance with the general objectives of the County's Comprehensive Plan and the Zoning Ordinance;
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
4. Will not be hazardous or disturbing to existing or future neighboring uses
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services:
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the County:
7. Will not involve uses, activities, processes, materials equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors:
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares:
9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance:
10. Will not result in the destruction or degradation of sensitive environmental feature:

Requirements of a Conditional Use Permit (Continued)

that before any conditional use permit shall be issued, the governing body shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangement has been made concerning the following, where applicable:

1. Ingress and egress to property and proposed structures thereon, with particular reference to

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3. Refuse and service areas, with particular attention to the items in No. 1 and No. 2 above;
4. Utilities, with reference to locations, availability and compatibility;
5. Screening and buffering with reference to type, dimensions and character;
6. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
7. Required yard and other open space; and
8. General compatibility with adjacent properties and other property in the district.

Background Information

Give a brief background of parcel and past uses, including when property was purchased, existing improvements on parcel and uses, proposed improvements on parcel and proposed uses, hours of operation, employees, etc.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

ATTACH PLAT OF PROPERTY SHOWING PROPOSED IMPROVEMENTS

STAFF REPORT
Conditional Use Permit #3-CUP-20
Mathews County, Virginia
Board of Supervisors
November 17, 2020

Property Owner: Kevin Hunter
P.O. Box 298
Mathews, VA 23109

Applicant: Same

Property Characteristics:

Physical Address: 336 Hamburg Road
Tax Map: 35 (A) 147
Zoning: Rural
Acreage: 1.0
Community Planning Area: Bayside
Magisterial District: Chesapeake
Authority: Section 175-5.3b(24)

Requested Action:

The applicant is requesting a Conditional Use Permit to inhabit a travel trailer on a temporary basis on parcel 235 (A) 147.

Background:

Section 175-5.3b(24) of the Mathews County Zoning Ordinance allows a travel trailer with a Conditional Use Permit under the following circumstances: "Travel trailers (licensed), located outside of travel trailer parks, which are to be occupied for habitation on a temporary basis, other than allowed by Section 175-3b, if the Board of Supervisors grants a temporary conditional use permit and if the applicant agrees in writing to remove the travel trailer on or before the period specified in the permit."

The applicant's parcel 35 (A) 147 consists of 1 acre. The parcel is currently developed with a single-family dwelling. The house is in poor condition. The property fronts on Hamburg Road. It is mostly wooded with several mature trees around the house. The property is served by a well and a vault privy.

At the time of the writing on this report, we are still working with the Health Department on the regulatory requirements for wastewater service for the property and the proposed use.

Typically, the Board has issued these permits in the past for anywhere from one year to five years. The zoning ordinance mandates that the Board agree to a specified date for removal of the travel trailer. In the conditions, staff has suggested a period not to exceed two years. This applicant may request to extended or modified this date at any time.

Requirements for Approval of a Conditional Use Permit

Before issuing any conditional use permit, the Planning Commission and the Board of Supervisors shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use and appears on the Official Schedule of District Regulations, or elsewhere in the ordinance;
2. Will be harmonious with and in accordance with the general objectives of the County's Comprehensive Plan and the Zoning Ordinance;
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
4. Will not be hazardous or disturbing to existing or future neighboring uses;
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the County;
7. Will not involve uses, activities, processes, materials equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors;
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
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2. Off-street parking and loading areas where required, with particular attention to the items in No. 1 above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district;
3. Refuse and service areas, with particular attention to the items in No. 1 and No. 2 above;
4. Utilities, with reference to locations, availability and compatibility;
5. Screening and buffering with reference to type, dimensions and character;

6. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
7. Required yard and other open space; and
8. General compatibility with adjacent properties and other property in the district.

Staff Recommendation

Staff supports approval of Case No. 3-CUP-20. Staff finds this temporary proposal to be a reasonable use of the property with minimal impacts to the adjacent development. With appropriate conditions, the proposal should be harmonious with the existing character of the general vicinity. Should the Planning Commission or Board of Supervisors consider this application appropriate for approval, staff proposes the following conditions:

1. This Conditional Use Permit and all conditions listed below are for Kevin Hunter on property identified as Tax Map 35 (A) 147, 336 Hamburg Road.
2. The use of the subject property shall be for a travel trailer to be occupied for habitation for a period not to exceed two (2) years from the date of approval.
3. The travel trailer shall be located to the rear of the existing dwelling.
4. ~~The travel trailer shall not be connected to the on-site wastewater disposal system.~~ The trailer's wastewater tanks must be pumped on a time interval acceptable to the Virginia Department of Health.
5. Proper licensing documentation shall be provided to staff for the travel trailer from the Virginia Department of Motor Vehicles.
6. Placement of the travel trailer on the property shall conform to the setback and yard regulations established for the Rural (RU) Zoning District.
7. This permit may be revoked by the County of Mathews or its designated agent for failure by the applicant or it assigns to comply with any of the listed conditions or any provision of Federal, State or local regulations.

Planning Commission Recommendation

At its October 20, 2020 meeting, Mr. Rollins made a motion to **recommend approval** of 3-CUP-20 with change to condition #4, as noted above Mr. Wilton seconded the motion. The vote was 7-0 as follows: Mr. Hill – aye; Mr. Robinson – aye; Ms. Machen – aye; Mr. Rollins – aye; Mr. Cook – aye; Mr. Russell and Mr. Wilton – aye.

Attachments:

1. Application
2. VDH Correspondence



RESOLUTION
REFER DETERMINATION OF SUBSTANTIAL ACCORD TO THE
MATHEWS COUNTY PLANNING COMMISSION

OPTION A (NO PUBLIC HEARING)

WHEREAS the Mathews County Board of Supervisors, by formal vote, has expressed its intention to locate a public park at the property owned by Mathews County and commonly known as “South Bay Haven;” and

WHEREAS Virginia Code § 15.2-2232, 1950, as amended, requires that if a park is not already designated on the Comprehensive Plan, the Planning Commission is required to make a determination as to whether or not the proposed location of the park is substantially in accordance with the Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED by the Mathews County Board of Supervisors, at its regular monthly meeting on June 18, 2025, that the Mathews County Planning Commission is directed to make a determination, as required by Virginia Code § 15.2-2232, 1950, as amended, whether or not the location of a park at the property owned by Mathews County commonly known as “South Bay Haven” is in substantially in accordance with the Mathews County Comprehensive Plan; and

BE IT FINALLY RESOLVED that the Mathews County Planning Commission is directed to promptly report the result, as well as the reasoning behind the result, of its vote to the Mathews County Board of Supervisors.



RESOLUTION
REFER DETERMINATION OF SUBSTANTIAL ACCORD TO THE
MATHEWS COUNTY PLANNING COMMISSION

OPTION B (PUBLIC HEARING)

WHEREAS the Mathews County Board of Supervisors, by formal vote, has expressed its intention to locate a public park at the property owned by Mathews County and commonly known as “South Bay Haven;” and

WHEREAS Virginia Code § 15.2-2232, 1950, as amended, requires that if a park is not already designated on the Comprehensive Plan, the Planning Commission is required to make a determination as to whether or not the proposed location of the park is substantially in accordance with the Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED by the Mathews County Board of Supervisors, at its regular monthly meeting on June 18, 2025, that the Mathews County Planning Commission is directed to make a determination, as required by Virginia Code § 15.2-2232, 1950, as amended, whether or not the location of a park at the property owned by Mathews County commonly known as “South Bay Haven” is in substantially in accordance with the Mathews County Comprehensive Plan; and

BE IT FURTHER RESOLVED that the Mathews County Planning Commission shall conduct a public hearing in accordance with Virginia Code § 15.2-2204, 1950, as amended, prior to making its determination as to whether a park at South Bay Haven is in accordance with the Comprehensive Plan; and

BE IT FINALLY RESOLVED that the Mathews County Planning Commission is directed to promptly report the result, as well as the reasoning behind the result, of its vote to the Mathews County Board of Supervisors.

§ 15.2-2232. Legal status of plan

A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan.

Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by § 15.2-2204. Following the adoption of the Statewide Transportation Plan by the Commonwealth Transportation Board pursuant to § 33.2-353 and written notification to the affected local governments, each local government through which one or more of the designated corridors of statewide significance traverses, shall, at a minimum, note such corridor or corridors on the transportation plan map included in its comprehensive plan for information purposes at the next regular update of the transportation plan map. Prior to the next regular update of the transportation plan map, the local government shall acknowledge the existence of corridors of statewide significance within its boundaries.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the commission to the governing body within 10 days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the governing body shall overrule the commission.

C. Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public service corporations shall not require approval unless such work involves a change in location or extent of a street or public area.

D. Any public area, facility, park or use as set forth in subsection A which is identified within, but not the entire subject of, a submission under either § 15.2-2258 for subdivision or subdivision A 8 of § 15.2-2286 for development or both may be deemed a feature already shown on the adopted

master plan, and, therefore, excepted from the requirement for submittal to and approval by the commission or the governing body, provided that the governing body has by ordinance or resolution defined standards governing the construction, establishment or authorization of such public area, facility, park or use or has approved it through acceptance of a proffer made pursuant to § 15.2-2303.

E. Approval and funding of a public telecommunications facility on or before July 1, 2012, by the Virginia Public Broadcasting Board pursuant to Article 12 (§ 2.2-2426 et seq.) of Chapter 24 of Title 2.2 or after July 1, 2012, by the Board of Education pursuant to § 22.1-20.1 shall be deemed to satisfy the requirements of this section and local zoning ordinances with respect to such facility with the exception of television and radio towers and structures not necessary to house electronic apparatus. The exemption provided for in this subsection shall not apply to facilities existing or approved by the Virginia Public Telecommunications Board prior to July 1, 1990. The Board of Education shall notify the governing body of the locality in advance of any meeting where approval of any such facility shall be acted upon.

F. On any application for a telecommunications facility, the commission's decision shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within 90 days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than 60 additional days. If the commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the commission.

G. A proposed telecommunications tower or a facility constructed by an entity organized pursuant to Chapter 9.1 (§ 56-231.15 et seq.) of Title 56 shall be deemed to be substantially in accord with the comprehensive plan and commission approval shall not be required if the proposed telecommunications tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right.

H. A solar facility subject to subsection A shall be deemed to be substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right; (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under § 56-594 or 56-594.01 or by a small agricultural generator under § 56-594.2; or (iii) the locality waives the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan. All other solar facilities shall be reviewed for substantial accord with the comprehensive plan in accordance with this section. However, a locality may allow for a substantial accord review for such solar facilities to be advertised and approved concurrently in a public hearing process with a rezoning, special exception, or other approval process.

Code 1950, §§ 15-909, 15-923, 15-964.10; 1958, c. 389; 1960, c. 567; 1962, c. 407, § 15.1-456; 1964, c. 528; 1966, c. 596; 1968, c. 290; 1975, c. 641; 1976, c. 291; 1978, c. 584; 1982, c. 39; 1987, c. 312; 1989, c. 532; 1990, c. 633; 1997, cc. 587, 858; 1998, c. 683; 2007, c. 801; 2009, cc. 670, 690; 2012, cc. 803, 835; 2016, c. 613; 2018, cc. 175, 318; 2020, c. 665; 2022, c. 181.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.



RESOLUTION 2025-20

ORDINANCE REFERRAL TO PLANNING COMMISSION

WHEREAS Virginia Code § 15.2-2285 of the Code of Virginia, 1950, as amended, requires that zoning ordinances be initiated by a resolution of the Mathews County Board of Supervisors for a recommendation from the Mathews County Planning Commission; and

WHEREAS the Mathews County Board of Supervisors would like to consider an ordinance exempting Mathews County from zoning and subdivision requirements.

NOW, THEREFORE, BE IT RESOLVED by the Mathews County Board of Supervisors at its regular monthly meeting on June 18, 2025, that the attached Ordinance exempting Mathews County from zoning and subdivision requirements is referred to the Mathews County Planning Commission for a recommendation as required by law.

ATTEST:

Clerk of the Board

Tim Doss, Chair
Mathews County Board of Supervisors

Recorded Vote

Tim Doss

Tom Bowen

Mike Walls

David Jones

Janice Phillips



RESOLUTION 2025-21
REFER ORDINANCE TO PLANNING COMMISSION

WHEREAS the Mathews County Board of Supervisors seeks to adopt an ordinance exempting Mathews County from zoning and subdivision requirements; and

WHEREAS Virginia Code § 15.2-2285 requires that the Planning Commission make a recommendation to the Board of Supervisors prior to the adoption of an ordinance that involves zoning.

NOW THEREFORE BE IT RESOLVED by the Mathews County Board of Supervisors, at its regular monthly meeting on June 18, 2025, that the attached Ordinance is referred to the Mathews County Planning Commission for a recommendation in accordance with state law.

ATTEST:

Clerk of the Board

Tim Doss, Chair
Mathews County Board of Supervisors

Recorded Vote

Tim Doss

Tom Bowen

Mike Walls

David Jones

Janice Phillips

Code of Virginia
 Title 15.2. Counties, Cities and Towns
 Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2285. Preparation and adoption of zoning ordinance and map and amendments thereto; appeal.

A. The planning commission of each locality may, and at the direction of the governing body shall, prepare a proposed zoning ordinance including a map or maps showing the division of the territory into districts and a text setting forth the regulations applying in each district. The commission shall hold at least one public hearing on a proposed ordinance or any amendment of an ordinance, after notice as required by § [15.2-2204](#), and may make appropriate changes in the proposed ordinance or amendment as a result of the hearing. Upon the completion of its work, the commission shall present the proposed ordinance or amendment including the district maps to the governing body together with its recommendations and appropriate explanatory materials.

B. No zoning ordinance shall be amended or reenacted unless the governing body has referred the proposed amendment or reenactment to the local planning commission for its recommendations. Failure of the commission to report 100 days after the first meeting of the commission after the proposed amendment or reenactment has been referred to the commission, or such shorter period as may be prescribed by the governing body, shall be deemed approval, unless the proposed amendment or reenactment has been withdrawn by the applicant prior to the expiration of the time period. The governing body shall hold at least one public hearing on a proposed reduction of the commission's review period. The governing body shall publish a notice of the public hearing in a newspaper having general circulation in the locality at least two weeks prior to the public hearing date and shall also publish the notice on the locality's website, if one exists. In the event of and upon such withdrawal, processing of the proposed amendment or reenactment shall cease without further action as otherwise would be required by this subsection.

C. Before approving and adopting any zoning ordinance or amendment thereof, the governing body shall hold at least one public hearing thereon, pursuant to public notice as required by § [15.2-2204](#), after which the governing body may make appropriate changes or corrections in the ordinance or proposed amendment. However, no land may be zoned to a more intensive use classification than was contained in the documentation made available for examination pursuant to subsection A of § [15.2-2204](#) without an additional public hearing after notice required by § [15.2-2204](#). Zoning ordinances shall be enacted in the same manner as all other ordinances.

D. Any county which has adopted an urban county executive form of government provided for under Chapter 8 (§ [15.2-800](#) et seq.) may provide by ordinance for use of plans, profiles, elevations, and other such demonstrative materials in the presentation of requests for amendments to the zoning ordinance.

E. The adoption or amendment prior to March 1, 1968, of any plan or ordinance under the authority of prior acts shall not be declared invalid by reason of a failure to advertise, give notice or conduct more than one public hearing as may be required by such act or by this chapter, provided a public hearing was conducted by the governing body prior to the adoption or amendment.

F. Every action contesting a decision of the local governing body adopting or failing to adopt a proposed zoning ordinance or amendment thereto or granting or failing to grant a special exception shall be filed within thirty days of the decision with the circuit court having jurisdiction of the land affected by the decision. However, nothing in this subsection shall be construed to create any new right to contest the action of a local governing body.

Code 1950, §§ 15-822, 15-846, 15-968.7; 1962, c. 407, § 15.1-493; 1964, c. 279; 1968, c. 652; 1970, c. 216; 1972, c. 818; 1975, c. 641; 1984, c. 175; 1988, cc. 573, 733, 856; 1989, c. 359; 1990, c. 475; 1991, c. 235; 1996, c. [867](#); 1997, c. [587](#); 2019, c. [483](#); 2023, cc. [506](#), [507](#).