



Mathews County Planning Commission

Tuesday, March 15, 2022 at 7:00 PM

MINUTES

1. CALL TO ORDER

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF MATHEWS COUNTY, VIRGINIA, HELD IN THE MATHEWS COUNTY HISTORIC COURTHOUSE ON March 15, 2022 AT 7:00 PM.

Planning Commission

Members Present:

David Rollins, Chair
Billy Cook, Vice-Chair
Dan Hill
Doug Wilton
Tim Hill
Brian Russell
Paul Hudgins, Ex-officio

Members Absent:

Danette Machen

Also Present:

James Knighton, Interim Director of Planning & Zoning
Heather Thomas, Administrative Assistant

THE MEETING WAS CALLED TO ORDER BY THE CHAIRMAN OF THE PLANNING COMMISSION, FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

Mr. Hill gave the invocation.

4. ROLL CALL OF PLANNING COMMISSION

Mrs. Thomas called the roll and established that a quorum was present.

5. APPROVAL OF MINUTES

5.A. February 15, 2022 Meeting Minutes

Mr. Russell made a motion to approve the February meeting minutes. Mr. Tim Hill seconded the motion. All in favor. 6-0 as follow: Mr. Rollins-aye; Mr. Cook-aye; Mr. Wilton-aye; Mr. T. Hill-aye; Mr. D. Hill-aye and Mr. Russell-aye.

6. PUBLIC COMMENT PERIOD

Mr. Rollins read the public comment procedures.

Dave Jones, 10344 John Clayton Memorial Hwy

Mr. Jones stated he received a call from the chairman of the Board of Supervisors while on vacation last week. He said this call was to inform him that the county attorney had contacted the chairman to let him know a Commissioner told her Mr. Jones was not a licensed contractor in the state of Virginia. Mr. Jones proceeded to read the details of his current contractors' license and then ask for Mr. T. Hill to resign.

Mike Walls, Hudgins

Mr. Walls asked Mr. T. Hill why he choose to do this for a second time. He asked Mr. T. Hill to resign as well.

Mr. T. Hill asked to respond to the public comments. He stated that he was asked by a private citizen and he informed them to call Ms. Erard and the state corporation commission. He then called Ms. Erard himself to make her aware of this inquiry.

Mr. Hudgins spoke on the matter.

Mr. Rollins asked for any more speakers and then closed the public comment period.

7. COMMITTEE REPORTS

8. UNFINISHED BUSINESS

8.A. 2-ZA-22: Inoperable/junk vehicles

Mr. Rollins stated there was a motion to table this matter at the last meeting.

Mr. Knighton reviewed 1-ZA-22 and asked the committee that was assigned at the last meeting to give their report.

Mr. Cook read the committee report.

Mr. D. Hill asked if it was a burden to keep track of the 15 vehicles at their business. Mr. Cook informed him that this referred to inoperable/junk vehicles not vehicles awaiting repair. Mr. Knighton read the definition of inoperable/junk vehicles from the Mathews County zoning ordinance.

Mr. Russell asked about the one complaint the zoning staff had received and whether it was about a CUP or business. Mr. Knighton stated there had been only one and it was against a CUP. Mr. Russell asked whether they are being too restrictive with 15 cars and compared it to surrounding counties. He added that if the complaint hadn't been about businesses, why would we change it. Mr. Knighton answered that if the ordinance is changed it could include CUPs and they can consult the county attorney on this.

Mr. Cook amended his motion from the last meeting. He would like to add CUPs to this motion. Mr. Rollins discussed the difference between the CUPs and business zoned properties. Mr. Knighton asked that they clarify what they are striking from the language for the motion.

Mr. Cook made a motion to amend his original motion to read as follows:

Notwithstanding any ~~conditional use permit or~~ proffer, a permitted automobile repair business may keep up to fifteen (15) inoperable vehicles.

Mr. T. Hill seconded this motion. Mr. Rollins opened this up for discussion. Mr. Russell stated that he thinks the portion excluding CUPs from this text amendment should be kept. Mr. Rollins agreed with that. Mr. Russell asked Mr. Knighton if a CUP can reapply to change their terms. Mr. Knighton confirmed that.

The 4-2 vote was as follows: Mr. Cook-aye; Mr. T. Hill-aye; Mr. D. Hill-aye; Mr. Wilton-aye; Mr. Rollins-nay and Mr. Russell-nay.

Mr. Rollins asked if they would like to now make a motion to recommend approval of the amended amendment.

Mr. Cook made the motion. Mr. Wilton seconded this motion. Mr. Rollins asked for any discussion.

Business owners present asked to speak on the matter. Mr. Rollins stated that he was reopening the public comment period and read the procedures again.

Dave Skirvin, 160 Chesapeake Dr

Owner of C-3 Automotive

Mr. Skirvin described the process and time of getting rid of vehicles from their businesses. He inquired as to why they were looking into this. Mr. Rollins informed him that the board members asked the commission to. Mr. D. Hill added that this would only be for inoperable vehicles.

Dave Jones, 10344 John Clayton Memorial Hwy

Mr. Jones stated he would not agree with anything that would hurt businesses. He added that the one complaint resulted in no violations being found. Mr. Rollins reviewed the current zoning ordinance with Mr. Jones.

Mr. Hudgins asked what defines an inoperable vehicle. Mr. Rollins asked Mr. Knighton to read the definition of an inoperable vehicle. Mr. Russell asked Mr. Hudgins if the ordinance was the issue or is the definition the issue.

Dee Russell, 276 Yeiser lane

Mrs. Russell stated that Mr. Jones brought up the discussion of the ordinance based on a complaint received. Mrs. Russell FOIAed the information and stated that it was for a business operating on a residential property under a CUP. She feels it is ridiculous that they are changing an entire ordinance based off this complaint and that the county needs to address that business.

Terry Hearn, 5645 Buckley Hall Rd

Mr. Hearn stated that his business had been established for many years and he has a special permit for 20 or more cars on the property. He asked them to keep that in mind while making their decisions. Mr. Rollins asked if he was aware of the current ordinance and Mr. Hearn stated he was not. Mr. Cook asked Mr. Hearn which options did he think would work best for automobile repair business, the number of cars or days. Mr. Hearn discussed the cost and process of towing and storage of vehicles.

Donald Morgan, 49 Beaumar Lane

Mr. Morgan stated that this is a waste of time and resources discussing this. He added that there is no problem with going back to the board and telling them they are not changing anything.

Mr. Rollins closed the public comment period. He read the motion on the floor again as follows: Notwithstanding any ~~conditional-use permit or~~ proffer, a permitted automobile repair business may keep up to fifteen (15) inoperable vehicles.

Mr. Russell stated he would not support this motion due to being restrictive and he does not like the idea of grandfathering CUPs as part of this. Mr. Hill said he would not support this either because he feels like it needs to be less restrictive. Mr. Rollins added that due to the misunderstanding of what the purpose of this amendment was for he would not support going forward at this. The motion to recommend amending the current ordinance for inoperable/junk vehicles was not approved. The 1-5 vote was as follows: Mr. Cook-aye; Mr. Rollins-nay; Mr. Russell-nay; Mr. T.Hill-nay; Mr. D. Hill-nay and Mr. Wilton-nay.

9. NEW BUSINESS

Mr. Cook requested that the chairman form a committee to address residential inoperable/junk vehicles. Mr. Rollins asked for volunteers. Mr. Hill, Mr. Russell and Mr. Cook formed the committee.

10. OTHER MATTERS

Mr. Rollins asked that all committees in the future create a report to be submitted to Heather so that it can be added to the packet.

11. REVIEW OF BOARD OF SUPERVISOR ACTIONS

11.A. 1-ZA-22: Short Term Vacation Rentals in the Village Mixed Use (VMU) District

Mr. Knighton informed the Commission that the Board of Supervisors approved 1-ZA-22 at their regularly scheduled February meeting.

12. NOTICE OF VARIANCE AND APPEAL

There were none.

13. PLANNING COMMISSION DIRECTIVES/REQUESTS

There were none.

14. ADJOURN

THERE BEING NO FURTHER BUSINESS, ON A MOTION BY MR. RUSSELL AND SECONDED BY MR. WILTON, THIS MEETING WAS DECLARED ADJOURNED.