

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County  
2 held in the County Administration Building in the Government Center at Parham and  
3 Hungary Spring Roads beginning at 7:00 p.m. Thursday, March 14, 2019. Display Notice  
4 having been published in the *Richmond Times-Dispatch* on February 25, 2019 and March  
5 4, 2019.  
6

Members Present: Mr. Gregory R. Baka, Chairman (Tuckahoe)  
Mr. William M. Mackey, Jr. (Varina)  
Mr. Robert H. Witte, Jr. (Brookland)  
Mrs. Melissa Thornton (Three Chopt)  
Mr. Frank J. Thornton (Fairfield)  
Board of Supervisors' Representative

Members Absent: Mr. C. W. Archer, C.P.C., Vice Chairman (Fairfield)  
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning  
Secretary

Also Present: Ms. Jean Moore, Assistant Director of Planning  
Ms. Lee Ann Anderson, Senior Assistant County Attorney  
Mr. Andrew Newby, Assistant County Attorney  
Mr. Mark Strickler, Director, Community Revitalization  
Mr. James P. Strauss, PLA, Senior Principal Planner  
Mr. Benjamin Blankinship, AICP, County Planner  
Mr. Seth Humphreys, County Planner  
Mr. Benjamin Sehl, County Planner  
Mrs. Lisa Blankinship, County Planner  
Ms. Luanda Fiscella, County Planner  
Mr. Miguel Madrigal, County Planner  
Mr. William Moffett, CPTED Planner, Police  
Ms. Sylvia Ray, Recording Secretary

7 **Mr. Frank J. Thornton, the Board of Supervisors' representative, abstains on all**  
8 **cases unless otherwise noted.**  
9

10 Mr. Baka - I call this meeting of the Henrico County Planning Commission  
11 to order. This is our Rezoning meeting for March 14, 2019. At this time, I'd like to ask that  
12 you take a moment to silence your cell phones. Please stand with the Commission for the  
13 Pledge of Allegiance.  
14

15 ... PLEDGE OF ALLEGIANCE IS RECITED ...  
16

17 Mr. Baka - Do we have anyone with us in the audience tonight in the  
18 news media? OK. We are pleased tonight to welcome Mr. Frank Thornton, our  
19 representative from the Board of Supervisors, who is sitting with the Planning  
20 Commission for this year 2019. Thank you for being here, Mr. Thornton.  
21

22 Mr. Thornton - Thank you, Mr. Chairman.

23  
24 Mr. Baka - And, Mr. Thornton abstains on all cases unless otherwise  
25 noted.

26  
27 We do have a majority of our Commissioners present here tonight, and we have a quorum  
28 and we can conduct business. So, at this point, I'll turn the Agenda over to Ms. Moore,  
29 our Secretary for this evening.

30  
31 Ms. Moore - Thank you, Mr. Chairman, first on your agenda is  
32 consideration for deferrals and withdrawals and, these will be presented by Jim Strauss.

33  
34 Mr. Strauss - Thank you, Madam Secretary, we have two requests for  
35 withdrawal this evening. The first is on page three of your agenda and it's in the Varina  
36 District. It's REZ2018-00019, Liberty Homes. The applicant has withdrawn this case.

37  
38 **(Deferred from the December 6, 2018 Meeting)**  
39 **REZ2018-00019 Mark Rempe for Liberty Homes:** Request to rezone from B-  
40 3 Business District to R-3 One-Family Residence District Parcel 825-720-6242 containing  
41 .24 acres located on the west line of E. Nine Mile Road (State Route 33) approximately  
42 150' north of its intersection with Elsing Green Way. The applicant proposes a single-family  
43 residence. The R-3 District allows a minimum lot area of 11,000 square feet and a  
44 maximum gross density of 3.96 units per acre. The use will be controlled by zoning  
45 ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential  
46 2, density should not exceed 3.4 units per acre. The site is in the Enterprise Zone and the  
47 Airport Safety Overlay District.

48  
49 Mr. Strauss - The second case for deferral this evening ... I'm sorry, the  
50 second case for withdrawal this evening is in the Three Chopt District, on page three of  
51 your agenda, REZ2019-00007. Again, the applicant has withdrawn this case and no  
52 action is required by the Commission.

53  
54 **(Deferred from the February 14, 2019 Meeting)**  
55 **REZ2019-00007 Brian Duke for Belfast Road, LLC:** Request to amend proffers  
56 accepted with Rezoning case C-18C-06 on Parcel 744-763-5359 located on the east line  
57 of Belfast Road at its intersection with Stanford Mill Road. The applicant proposes to  
58 amend proffers regarding exterior materials. The existing zoning is R-3C One-Family  
59 Residence District (Conditional). The R-3 District allows a minimum lot area of 11,000  
60 square feet and a maximum gross density of 3.96 units per acre. The 2026 Comprehensive  
61 Plan recommends Traditional Neighborhood Development.

62  
63 Mr. Strauss - So, we can move on to the deferrals.

64  
65 Mr. Baka - Thank you.

66

67 Ms. Moore - Mr. Chairman, now we move on to the items requested to be  
68 expedited on the agenda. Which will be presented by Mr. Strauss.

69  
70 Mr. Strauss - Deferrals.

71  
72 Ms. Moore - Oh, I'm sorry ... deferrals.

73  
74 Mr. Strauss - So, we have four requests for deferral this evening. The first  
75 request is on page one of your agenda. It's an ordinance item to amend the proposed  
76 ordinance related to Short Term Rentals. The staff is recommending that we defer this  
77 request to the June 13, 2019 meeting.

78  
79 **ORDINANCE** – To Amend and Reordain Section 24-3 Titled "Definitions," Section 24-12  
80 Titled "Conditional uses permitted by special exception," Section 24-13 Titled "Accessory  
81 uses permitted," Section 24-13.01 Titled "Development standards and conditions for  
82 permitted uses," Section 24-28 Titled "Principal uses permitted," Section 24-94 Titled  
83 "Table of regulations," Section 24-96 titled "Off-street parking requirements," and Section  
84 24-121 Titled "Conditional zoning or zone approval" of the Code of the County of Henrico.  
85 This ordinance allows for short-term rentals of real estate for periods of fewer than 30  
86 consecutive days. Specifically, this ordinance allows hosted short-term rentals by right in  
87 the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, and R-3A residential districts up to 30 days in  
88 a calendar year. For all other short-term rentals in those districts, this ordinance requires  
89 the operator of the rental to obtain a conditional use permit. All short-term rentals would  
90 be subject to regulations limiting rentals to the operator's primary residence owned by  
91 him and limiting the use of guesthouses, the number of short-term renters and pets, and  
92 the length of rentals. The ordinance would also prohibit rentals to minors and double-  
93 booking, and require: provision of life-safety equipment consistent with the building code,  
94 posting of certain information within the rental, designation of responsible persons to  
95 respond to complaints, keeping of records of short-term rentals, and provision of off-street  
96 parking. Finally, the ordinance adds and revises definitions related to the rental of real  
97 estate.

98  
99 Mr. Baka - Ok, we've heard the staff's recommendation. What's the  
100 pleasure of the Commission?

101  
102 Mr. Witte - Mr. Chairman, I move the Commission defer action on the  
103 Amendment on Short Term Rentals to the June 13, 2019 meeting to allow time for  
104 additional research and study and discussion prior to making a recommendation to the  
105 Board.

106  
107 Mr. Mackey - Second.

108  
109 Mr. Baka - We have a motion by Mr. Witte, second by Mr. Mackey to  
110 request deferral to June 13, 2019. All those in favor, say aye.

111  
112 The Commission - Aye.

113  
114 Mr. Baka - Opposed, say nay. Motion passes.

115  
116 Mr. Strauss - The next two requests for deferral this evening are both in the  
117 Brookland District. The first one is on page two of your agenda. It's REZ2017-00032, The  
118 McGurn Company, and in this case, the applicant is requesting deferral to the May 9th,  
119 2019 meeting.

120  
121 **(Deferred from the December 6, 2018 Meeting)**  
122 **REZ2017-00032 Arthur McGurn for The McGurn Company:** Request to conditionally  
123 rezone from R-2 One-Family Residence District and [R-6C] General Residence District  
124 (Conditional) to R-3C One-Family Residence District (Conditional) Parcels 767-760-8701  
125 and 768-760-1507 containing 4.305 acres located at the northeast intersection of Hungary  
126 and Hungary Spring Roads. The applicant proposes a single-family development. The R-3  
127 District allows a maximum overall density of 3.96 units per acre. The use will be controlled  
128 by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan  
129 recommends Suburban Residential 2, density should not exceed 3.4 units per acre.

130  
131 Mr. Baka - Is there anyone present in opposition to the deferral of  
132 REZ2017-00032, Arthur McGurn for The McGurn Company? Mr. Witte, your motion.

133  
134 Mr. Witte - Mr. Chairman, I move that REZ2017-00032, Arthur McGurn for  
135 The McGurn Company, be deferred to the May 9, 2019 meeting, at the request of the  
136 applicant.

137  
138 Mr. Baka - Second.  
139  
140 We have a motion by Mr. Witte, second by Mr. Baka, to defer this case to May 9th. All those  
141 in favor, say aye.

142  
143 The Commission - Aye.

144  
145 Mr. Baka - Opposed say, no. Motion passes.

146  
147 Mr. Strauss - And again, the next request for deferral is also in the Brookland  
148 District on page two of your agenda. REZ2018-00045, that's the Hunt Club LLC. Again,  
149 the applicant here is requesting deferral until the April 11, 2019 meeting.

150  
151 **(Deferred from the February 14, 2019 Meeting)**  
152 **REZ2018-00045 T. Preston Lloyd for Hunt Club LLC:** Request to conditionally  
153 rezone from R-5 General Residence District to R-6C General Residence District  
154 (Conditional) Parcel 770-749-9008 and part of Parcel 770-750-4811 containing 19.13 acres  
155 located on the south line of Bremner Boulevard, approximately 170' east of Beth Road. The  
156 applicant proposes a continuing care retirement community. The R-6 District allows a max  
157 density of 19.8 units per acre. The use will be controlled by zoning ordinance regulations

158 and proffered conditions. The 2026 Comprehensive Plan recommends Multifamily  
159 Residential.

160  
161 Mr. Baka - Is there anyone present here tonight in opposition to the  
162 deferral REZ2018-00045, Preston Lloyd for Hunt Club LLC? Seeing none.

163  
164 Mr. Witte - Mr. Chairman, I move that REZ2018-00045, T. Preston Lloyd  
165 for Hunt Club LLC, be deferred to the April 11, 2019 meeting, at the request of the applicant.

166  
167 Mrs. Thornton - Second.

168  
169 Mr. Baka - We have a motion by Mr. Witte, second by Mrs. Thornton. All  
170 those in favor, say aye.

171  
172 The Commission - Aye.

173  
174 Mr. Baka - Opposed say, no. Motion carries.

175  
176 Mr. Strauss - And the fourth request for deferral this evening is in the Varina  
177 District, on page three of your agenda. REZ2019-00001, Liberty Homes, and the applicant  
178 in this case is requesting deferral to the May 9, 2019 meeting.

179  
180 **(Deferred from the February 14, 2019 Meeting)**

181 **REZ2019-00001 RVA Land for Liberty Homes:** Request to rezone from A-1  
182 Agricultural District to R-2 One-Family Residence District Parcel 821-679-0872 containing  
183 5.381 acres located on the west line of Buffin Road, approximately 2,700' north of  
184 Kingsland Road. The applicant proposes two single family dwellings. The R-2 District  
185 allows a minimum lot area of 18,000 square feet and a maximum gross density of 2.42  
186 units per acre. The use will be controlled by zoning ordinance regulations. The 2026  
187 Comprehensive Plan recommends Suburban Residential 1, density should not exceed  
188 2.4 units per acre and Environmental Protection Area. The site is in the Airport Safety  
189 Overlay District.

190  
191 Mr. Baka - Is there anyone present in opposition to the deferral of  
192 REZ2019-00001, RVA Land for Liberty Homes? Seeing none, Mr. Mackey.

193  
194 Mr. Mackey - Mr. Chairman, I move that REZ2019-00001, RVA Land for  
195 Liberty Homes, be deferred to the May 9th, 2019 meeting, at the request of the applicant.

196  
197 Mrs. Thornton - Second.

198  
199 Mr. Baka - We have a motion by Mr. Mackey, second by Mrs. Thornton, to  
200 defer this case. All those in favor, say aye.

201  
202 The Commission - Aye.

204 Mr. Baka - Opposed say, no. Motion carries.  
205  
206 Ms. Moore - Ok, Mr. Chairman, now we move on to our expedited items on  
207 the agenda, which will also be presented by Mr. Jim Strauss.  
208  
209 Mr. Strauss - Thank you, Madam Secretary. We have two requests for  
210 approval this evening on the Expedited agenda. The first one's in the Brookland District,  
211 page three of your agenda. REZ2019-00008, Hungary Road Investments, LLC. This is  
212 a request to rezone 2.4 acres in the C-1C District as required by the original rezoning case.  
213 Staff is recommending approval. We are not aware of any opposition.  
214  
215 **REZ2019-00008 Rick Melchor for Hungary Road Investments, LLC:** Request to  
216 conditionally rezone from R-5AC General Residence District (Conditional) to C-1C  
217 Conservation District (Conditional) part of Parcel 756-761-2574 containing 2.443 acres  
218 located along the north line of Hungary Road, approximately 340' west of Fairlake Lane.  
219 The applicant proposes a conservation district. The use will be controlled by zoning  
220 ordinance regulations and proffered conditions. The 2026 Comprehensive Plan  
221 recommends Environmental Protection Area and Suburban Residential 2, where density  
222 should not exceed 3.4 units per acre.  
223  
224 Mr. Baka - Is there anyone here tonight in opposition to REZ2019-00008,  
225 Rick Melchor for Hungary Road Investments, LLC? Alright, seeing none, Mr. Witte.  
226  
227 Mr. Witte - Mr. Chairman, I move that REZ2019-00008, Rick Melchor for  
228 Hungary Road Investments, LLC, move to the Board of Supervisors with a  
229 recommendation of approval on the Expedited agenda.  
230  
231 Mr. Mackey - Second.  
232  
233 Mr. Baka - A motion by Mr. Witte, second by Mr. Mackey, to recommend  
234 approval on the Expedited agenda. All in favor, say aye.  
235  
236 The Commission - Aye.  
237  
238 Mr. Baka - Opposed, say no. Motion passes.  
239  
240 **REASON -** Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the  
241 Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of  
242 Supervisors **grant** the request because it conforms with the objectives and intent of the  
243 County's Comprehensive Plan.  
244  
245 Mr. Strauss - The other item on Expedited agenda this evening is on page  
246 three, REZ2019-00004, HHHunt River Mill LLC. Again, it's a request to rezone 4.4 acres  
247 in the C1-C District as required by the original zoning case. Staff is recommending approval  
248 and we are not aware of any opposition.  
249

250 **REZ2019-00004 Timmons Group for HHHunt River Mill LLC:** Request to  
251 conditionally rezone from R-3C One-Family Residence District (Conditional) to C-1C  
252 Conservation District (Conditional) part of Parcels 780-774-2957 and 781-773-2686  
253 containing 4.452 acres located along the Hanover County, line approximately 2,000'  
254 northeast of the terminus of Winfrey Road. The applicant proposes a conservation district.  
255 The use will be controlled by zoning ordinance regulations and proffered conditions. The  
256 2026 Comprehensive Plan recommends Environmental Protection Area and Suburban  
257 Residential 2, where density should not exceed 3.4 units per acre.

258  
259 Mr. Baka - Is there anyone present tonight in opposition to Expedited  
260 approval of REZ2019-00004, Timmons Group for HHHunt River Mill LLC? Seeing none.

261  
262 Mr. Witte - Mr. Chairman, I move that REZ2019-00004, Timmons Group  
263 for HHHunt River Mill LLC, be approved with the proffers in the staff report dated February  
264 13, 2019 on the Expedited agenda.

265  
266 Mrs. Thornton - I second.

267  
268 Mr. Baka - A motion by Mr. Witte, second by Mrs. Thornton, to recommend  
269 approval on the Expedited agenda. All in favor, say aye.

270  
271 The Commission - Aye.

272  
273 Mr. Baka - Opposed, say no. Motion carries.

274  
275 **REASON -** Acting on a motion by Mr. Witte, seconded by Mrs. Thornton,  
276 the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board  
277 of Supervisors **grant** the request because it conforms with the objectives and intent of the  
278 County's Comprehensive Plan.

279  
280 Ms. Moore - Mr. Chairman, now we move on to your regular agenda,  
281 starting on page one. Actually, it's the only item left. This is an ordinance to amend and  
282 reordain Section 24-110 of the Code of the County of Henrico Titled "Violations and  
283 Penalties" to Set the Penalties for Violations of the Zoning Ordinance in Conformance  
284 with State Law. This presentation will be handled by Mr. Andrew Newby.

285  
286 **ORDINANCE – To Amend and Reordain Section 24-110 of the Code of the County**  
287 **of Henrico Titled “Violations and penalties” to Set the Penalties for Violations of**  
288 **the Zoning Ordinance in Conformance with State Law**

289  
290 This ordinance would eliminate the minimum penalty for violations of the zoning ordinance  
291 and set the maximum penalty at \$1,000. If the violation is uncorrected at the time of  
292 conviction, this ordinance would set the maximum penalty for failing to abate or remove  
293 the violation within a time period established by the court at \$1,000. This ordinance would  
294 set the maximum penalty for failing to abate or remove the violation within a succeeding  
295 10-day period at \$1,500 and any subsequent 10-day period at \$2,000.

296  
297 Mr. Newby - Thank you Madam Secretary, Mr. Chairman, and members of  
298 the Commission. I'm Andrew Newby with the County Attorney's Office. Today you have  
299 before you a Public Hearing, a proposal initiated by the Board of Supervisors to increase  
300 the penalties for violation of our zoning ordinance in conformance with state law.

301  
302 Just a very brief summary ... and for members of the audience, I'm sure y'all have  
303 reviewed the white paper that was submitted ... that which has a greater level of detail.  
304 The current penalties in the County Code are, if it's fair to say ... outdated, and certainly  
305 insufficient in certain cases to gain compliance, especially in very serious cases.

306  
307 The best example of this is that the current penalties for the violation of our zoning  
308 ordinance is only \$100, \$250 if the violation is willful. We were able to trace that back to  
309 1942, unchanged. And I'm not sure how much further back it goes, but I think it's fair to  
310 say that in 75 years, these penalties have not been touched. Although state law has  
311 changed significantly to allow increased penalties. In most, if not all of our surrounding  
312 jurisdictions ... I should say ... have opted for penalties commiserate with state law.

313  
314 Before I get into the very nitty gritty of the proposal, here's some context:

315  
316 Penalties are only imposed if they go to court and court cases are very, very rare. One  
317 percent in the last year have resulted in court cases. And only a smaller percentage of  
318 those have actually resulted in any kind of conviction penalty. As you know, our goal with  
319 any zoning violation that comes into staff is to gain voluntary compliance. So that  
320 whatever the violation is, it gets remedied. That's what we really want. We're not out for  
321 fines or commissions, or anything like that. We're looking for compliance with the zoning  
322 ordinance. And so, staff spends a great deal of time getting voluntary compliance; even  
323 putting forth resources for those who aren't able financially, perhaps, to come into  
324 compliance. We can help in certain cases. But for cases where property owners are  
325 unwilling to bring the property into compliance, occasionally as you can see, 25 in one  
326 year, and 40 in the next would go to court and there, the judge, will work with the property  
327 owner and give him another chance to bring the property into compliance before any kind  
328 of penalty is proposed. And only if the person is then unable to bring the property into  
329 compliance will it ever result into any kind of court penalty or fine. Just what we talked  
330 about here today.

331  
332 Here's the proposal in all of its detail. You see in the middle column what current code  
333 provides and then, on the right, is what proposed county code would provide, which  
334 incidentally, matches state law exactly.

335  
336 The current penalty in the middle column is a minimum of \$10 and a maximum of \$100 if  
337 the offense "be not willful" in the words of the code, or \$250 if it "be willful." We would  
338 propose to change that to no minimum penalty. If a judge thinks that no penalty is  
339 appropriate, we shouldn't have to slap them with a minimum \$10 penalty. We would  
340 request the maximum penalty be raised to what state law allows, \$1,000. Simply because

341 of the judge's discretion in serious cases, and those are rare, but in serious cases for the  
342 court to impose more than the modest penalty that's currently imposed.

343  
344 The next two rows show what a court can do if a violation after a first conviction continues.  
345 The code anticipates that the case will stay before the court and a judge will keep the  
346 case and keep imposing penalties until the property is brought into compliance. What we  
347 would ask to do is simply conform those subsequent penalties to state law so that it  
348 mirrors what state law allows and what the other jurisdictions are doing. It gives the judge  
349 the full discretion of what he or she may need to bring a property into compliance in the  
350 very serious cases.

351  
352 So, that's the overview in a nutshell. The Board of Supervisors initiated this proposal  
353 after a work session in January. And, today is a public hearing before this body to come  
354 up with a recommendation for the Board of Supervisors, after any public input that you  
355 may receive ... and then it would go back to the Board of Supervisors, of course. Just  
356 like every ordinance amendment ... refer for their consideration and then advertise for  
357 public hearing. And that's my presentation this evening. I would be glad to answer any  
358 questions.

359  
360 Mr. Baka - Any questions from the Commissioners for Mr. Newby?

361  
362 Mr. Witte - Are these fines enough to cover our costs?

363  
364 Mr. Baka - That's a good question.

365  
366 Mr. Newby - No. The fines would never cover our costs.

367  
368 Mr. Witte - Ok?

369  
370 Mr. Newby - No, even if increased. The amount of staff time that goes into  
371 helping residents come into compliance far outweighs the fees.

372  
373 Mr. Witte - Now that ... I guess we have the county attorneys going to  
374 court, too.

375  
376 Mr. Newby - Yes. Yes, sir ... and the court's time ... and police officers'  
377 time in serving summonses ...

378  
379 Mr. Witte - Ok.

380  
381 Mr. Baka - So, you want to increase to one-thousand dollars maximum,  
382 at the discretion of the judge from zero to a thousand? ... It covers a portion of the county's  
383 expenses but we can't go past that because that's the State law. So, it would appear to  
384 be a reasonable request is my point.

386 Mr. Newby - Yes, that's exactly right. This isn't about recouping our cost  
387 necessarily, but ... that's a very fair point to think about what we're actually doing here.

388  
389 Mr. Baka - Yeah.

390  
391 Mr. Newby - This is about trying to get compliance, where we can.

392  
393 Mr. Baka - Ok.

394  
395 Mr. Newby - ... in difficult cases ...

396  
397 Mr. Baka - Any other questions?

398  
399 Mrs. Thornton - Yes. How many times do you try and remedy the situation  
400 before you go into court?

401  
402 Mr. Newby - Several times. What will happen first ... and Mr. Strickler's  
403 here in case I go astray, he's our Director of the Department of Community Revitalization  
404 ... but first, once we get a complaint we'll contact the property owner with a note and  
405 business card asking them to contact us. It will be explained orally by staff what we're  
406 seeing the problem is and what they need to do to come into compliance. They're given  
407 a period of time to work it out and if it's not resolved, then we'll go to a formal Notice of  
408 Violation, which is required by state law. And, there, they'll have the option of appealing  
409 the violation to the Board of Zoning Appeals if they disagree with us, our ruling ... or bring  
410 the property into compliance within 30 days. If not brought into compliance within 30  
411 days, then and only then, will we ask a magistrate to issue a summons based on a  
412 complaint ... and then that summons would be served by a police officer and set for a  
413 court date, usually months later. So, there even greater opportunity in time for someone  
414 to bring their property into compliance. And then, once you get to the judge, the judge ...  
415 if you ask ... in many cases will allow a continuance ... one more bite at the apple ... 30  
416 days, 60 days, whatever is reasonable to the judge, to give them one last chance to bring  
417 the property into compliance. And then, if it's not brought into compliance ... like I'll do  
418 tomorrow morning ... I'll go to court tomorrow morning and ask for a fine. But, those are  
419 rare cases and at the end of the rope.

420  
421 Mrs. Thornton - Ok.

422  
423 Mr. Baka - If there are no other questions from the Commission, we'll  
424 open the public hearing as required. And, thank you, Mr. Newby.

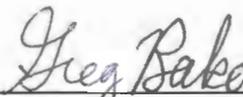
425  
426 Is there anyone present here tonight who would like to speak about this proposed  
427 ordinance change for penalties for zoning violations? Any one at all? Ok.

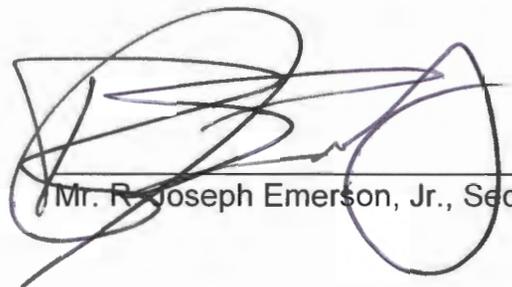
428  
429 Mr. Baka - Can we have a motion to close the hearing, then ... if there is  
430 nobody?

431

432 Ms. Moore - Actually, just a -- if you want to, just a motion to vote, if you're  
433 so inclined.  
434  
435 Mr. Baka - Ok. Seeing that there are no speakers tonight on this issue,  
436 and if there are no questions of the Commission ... does the Commission have a motion  
437 to make on this matter?  
438  
439 Mrs. Thornton - I make a motion to move it to the Board of Supervisors.  
440  
441 Mr. Baka - Ok.  
442  
443 Mr. Mackey - Second.  
444  
445 Mr. Baka - The motion by Mrs. Thornton, and ...  
446  
447 Ms. Moore - So that would be a motion to move it ... ok ... so, supporting  
448 and moving it forward ... ok.  
449  
450 Mr. Baka - Motion to support it and move it forward to recommend for  
451 approval by Mrs. Thornton and seconded by Mr. Mackey. All those in favor, say aye.  
452  
453 The Commission - Aye.  
454  
455 Mr. Baka - Opposed, say no. Motion passes.  
456  
457 Thank you for your time.  
458  
459 Ms. Moore - Ok, that concludes our items and we don't have any  
460 discussion items ... I don't believe ... So, that goes on to our minutes ...  
461  
462 Mr. Baka - Any corrections to the minutes, other than the errata sheet in  
463 front of you? There are four items on the errata sheet. If none, a motion would be in  
464 order.  
465  
466 Mr. Witte - I move to accept the amended minutes as presented.  
467  
468 Mr. Mackey - Second.  
469  
470 Mr. Baka - Motion by Mr. Witte, and second by Mr. Mackey, to accept the  
471 amended minutes. All who's in favor, say aye.  
472  
473 The Commission - Aye.  
474  
475 Mr. Baka - Opposed, say no. Motion carries.  
476  
477 Ms. Moore - And that concludes our agenda for this evening.

478  
479 Mr. Witte - Move to adjourn.  
480  
481 Mr. Baka - Do we have a second?  
482  
483 Mrs. Thornton - Second.  
484  
485 Mr. Baka - All in favor to adjourn, say aye.  
486  
487 The Commission - Aye.  
488  
489 Mr. Baka - Meeting is adjourned.  
490  
491  
492  
493  
494  
495  
496  
497  
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Mr. Gregory R. Baka, Chairman

  
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Mr. R. Joseph Emerson, Jr., Secretary