

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
October 9, 2007

The Henrico County Board of Supervisors convened a Special Meeting on Tuesday, October 9, 2007 at 5:30 p.m. in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia. The Chairman called the meeting to order at 5:38 p.m. Those present at the meeting were:

PRESENT

The Honorable James B. Donati, Jr., Chairman
The Honorable David A. Kaechele, Vice-Chairman
The Honorable Richard W. Glover, Brookland District Supervisor
The Honorable Patricia S. O'Bannon, Tuckahoe District Supervisor
The Honorable Frank J. Thornton, Fairfield District Supervisor
Mr. Harvey L. Hinson, Deputy County Manager for Community Development
Mr. Leon T. Johnson, Deputy County Manager for Administration
Mr. Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Mr. Barry R. Lawrence, Assistant to the County Manager/Clerk to the Board
Mr. C. Michael Schnurman, Legislative Liaison
Mr. Joseph P. Rapisarda, Jr., County Attorney
Mrs. Jennifer K. Acker, Director of Public Relations & Media Services
Mr. S. Mark Strickler, Director of Community Revitalization
Mr. Randall R. Silber, Director of Planning
Mr. David D. O'Kelly, Jr., Assistant Director of Plan Review and Code Support
Mr. Paul M. Gidley, County Planner II/Code Administration Manager

Proposed Zoning Ordinance Amendment to Increase the Maximum Height of Accessory Structures in Residential and Agricultural Districts

Mr. Hinson introduced this item and then recognized Mr. O'Kelly, who narrated a Power Point presentation on the proposed zoning ordinance amendment to allow accessory structures taller than 15 feet in residential and agricultural zoning districts (see enclosed copy of presentation and one-page handout summarizing the accessory structure height amendment that was distributed to the Board). Mr. O'Kelly noted that the proposed ordinance amendment had been brought forward at the request of the Homebuilders Association of Richmond (HBAR). His presentation addressed the perceived need for the amendment, height limits in other localities, the proposed wording of the amendment, and concerns

expressed by the Planning Commission at a September 13, 2007 public hearing. Mr. O'Kelly, Mr. Hinson, and Mr. Pinkerton responded to several questions from members of the Board during the presentation regarding setback requirements for accessory buildings, how these requirements apply to alleys, and how accessory structures can be used.

Following Mr. O'Kelly's presentation, there was some discussion among Board members, Mr. Silber, and Mr. Hinson pertaining to home businesses. Mr. Hinson advised that Planning Department staff is working on a white paper that will address the issue of home based occupations. In response to a question from Mr. Kaechele, Mr. Hinson pointed out that Section 24-13(b) of the County's zoning ordinance regulating the "living quarters of persons employed on the premises" has been in the County Code since Henrico had a largely agricultural economy. Mr. Rapisarda, Mr. Hinson, and Mr. Silber responded to questions from Mr. Kaechele relating to the distinctions made by the County's zoning ordinance between living quarters and guest houses, Sections 24-13(b) and 24-13(c) of the Code respectively. Mr. Hinson commented that the County had not experienced much of a problem with violations of Section 24-13(b).

In response to a question from Mr. Donati, Mr. Hinson elaborated on the Planning Commission's suggestion to add a cross-reference to the restrictions on using an accessory structure for a dwelling unit. Mr. Hinson and Mr. Silber responded to additional questions and comments from Board members regarding the use of dormers or rooftop decks with accessory structures, the rationale of HBAR in requesting the ordinance change, and construction requirements for accessory buildings. Mrs. O'Bannon commented that citizens who had

contacted her on this issue were concerned about matching the pitch of the roof to the angles of the house. In response to a question from Mr. Kaechele, Mr. Hinson clarified that agricultural facilities used for bona fide farming operations are exempt from the Code.

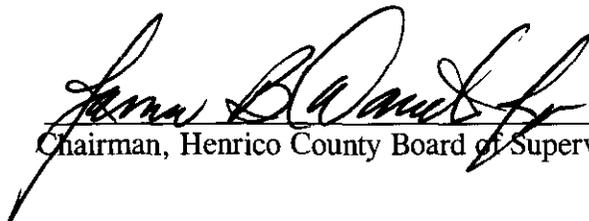
The Board recessed for dinner at 6:11 p.m. and reconvened at 6:37 p.m.

Mr. Hinson reviewed the agenda for the evening's regular meeting. He and Mr. Rapisarda elaborated on the resolution for award of contract for master planning services for Tuckahoe Park since Mrs. O'Bannon indicated that she had not received any information on this item. Mr. Hinson noted the zoning case on the evening's agenda for which the applicant had requested a deferral.

Mr. Hinson advised that some citizens might be addressing the Board during the evening's public comment period on the issue of keeping livestock in residential areas. He distributed a one-page handout summarizing the County's zoning regulations for livestock and pets (see enclosed copy). Mr. Hinson, Mr. O'Kelly, and Mr. Strickler briefed the Board on a zoning matter involving a County homeowner in a residential subdivision who had been keeping a small pony in her front yard. They had been working with the citizen in an effort to achieve voluntary compliance with the County's zoning ordinance livestock provisions. Mr. Glover commented on citizens in his district who had been feeding a pig that had been running through their neighborhood. Mr. Hinson explained the definition of kennels.

In reference to the Energy Awareness Week proclamation scheduled for presentation on the evening's agenda, Mr. Kaechele inquired about the Energy Symposium for Schools and General Government planned for October 24, 2007 at Mills E. Godwin High School and October 25, 2007 at the County Government Center. Mr. Hinson, Mr. Drumwright, and Ms. Harper explained the purpose of the symposiums and the target audience for these sessions.

There being no further business, the meeting was adjourned at 6:50 p.m.


Chairman, Henrico County Board of Supervisors