

Board Agenda Item
March 10, 2003

3:30 p.m. Item – RZ-2002-MV-022 – Rolling Oaks LLC
Mt. Vernon District

On Thursday, February 20, 2003, the Planning Commission voted unanimously (Commissioner Koch not present for the votes; Commissioner Alcorn absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ-2002-MV-022 and its associated Conceptual Development Plan, subject to execution of proffers consistent with those dated February 19, 2003; and
- Approval of a variance to the provisions of Section 18-401 of the Zoning Ordinance to permit a fence exceeding four feet in height along the Rolling Road frontage of the property.

The Planning Commission then voted unanimously (Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting) to approve FDP-2002-MV-022, subject to approval by the Board of Supervisors of RZ-2002-MV-022 and the Conceptual Development Plan.

Planning Commission Meeting
February 20, 2003
Verbatim Excerpt

RZ-2002-MV-022/FDP-2002-MV-022 - ROLLING OAKS LLC

After Close of the Public Hearing

Chairman Murphy: Close the public hearing; recognize Commissioner Byers.

Commissioner Byers: Thank you, Mr. Chairman. I think this may become a classic example of infill. This is a very difficult piece of land to put anything on. It's a difficult piece of land to walk on -- at least walk across. The applicant has done a good job coming up with an innovative design, has been very cooperative and has met all the requirements of staff and the requirements of the community. We got some final tweaks to the proffers yesterday and they were e-mailed because I was concerned our policy of last minute changes would defer the action. But I'm not going to be here for the next couple of weeks, and so if there is no objection from members of the Commission, I would like to go ahead and move forward with this one. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-2002-MV-022 AND ITS ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF DRAFT PROFFERS DATED FEBRUARY 19, 2003.

Commissioners Hall and Kelso: Second.

Chairman Murphy: Seconded by Ms. Hall and Mr. Kelso. Is there a discussion of the motion?

Commissioner Wilson: Mr. Chairman?

Chairman Murphy: Ms. Wilson.

Commissioner Wilson: Could I ask Mr. Byers if that will include some of the small modifications that Mr. Sampson stated that he would agree to?

Commissioner Byers: We'll ask Mr. Sampson to come back to the podium. Mr. Sampson, do you assure the Commission that those minor tweaks will be put in before this goes to the Board?

Timothy Sampson, Esquire: Yes, sir.

Chairman Murphy: Just give us a "you betcha."

Mr. Sampson: You betcha.

Chairman Murphy: That's good enough. We're getting real technical here. All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-2002-MV-022, with the proffers dated February 19 and the "you betcha" from Mr. Sampson, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Byers.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLAN FOR RZ-2001-MV-022 (sic), SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING AND THE CDP.

Commissioner Hall: Second.

Chairman Murphy: Seconded -- I believe it's 2002, right? All those in favor of the motion to approve FDP-2002-MV-022, subject to the Board's approval of the rezoning and the conceptual development plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Byers.

Mr. Peter Braham: Mr. Byers, I neglected to include on your notes a "variance pursuant to the provisions of 18-401 to allow a fence exceeding four feet in height for noise purposes along the Rolling Road frontage." It's on the front cover.

Commissioner Byers: All right, but it doesn't say noise. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE A VARIANCE, PURSUANT TO THE PROVISIONS OF SECTION 18-401 TO ALLOW A FENCE EXCEEDING FOUR FEET IN HEIGHT ALONG THE ROLLING ROAD FRONTAGE OF THE PROPERTY.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Ms. Hall. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Motion carries. Thank you very much.

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(The motions carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcom absent from the meeting.)