

Board Agenda Item
June 16, 2003

5:00 p.m. Item – SEA-97-V-033 – Mount Vernon Country Club
Providence District

On Thursday, June 12, 2003, the Planning Commission voted 7-0-2 (Commissioners DuBois and Wilson abstaining; Commissioners Alcorn and Kelso not present for the votes; Commissioner Smyth absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SEA-97-V-033, subject to the proposed development conditions dated June 11, 2003;
- Waiver of the trail requirement along Old Mill Road;
- Modification of the transitional screening requirements on all boundaries in favor of the existing vegetation shown on the SEA Plat; and
- Modification of the barrier requirements along all boundaries in favor of that shown on Attachment 1 and described in Attachment 2 of the development conditions.

Planning Commission Meeting
June 12, 2003
Verbatim Excerpt

SEA-97-V-033 - MOUNT VERNON COUNTRY CLUB

Decision Only During Commission Matters
(Public Hearing held on May 29, 2003)

Commissioner Byers: This case, which I thought innocently a few months ago would be a fairly straightforward and simple application, has turned into a quagmire of hurt feelings, accusations, and misunderstandings. In our packet yesterday were numerous letters from folks who live adjacent or near to the country club, and who are strongly opposed to certain parts of the club's application, and their feelings are definitely ruffled. So tonight I am reading my conclusions and recommendations because I want to be careful how I choose my words to avoid ruffling any more feelings. The club wants to expand the existing clubhouse, improve the course, restroom facility, install some stream bank stabilizations, and make certain golf course modifications. Nobody seemed to have any problems with any of that. There was an issue of the existing trail requirement, which on the County's trail map, seemed to run along the boundary of the club's property generally where there are numerous trees. The neighbors wanted to keep the trees and so did the club, so a compromise was worked out where the club would escrow funds for trails in the area on others' property. Two issues remain. One has to do with views of the golf course from homes across the street from the club. Apparently some previous residents decided to extend the view all the way to the fairway by going onto the club's land and cutting down the trees that interfered with their view. The new residents now feel that the club has no right to change that view by replanting the trees in that open space. Now I am unsure how these folks would feel if the club complained about the plantings in the front yard of those folks. But I am pretty sure about property rights in the Commonwealth of Virginia, and if an owner wants to plant trees on his own lot, he can do so as long as he doesn't interfere with others' rights. Even so, the club, in an effort to be neighborly, has agreed to let these few open spaces stay unplanted, and I have received a letter today to that effect which will be entered into the record. This brings me to the last issue, and this is an issue because some of the citizens don't know the requirements of the Zoning Ordinance, and because the club has tried perhaps too hard to be a good neighbor. The Zoning Ordinance requires the club to be fenced. And some of the people who wrote us letters think the club has to get a waiver to put up a fence. It's just the opposite, the fence is a requirement. It hadn't been put up in the past because that requirement was waived for various reasons. Now, however, the club is experiencing some vandalism and trespassing and has decided not to request another waiver, but to comply with the Zoning Ordinance. In an effort again to get along, the club has requested to phase the fence construction, initially installing portions where the problem seems to be the greatest, particularly along roads that border the club, and waiting until later to fence those areas, if necessary, where backyards abut the club and where the homes create an effective barrier. Again, the club has moderated its fencing requirement by placing the fencing generally inside the treeline and by reducing the fence height along those sections where the residents are most affected. Now I can understand that folks who have never had a fence around might get upset when a neighbor decides to put one up. But a neighbor has a right to protect his property. In this case, the neighbor is simply complying with

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Commissioner DuBois: Not here for the public hearing. Abstain.

Commissioner Wilson: Abstain.

Chairman Murphy: Ms. DuBois and Ms. Wilson abstain.

Commissioner Byers: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE TRAIL REQUIREMENT ALONG OLD MILL ROAD.

Commissioner Hall: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners DuBois and Wilson: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ON ALL BOUNDARIES IN FAVOR OF THE EXISTING VEGETATION AS SHOWN ON THE SEA PLAT.

Commissioner Hall: Second.

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

Commissioners: Aye.

Commissioners DuBois and Wilson: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE BARRIER REQUIREMENTS ALONG ALL BOUNDARIES IN FAVOR OF THAT SHOWN ON ATTACHMENT 1 AND DESCRIBED IN ATTACHMENT 2 OF THE DEVELOPMENT CONDITIONS.

Commissioner Hall: Second.

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

Commissioners: Aye.

Commissioners DuBois and Wilson: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Byers: Now I can go home.

Commissioner Harsel: Mr. Chairman?

Chairman Murphy: So can Mr. Houston. Yes, Ms. Harsel.

Commissioner Harsel: I do want to say on the case that Commissioner Byers just did, I thought Jim Lund sent a very good letter with a good solution, and I just hope that in this shouting, as you say, of vandals and vandals, or trespassing, trespassing, someone has said about the neighbors walking back and forth and that they will try to walk on the streets and not through the golf course and then maybe they can stay fence free, if that's what it is.

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(The motions carried by a vote of 7-0-2 with Commissioners DuBois and Wilson abstaining; Commissioners Alcorn and Kelso not present for the vote; Commissioner Smyth absent from the meeting.)

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the Zoning Ordinance. I believe the club has gone out of its way to try to be agreeable with all the different groups that surround it. I do not believe the fence will create catastrophic financial losses for homeowners because in most areas the fence will be screened, or only slightly noticeable. Good examples are the Belle Haven Country Club and the Army Navy Country Club, both of which have similar fencing right along their boundaries with virtually no screening at all and no negative impact on their neighbors across the street. In summation, Mr. Chairman, I believe this is a satisfactory application and that the Mount Vernon community will benefit from it. Accordingly, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-97-V-033, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS NOW DATED JUNE 11, 2003.

Commissioner Hall: Second.

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

Commissioner Koch: Mr. Chairman?

Chairman Murphy: Just a question. The country club is going to put the fence up because it is required by the Zoning Ordinance, but does the Zoning Ordinance provide for phasing -- I mean is there a time limit when the fence has to be up?

Commissioner Byers: They have requested that and it is in the development conditions.

Commissioner Koch: Okay. Thank you.

Chairman Murphy: Further discussion of the motion that was well thought out?

Commissioner Hall: Mr. Chairman? I'm sorry -- it was very well thought out and after listening to the testimony, I think you have done another wonderful job. But I do have a question. When they are finished, will there be a complete fence around the entire golf course?

Commissioner Byers: If vandalism continues, after the initial fencing goes up, there will keep putting fencing up until eventually it goes all the way around.

Commissioner Hall: Okay. Because that really will be the only way that will stop it. Thank you, Mr. Chairman.

Chairman Murphy: Is there further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA-97-V-033, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

