



**KING WILLIAM COUNTY
PLANNING COMMISSION
REGULAR MEETING OF NOVEMBER 12, 2024**

A regular meeting of the Planning Commission of King William County, Virginia, was held on the 12th day of November 2024, beginning at 6:30 p.m. in the King William County Board Room of the Administration Building.

Agenda Item 1. Call to Order

Chairman Sluder called the meeting to order at approximately 6:30 p.m.

Agenda Item 2. Electronic Participation Approval

Not needed.

Agenda Item 3. Roll Call

Darrell Kellum – Vice Chair	Present
Greg Henrich	Present
Otto Williams	Present
Ben Edwards	Present
Mathew Sluder - Chairman	Present

Also in Attendance:

Sherry Graham, Senior Planner

Joyce Wolfe, Planner I

Ashley Gault, Planning Secretary

Agenda Item 4. Moment of Silence

Chairman Sluder called for a moment of silence.

Agenda Item 5. Pledge of Allegiance

Chairman Sluder led the pledge of allegiance.

Agenda Item 6. Review And Adoption of Meeting Agenda

Chairman Sluder noted a small change in date on Agenda Item 10.a. CUP 04-2022 deferred from October 18, 2024, amended to October 1, 2024, and clarified an additional public comment period would be held after the continuation of CUP 04-2022, Central Apartments.

With no additional changes or edits, Chairman Sluder entertained the motion for approval and adoption of the meeting agenda. Commissioner Henrich made the motion for approval and adoption, properly seconded by Commissioner Williams.

Greg Henrich	Aye
Otto Williams	Aye
Ben Edwards	Aye
Darrell Kellum	Aye
Mathew Sluder	Aye

All were in favor with none opposed.

Approval for adoption of the November 12, 2024, Planning Commission Regular Meeting Agenda passed.

Agenda Item 7.a. Approval of Minutes

Chairman Sluder asked if the regular meeting minutes had been reviewed, with no changes or edits, Chairman Sluder entertained the motion for approval.

Commissioner Williams motioned for approval of the October 1, 2024, Planning Commission Regular Meeting Minutes, seconded by Supervisor Edwards.

Greg Henrich	Aye
Otto Williams	Aye
Ben Edwards	Aye
Darrell Kellum	Aye
Mathew Sluder	Aye

All were in favor with none opposed.

The Planning Commission Regular Meeting Minutes of October 1, 2024, passed, unanimously.

Agenda Item 8. Citizens Comment Period

Chairman Sluder opened the Citizens Comment Period at approximately 6:34pm.

Chris Couch of the 5th district alleged false claims regarding his small business. Citing inaccurate records and misleading publications spreading rumors, slander and false allegations of his business being in violation of tax codes. Mr. Couch questions the source of said information and requests to have the records corrected.

9. Public Hearing

9a. Re-Zoning 02-2024 – Dollar General

The public hearing for Z -02-24, Dollar General was advertised appropriately and opened by Chairman Sluder.

Senior Planner, Sherry Graham outlined the details of the request for the rezoning of the property located at the corner of Dabney's Mill Road and King William Road for business use of a Dollar General and the division of two parcels. Mrs. Graham shared the deferral request from the applicant and introduced Brett Hammons with Bowman Consulting who spoke on behalf of the applicant.

Brett Hammons of Bowmans Consulting approached the Commissioners clarifying the formal request for deferral, stating the applicants would like more time to work with Mrs. Graham to provide substantial feedback to her comments and address the concerns of the public.

Chairman Sluder opened the public comment session for the public hearing on Z-02-2024 – Dollar General.

Frances Gwaltney, district 5 – a lifelong resident of King William County spoke in opposition of the request for rezoning at the corner of Dabney's Mill Road and Route 30. Gwaltney said the road is too dangerous to put a business that sells alcohol on the corner, between two homes.

Colleen Williams, district 5 – spoke in respectful opposition of the rezoning application. Williams referenced the Comprehensive Plan declaring bringing a Dollar General to that area does not match the proposed plan, with concerns of the sale of alcohol and tobacco, additional trash, traffic and already dangerous road conditions.

Patsy Garlick, District 5 – spoke in opposition to the rezoning and announced her disappointment in her Board representation for not being at the meeting. Garlick says a Dollar General should not be the counties first choice of commercial business for the area especially being in such proximity to Mangohick Baptist Church, historical districts and generational farmlands.

Lolitta Miller spoke on behalf of her Aunt Roberta Brent, district 5 – a local to the area for 30 years, opposed the rezoning request. Miller read multiple concerns for the rezoning, such as traffic, speed, pedestrians and alcohol consumption and noted that her aunt was upset with alleged improper notifications of the public hearing.

Ann Gardner, district 5 – shared her opposition for the rezoning claiming that as a Dabney's Mill Road resident, the road is unsafe for a business to operate on the corner. Gardner shared her concerns of the Dollar General being in proximity to a Church, the speed violations, bad curves and deep ditches on Dabney's Mill Road. Ms. Gardner has been a resident of King William County for 52 years and does not want the rezoning approved.

Anthony Cantrell, district 4 – brought awareness to the negative impacts the rezoning would potentially have on the rural character of the county, environmental impacts of hunting clubs and dog hunters, the increase in speed violations and devaluation of surrounding properties. Cantrell presented the Commissioners with a petition of opposition containing 60 signatures collected in only two days of opposing constituents wanting to protect the rural values in the area.

Linda Moore, district 5 – petition of opposition signer who works from home, says she is a witness to the amount of daily traffic and farm trucks using Dabney's Mill Road and that is not safe to add a store on the corner.

Mable Fortune, district 5 – a multigenerational family resident opposed the rezoning application with concerns of traffic, road deterioration, trash and litter, and the location being dangerous.

Ryan Pearson, district 5 – also made record of opposition as the rezoning for a Dollar General would regard in alcohol sales in front of the church.

Brittany Garlick, district 4 and 5 – a fifth generational resident opposes this rezoning application with concerns of pedestrians walking to the Dollar General under the influence of alcohol, the speed and traffic. Garlick said having a Dollar General every 10 minutes from West Point to I95N is ridiculous and proposed bringing a local business to the area instead.

Candance Ellinger, districts 4 and 5 – shared her opposition for the rezoning application, citing how terrible the traffic is on Dabney's Mill Road and Route 30, noting how dangerous it already is simply trying to retrieve mail from her mailbox in that area.

Kayla Garlick, district 5 – a Dabney's Mill Road resident opposed the rezoning application for Dollar General. Garlick agrees the traffic and tractor trailers are exceptional in that area. Garlick asks the Commissioners to consider bringing in a local business instead.

Taylor Garlick, district 5 – opposed the application for rezoning reiterating the danger he has personally encountered walking to his mailbox due to heavy tractor trailer traffic and speed violators in the area. Garlick instated a Dollar General does not belong in the area as it would be right beside residential houses, on generational family and farmlands. Mr. Garlick wants to keep the area rural and strongly encouraged the Commissioners to deny the application for rezoning.

Herbert Johnson, district 5 – opposed the application for rezoning, stating the traffic, tractor trailer dangers and the only passing lane in the area being in that strip of Route 30. Johnson claimed there are more beneficial ways to increase revenue in the County and asked the Commissioners to do what's best for the people they represent.

Chester Green, district 5 – opposed the rezoning application citing the increased traffic, and potential for more vehicular accidents on an already dangerous road with high ditch banks. Green recalled a tractor trailer accident his brother was involved in on the corner of Dabney's Mill Road and Route 30, declaring people and pets are already unsafe living next to the highway in that area.

Chairman Sluder thanked all the speakers and at approximately 7:30pm the public comment period for the Public Hearing Re-Zoning 02-2024, Dollar General was closed.

Commissioner Williams made the motion to deny the request by the applicant for Re-Zoning 02-2024, Dollar General, seconded by Supervisor Edwards.

With a motion made for denial and properly seconded, Chairman Sluder clarified the motion was for denial and a roll call vote was ordered:

Greg Henrich	Aye
Otto Williams	Aye
Ben Edwards	Aye
Darrell Kellum	Aye
Mathew Sluder	Aye

The motion to deny a recommendation of Z-02-24, Dollar General to the Board of Supervisors passed unanimously.

9b. Amendments to the Cluster Ordinance

Planner I, Joyce Wolfe gave a summary of the Cluster Ordinance and conditions causing the county to add such an ordinance, noting that The Code of Virginia requires that jurisdictions with population growth 10% or greater between decennial censuses must provide in their zoning or subdivision ordinance, standards, conditions and criteria for the clustering of single-family dwellings and the preservation of open space developments. Mrs. Wolfe briefly discussed the perimeters of the Ordinance detailing minimum lot sizes would be dictated by the availability of utilities, lot dimension & setback standards would be the same as those in the R-1, Suburban Residential District, Public roads to VDOT public road standards would be required, one dwelling may be located on the conservation lot adding the flipside of the conservation lot would be required to be placed within a permanent open space easement with the County or other approved governmental or qualifying non-profit entity. Reiterating the County's desire to maintain a rural character, citing the Cluster Ordinance would fit into the Comprehensive Plan.

Vice Chairman Kellum addressed concerns of the easement being regulated and the responsibility the County would have in maintaining that regulation and a brief discussion was held between the Commissioners and Planner I, Joyce Wolfe confirming it would in fact be the County's responsibility to police the easements, suggesting a team for monitoring but it being up to the developer to make it feasible.

Chairman Sluder asked if any applications of interest had been acquired, to which Senior Planner Graham confirmed a preliminary application, 2 years ago. Expectations of increasing interest and developmental incentives were discussed and the law requiring such an Ordinance.

At approximately 7:41pm, Chairman Sluder opened the public comment period of the public hearing. With no public comments or additional speakers to the public comment period was closed.

Offering recommendations to amend the proposed ordinance to clarify the qualifying entity, the Cluster Ordinance was motioned for adoption. Supervisor Edwards made the motion to approve with amendments, seconded by Commissioner Williams and roll call vote was ordered.

The members were polled:

Darrell Kellum	Aye
Otto Williams	Aye
Ben Edwards	Aye
Greg Henrich	Aye
Matt Sluder	Aye

All were in favor with none opposed, the motion to adopt a Cluster Ordinance with amendments passed.

9c. Farm Housing Ordinance

Planner I, Joyce Wolfe reviewed Farm Housing and the omission of farm accessory buildings for use as a dwelling from the use matrix during the last code update. Mrs. Wolfe provided The Farm Housing amendment would reinsert the use into the matrix and provide such provisions for use of an accessory building for farm worker housing. Adding proposed language to include the required size of the farm (50 acres or more), the number of structures (one per 50 acres), setback and size standards, occupancy limitations and use restrictions (no market rental or short-term housing rental use), to use an existing structure or to construct a new structure for farm housing would require the issuance of a zoning permit.

Concluding that Planning Commission recommend approval of the Farm Housing Ordinance amendment and addition of farm housing to the use matrix to the Board of Supervisors.

The Commissioners held brief conversations regarding limitations and enforcement, new market rental and prior usage requirements.

Vice Chairman Kellum recommended adding a variance allowing smaller farms to house their helpers and/or farmhands if the criteria meet's the definite term of a Farm; Supervisor Edwards allowing that crop type would be more of an accurate judgement than acreage minimum.

Chairman Sluder deciding the language to read "under 50 acres would be determined by the Zoning Administrator" and opened the public comment period for the Farm housing Ordinance Public Hearing.

Chris Couch, district 5 – owner and operator of small business Farm disagreed with an acreage minimum being a qualifying factor in determining a farm and reiterated the need for such housing. Mr. Couch disputed the ability to interpretate Code, suggesting the County define the perimeters clearly declaring the simple solution for classification of a Farm is whether said Farm is registered with the USDA Farm Service Agency and files a schedule F tax return.

With no other speakers, Chairman Sluder closed the public comment period at approximately 7:56pm and entertained a motion to approve implementation of a Farm Housing Ordinance.

Commissioner Henrich made the motion to adopt the Farm Housing Ordinance, seconded properly by Vice Chairman Kellum. A roll call vote was ordered.

The members were polled:

Darrell Kellum	Aye
Otto Williams	Aye
Ben Edwards	Aye

Greg Henrich
Matt Sluder

Aye
Aye

All were in favor, and none opposed. The motion to adopt a Farm Housing Ordinance was approved.

Agenda Item 10. Unfinished Business:

10a. Continuation of the Central Apartments Public Hearing – Deferred from October 1, 2024

Senior Planner, Sherry Graham gave a brief historical outline of the Conditional User Permit request for Central Apartments at which time Vice Chairman Kellum recused himself from voting as not to cause conflict of interest. Mrs. Graham noted Chief Brown's approving of the conceptual plan and Commissioner Henrich asked for height clarifications. Mark Kroenthal allowing the building is proposed at three- stories.

Supervisor Edwards rebutted with apprehensions regarding the lack of fire protection to the upper stories as King William County does not have an apparatus that would extend to those levels. Commissioner Williams concurred Supervisor Edwards' concerns.

More detailed discussions of height elevations and fire safety plans, Mr. Kroenthal confirmed the evergreen buffers were strategically placed to meet the concerns of the neighboring residents and that the applicant will absolutely comply with VDOT standard turning radius and meet fire code. Reiterating this complex was designed for King William specifically and they are willing to meet any conditions necessary to proceed.

Commissioner Henrich requested to open the meeting for public comments, for him to make a qualifying decision.

Jessica Budd of Central Crossing Terrance – disapproves of the request to build an apartment complex listing several reasons of troubles.

Chris Budd of Central Crossing Terrance – reiterated his wife's concerns noting their residence being an adjacent property to proposed apartments.

With no other speakers, the Commissioners continued their conversations about safety, traffic, security and egress relations. Commissioner Henrich suggests flipping the layout 180 degrees, to which Mr. Kroenthal claimed that the current layout is best due to the topography study results.

Commissioner Williams made a motion to deny the request. With no secondary motion, that motion failed. Commissioner Henrich made the motion to approve with conditions, with no secondary motion, that motion failed.

Commissioner Williams made another motion to deny which was properly seconded by Supervisor Edwards and roll call vote was ordered.

The members were polled.

Greg Henrich
Otto Williams
Ben Edwards
Mathew Sluder

Naye
Aye
Aye
Naye

With a locked vote of 2:2, the motion to deny did not pass.

Chairman Sluder clarified the CUP 04-2022, Central Apartments will still move forward to the Board of Supervisors for final judgement, without a recommendation from the Planning Commissioners.

10b. Discussion of Amendments to the Agritourism Ordinance

Planner I, Joyce Wolfe gave a summary of the proposed Agritourism Ordinance defining the criteria and need for implementation, noting the current ordinance is vague and limited in scope. Mrs. Wolfe listed the events and activities an Agritourism Ordinance would allow and what would be included in the matrix.

Agenda Item 11 New Business:

11a. Establishment of Front Setback Measurements

Senior Planner, Sherry Graham presented a PowerPoint presentation outlining the consideration of using the centerline of the road for measurements and the reasoning behind the repeal request. Noting safety, traffic flow, accessibility, aesthetics and future planning impacts. Mrs. Graham made mention of several important aspects to consider such as local regulations and curved roads and shared the new definition of Front Yard Setbacks.

Front yard setbacks - are the minimum distance a structure must be from the center line of a public street or the front property line. Setbacks are building restrictions that are imposed by the County. On any street right-of-way which is less than 50 feet in width all buildings shall be set back a minimum of 75 feet or more from the centerline of the street right-of-way.

Proposed Change to **Sec. 86-110. Minimum site area and dimensional regulations for primary zoning districts:**

- Add superscript ¹⁰ after Minimum Setback in the Table.
- Add #10 in the notes section to read: ***The minimum front setback shall be measured from the centerline of the road or highway.***

11b. Repeal of Chapter 66, Subdivisions of the Code of Ordinances

Senior Planner, Sherry Graham presented a PowerPoint presentation reviewing the repeal of Chapter 66, of the County Code regarding Subdivisions, declaring the ordinance was left in place after the last code update and is redundant and in many cases, contradictory to ordinance in Section 86, Article XVIII, Subdivisions.

Senior Planner Graham and Planner I Joyce Wolfe assure to propose the changes to the Commission for consideration once the two ordinances can be reviewed properly and combined.

Chairman Sluder motioned to move Agenda items 11a. Establishment of Front Setback Measurements and Agenda item 11b. Repeal of Chapter 66, Subdivisions of the Code of Ordinances to public hearing.

Commissioner Henrich made the motion, seconded properly by Vice Chairman Kellum.

All were in favor with none opposed.

Agenda Item 12 Staff Report

12a. Existing and Upcoming Projects

CUP 02-2024 – King William Solar 1, LLC/ New Energy Equity; Wayne King Johnson Solar Project, small- scale solar facility on route 30.

CUP 03-2024 Richard J. Schreck; Accessory Dwelling Unit expansion of Dabney's Mill Road

CUP 04-2024 Queenfield Golf Course, LLC; Expansion of non-conforming clubhouse

Amendments to the Zoning Ordinance; front setback requirements, sign and accessory structure relations.

Repeal of Section 66

Agenda Item 13

13a. Edmunds Reports –

Senior Planner Sherry Graham reviewed Violation Reports from August through September 2024.

13b. Violation Logs –

Senior Planner, Sherry Graham presented a spreadsheet report with planning and zoning totals for the 2024 calendar year.

Agenda Item 14. Commission Member Request and Comments

Taking time to recognize the staff, Commissioner Williams thanked everyone for being at the meeting and recognized the impactful outcome of difficult conversations when the counties overall future is discussed.

Supervisor Edwards thanked everyone for coming, the Planning Commission staff, for all their work and the public for attending.

Commissioner Henrich thanked everyone for understanding his absences and thanked everyone for attending the meeting.

Vice Chairman Kellum thanked the meeting attendees for coming, the staff and his fellow Commissioners.

Chairman Sluder thanked the staff, the attendees and his fellow board members. Mr. Sluder recognized the crowded agenda and noted this is the first time ever having a split vote without a recommendation to the Board of Supervisors but appreciates having the ability to discuss difficult subjects without arguments and making the decisions that are best for the people.

The Commissioners wished everyone a happy and safe Thanksgiving.

Agenda Item 15. Adjourn or Recess

Chairman Sluder entertained the motion to adjourn.

Mr. Williams	Aye
Mr. Edwards	Aye
Mr. Kellum	Aye
Mr. Sluder	Aye

The meeting was adjourned at 9:02pm.

X

Matthew Sluder
Chairman

X

Ashley Gault
Planning Secretary