

Dinwiddie County Planning Commission

Regular Meeting Agenda

January 14, 2026

7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. APPROVAL OF MINUTES

Documents:

[December 10, 2025 Reg Meeting.pdf](#)

6. ELECTION OF CHAIRMAN FOR 2026

Documents:

[Resolution - Chairman - 2026.pdf](#)

7. ELECTION OF VICE CHAIRMAN FOR 2026

Documents:

[Resolution - Vice Chairman - 2026.pdf](#)

8. DETERMINATION OF MEETING SCHEDULE FOR 2026

Documents:

[Meeting Schedule Resolution - 2026.pdf](#)

9. CITIZEN COMMENTS

10. PUBLIC HEARING

A. CASE SE-26-1

The applicant, Capek Properties and authorized agents, Lisa Capek and Ramon Esparza, are requesting as part of the site development process an exception in accordance with Dinwiddie Code Sections 22-413 and 22-421 to modify the landscape plantings as part of landscaping requirement in Section 22-416, Tree cover requirements. The proposed development is for a truck repair shop on the following described property containing approximately 7.45 +/- acres. The property is generally located on the north side of Simpson Rd. (Route 142) 0.42 mile east of the intersection of Route 1 and Simpson Rd. (Route 142). The

property is further defined as Tax Map Parcel No. 21-45. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Employment Center Area of the Northern Dinwiddie Development Area, which allows for commercial and industrial uses for this general area.

Documents:

[SE-26-1 PC Staff Report - January 14, 2026.pdf](#)
[Capek Special Exception Application.pdf](#)
[SE-26-1 LocationMap.pdf](#)
[Capek Properties Truck Shop, Landscape Plan.pdf](#)

11. OLD BUSINESS

12. NEW BUSINESS

13. REVIEW OF BY-LAWS

Documents:

[PC Bylaws.pdf](#)
[Bylaws Resolution Memo.docx](#)

14. REVIEW CODE OF ETHICS AND STANDARDS OF CONDUCT

Documents:

[PC Code of Ethics and Standards of Conduct.pdf](#)

15. COMMISSIONERS' COMMENTS

16. PLANNING DIRECTOR'S COMMENTS

17. ADJOURNMENT

VIRGINIA: MINUTES FOR THE REGULAR MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE GOVERNMENT CENTER BUILDING ON THE 10th DAY OF DECEMBER 2025 AT 7:00 P.M.

PRESENT:	ALVIN LANGLEY		DIST #1
	EDWARD TITMUS		DIST #2
	JOHN HARVELL	CHAIRMAN	DIST #3
	HANNAH BISHOP		DIST #4
	SAMUEL W. HAYES, P.E.	VICE CHAIRMAN	AT-LARGE
ABSENT:	ANTHONY SIMMONS		DIST #5
OTHER:	MARK BASSETT	PLANNING DIRECTOR	
	MATTHEW CULBREATH	ASST. PLANNING DIRECTOR	
	MICHAEL DREWRY	ASST. COUNTY ATTORNEY	
	MORGAN INGRAM	EXECUTIVE DIR. COMMUNITY DEV.	

IN RE: CALL TO ORDER

The Chairman called the meeting to order at 7:01 p.m.

IN RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Chairman asked everyone to stand for the pledge of allegiance and a moment of silence.

IN RE: ROLL CALL

The Chairman asked for a roll call and Mr. Simmons was not present.

IN RE: APPROVAL OF AGENDA

The Chairman asked if there were any corrections or additions to the agenda. He said hearing none he would entertain a motion to accept the agenda as presented. Ms. Bishop made a motion to accept the agenda. Mr. Titmus seconded it and with Ms. Bishop, Mr. Langley, Mr. Titmus, Mr. Hayes, and Mr. Harvell, voting "AYE" the agenda as presented was accepted.

IN RE: APPROVAL OF MINUTES

The Chairman asked if there were any corrections to the November 12, 2025 regular meeting minutes. He said since there are none he would entertain a motion to accept the minutes as presented. Mr. Langley made a motion to accept the minutes as presented. Ms. Bishop seconded it and with Mr. Langley, Ms. Bishop, Mr. Titmus, Mr. Hayes and Mr. Harvell voting "AYE" the minutes as presented were accepted.

RE: CITIZEN COMMENTS

The Chairman opened the citizen comments portion of the meeting and asked if anyone had signed up to speak. He said since there is no one signed up to speak he was closing the citizen comments portion of the meeting.

The Chairman asked Mr. Bassett to present the first case.

**Staff Report
Planning Commission
December 10, 2025**

Case #: C-25-7
Applicants: Kevin Summerfield & Crystal Comer Summerfield
CUP Request: To operate an event facility in the A-2, Agricultural General, District
Property Location: 16011 Boydton Plank Rd. (Route 1), Dinwiddie
Tax Map Parcel: 57-39C
Property Size: 2.42 +/- acres
Magisterial District: Rowanty

CASE OVERVIEW

The applicants, Kevin Summerfield & Crystal Comer Summerfield, are seeking a conditional use permit to operate an event facility on the following described property containing approximately 2.42 +/- acres. The property is located at 16011 Boydton Plank Rd. (Route 1), Dinwiddie. The property is further defined as Tax Map Parcel No. 57-39C. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Rural Conservation Area, which allows for limited residential and agricultural development for this general area.

ATTACHMENTS

Rezoning Application, Property Location Map, VDOT Review Letter

LAND USE/ZONING ANALYSIS

The subject property includes the existing Butterworth home, outbuildings and storage shed. The surrounding property land uses include approximately 100 acres of farmland in land use i.e., cropland, pastureland along with a barn and pole sheds. Beyond the surrounding farmland are two single-family residences: one to the north and one to the south. The surrounding properties are zoned A-2, Agricultural General. The applicants intend to utilize the existing property and home for events such as birthday parties, reunions, and weddings. Events will be limited to Friday through Sunday between 10:00 AM - 10:00 PM. The owners will provide tables, chairs, and tents as needed for the events.

As designated by the Comprehensive Land Use Plan, the subject property is within the Rural Conservation Area which allows limited residential and agricultural development. The A-2, Zoning District allows an “event facility” upon the Board of Supervisors granting the use under a conditional use permit.

OVERVIEW OF IMPACTS

Public Utilities & Public Safety

The existing facilities utilize on-site well and septic systems. When the proposed use of the property (the event facility) was presented to the Dinwiddie County Land Development Committee (LDC), The Public Safety Department indicated that the impact of the proposed use on public safety services is minimal.

Transportation

The Virginia Department of Transportation, Southern Region Land Development Office has reviewed the land use amendment application dated 10-09-25 received at the Petersburg Residency on 11-12-25 and has the following comments for the county's use:

1. Rt. 1 Boydton Plank Road has a functional classification of a minor arterial and has an average annual daily traffic (AADT) count of 2,600 vehicles per day.
2. A low volume commercial entrance will be required to access the site for the proposed use. It is likely that the existing entrance will meet VDOT criteria for a low volume commercial entrance. Stopping sight distance of 495' must be available at the site entrance.
3. VDOT has no objection to the proposed rezoning.

The impacts on the transportation network are minimal. The subject property is accessed from the existing entrance located on Route 1. The number of trips generated by the proposed use on the subject property are based on the type of event and these events normally do not take place during normal peak hours with the events taking place on weekends and evenings.

In general, the road system in this particular area is adequate to handle the traffic generated by the subject use. If the proposed use is granted a conditional use permit, the applicant will be required to comply with all VDOT's low volume commercial entrance requirements.

SITE AND USE ANALYSIS

This is an appropriate use of the existing facilities located on the subject property and given the acreage available for the event facility in relation to the surrounding land uses and zoning pattern, the proposed use is appropriately located.

RECOMMENDATION

As set forth in the Zoning Ordinance Sec. 22-22. (Conditional use permits generally), "*Any provisions of this Chapter which allow a use with a conditional use permit shall not prohibit the Board of Supervisors from denying an application for a particular permit upon finding, after public hearing, that the issuance of such permit would not be in compliance with the intent, purpose and design of this Chapter and/or Section 22-2 of this Code*". Section 22-2. (Purpose and design of chapter) states that "*For the purpose of promoting the health, safety and general welfare of the public and of further accomplishing the objectives of Va. Code Section 15.1-427 of the Code of Virginia, 1950, as amended, the provisions of this chapter are hereby adopted as the zoning regulations of the County, together with the accompanying map. This Chapter has been designed:*

- 1) *To provide for adequate light, air, convenience of access and safety from fires, floods and other dangers;*
- 2) *To reduce or prevent congestion in the public streets;*
- 3) *To facilitate the creation of a convenient, attractive and harmonious community;*
- 4) *To expedite the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, schools, parks, forests, playgrounds, recreational facilities, airports, and other public requirements;*
- 5) *To protect against destruction of or encroachment upon historic areas; and*
- 6) *To protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation or loss of life, health or property from fire, flood, panic, or other dangers."*

The Planning staff reviewed the conditional use permit request and is satisfied that with appropriate conditions the impacts of the proposed event facility are addressed. The issuance of the permit would be in compliance with the intent, purpose and design of this Chapter 22 and/or Section 22-2 of this Code.

Staff's recommendation of APPROVAL of the request for a conditional use permit to allow for the use of the existing property and structures to provide for an event facility is subject to the following conditions:

1. Generally. The use of the property shall be limited to an event facility and property rental for special events. All uses shall be subject to this conditional use permit. The event facility shall be located on Tax Map Parcel 57-39C (the "Property").
2. Event Space and capacity. The event facility consists of the outdoor portion of the Property and inside the existing dwelling and other outbuildings located on the property. No more than 75 people are allowed on the Property at any one time during an event.
3. Parking. All parking for the event facility shall be located on the Property. Parking on Tax Map Parcel 56-57 is allowed with the property owner's consent.
4. Driveway entrance. The driveway entrance on Route 1 shall comply with VDOT entrance design and construction standards.
5. Sanitary sewer and potable water. Adequate sanitary sewer and potable water facilities shall be maintained per Dinwiddie County Health Department requirements and all applicable Dinwiddie County Health Department permits shall be obtained as part of the event facility.
6. Site lighting. Any additional site lighting installed on the Property shall be directed downward and inward to the site to preserve the night sky and shall not directly cast light onto the adjoining properties.
7. Time of operation. All outdoor activities and events associated with the event facility shall only be conducted between 10:00 AM and 10:00 PM Friday through Sunday.
8. Outdoor camping. Informal outdoor camping is only allowed when associated with and ancillary to an event. The camping is only allowed on a temporary basis with no permanent campsites being established. The camping shall comply with all local and state ordinances and regulations.
9. Security. For events where security is needed and provided by the deputies with the Dinwiddie County Sheriff's Department, the property owner(s) shall be responsible for all costs associated with the deputies providing security services and payment/reimbursement to the Dinwiddie County Sheriff's Department.
10. Special events. Any gatherings of more than 300 persons on the property at any one time for an event or any other activity shall be subject to the entirety of Chapter 3, Article 2 of the Dinwiddie County Code, Special Events, as it may be amended from time to time.
11. Noise. Noise associated with events, gatherings, and activities shall be subject to and comply with the entirety of Chapter 15, Article 1 of the Dinwiddie County Code, Offenses, as it may be amended from time to time.
12. Compliance with laws. The event facility shall comply with all applicable federal, state, and local codes.
13. Annual review. This conditional use permit shall be reviewed by the Zoning Administrator of Dinwiddie County on an annual basis from the date of issuance of the conditional use permit.
14. CUP revocation. A violation of any of the conditions of this conditional use permit shall make this conditional use permit subject to revocation by the Dinwiddie County Board of Supervisors.

PLANNING COMMISSION RECOMMENDATION

Since this is a zoning matter, the standard statement regarding the Planning Commission recommendation on this zoning matter must be read. In order to assist, staff prepared the following motions:

Motion to recommend approval to the Board of Supervisors with conditions:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit request, C-25-7, as presented, be recommended for approval with conditions to the Board of Supervisors.

Motion to recommend disapproval to the Board of Supervisors:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (3) & (7) and Zoning Ordinance Sections 22-22 and 22-2 it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit request, C-25-7, as presented, be recommended for disapproval to the Board of Supervisors as the issuance of a conditional use permit would not be in compliance with the intent, purpose, and design of the Dinwiddie County Zoning Code.

Mr. Bassett asked the members if they had any questions.

Mr. Drewry commented that in condition 10 the words “on the property” could be crossed out. He said he spoke to Mr. Bassett concerning this change.

Mr. Titmus said he had a question about the number of people. We have the applicant saying they will not have more than 75 people at an event. We state in our ordinance that if someone has an event with over 300 people or more, they need to apply for a Conditional Use Permit. What is required if they exceed 75 people or stay below 300 people?

Mr. Bassett said by Code, they would not need to get a special event permit for events under 300 people in attendance. We would have to say no to the applicant if they exceed 75 or stay below 300.

Mr. Hayes asked if we are being consistent with what we are asking of this applicant as we were with the applicant doing the same thing down the road from this location.

Mr. Bassett said yes we are.

Ms. Bishop wanted to know if people leaving this property are able to turn left or must they turn right.

Mr. Bassett said they would be able to turn left.

The Chairman asked the Commissioners if they had any more questions for Mr. Bassett. He said since there are no more questions, would the applicant like to come forward and add anything.

Mr. Kevin Summerfield came forward and said he did not have anything he wanted to add, but he would answer any questions the members may have.

Ms. Bishop asked the applicant if he had spoken to his neighbors about the event facility.

Mr. Summerfield said he spoke to his neighbors and they did not have a problem with his event facility. The Chairman asked the Commissioners if they had any more questions for the applicant. He said since there are no more questions, he was opening the public hearing portion of the case. He asked if anyone

had signed up to speak. Hearing that no one signed up to speak he closed the public hearing portion of the meeting.

He asked the Commissioners if they had any additional questions. He said if no one has any more questions he would entertain a motion. Mr. Titmus made a motion and read the following:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit request, C-25-7, as presented, be recommended for approval with conditions to the Board of Supervisors.

It was seconded by Mr. Langley and with Mr. Langley, Ms. Bishop, Mr. Titmus, Mr. Hayes and Mr. Harvell voting "AYE" C-25-7 was recommended for approval with conditions to the Board of Supervisors.

RE: PUBLIC HEARING

Staff Report
Planning Commission
December 10, 2025

Case #:	P-25-14
Applicant:	John Worch
Rezoning Request:	Residential, Limited, R-1 to Residential, Rural, RR-1
Property Location:	7512 Boydton Plank Road (Route 1) North Dinwiddie
Tax Map Parcel #:	20-95E
Property Size:	2.04 +/- acres
Magisterial District:	Rohoic

CASE OVERVIEW

The applicant, John Worch, is requesting to rezone property containing approximately 2.04 +/- acres from Residential, Limited, R-1 to Residential, Rural, RR-1. The R-1 zoning district allows single-family residential at a maximum residential density of 20,000 sq. ft. per lot, and the RR-1 zoning district allows a maximum density of two acres per lot. The property is located at 7512 Boydton Plank Road (Route 1) North Dinwiddie and is further identified as Tax Map Parcel No. 20-95E. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Suburban Residential Area of the Northern Dinwiddie Development Area, which allows for single-family detached and attached residential development for this general area.

ATTACHMENTS

Rezoning Application, Property Location Map, VDOT Review Letter

LAND USE/ZONING ANALYSIS

The subject property is 2.04 acres in size and the minimum lot size allowed in the RR-1 zoning district is 2.0 acres. The adjoining vacant property to north is zoned Residential, Limited, R-1, and the abutting vacant property to the rear owned by the applicant is also zoned R-1, Residential Limited.

The adjoining property to the south is zoned B-2, Business General and contains forestal land use. The property to the east across Route 1 is comprised of the Oak Grove Baptist Church on a two-acre parcel and a 92-acre vacant parcel comprised of forestal and crop land uses.

The applicant is requesting the rezoning in order to build a larger accessory building, storage shed, on the property. In the R-1 zoning district an accessory building is only allowed to be 50% of the size of the main/principal structure; therefore, the applicant is requesting the RR-1 zoning classification to accommodate a larger accessory building. The RR-1 district does not allow for any additional uses beyond what are allowed in the R-1 zoning district.

As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Suburban Residential Area of the Northern Dinwiddie Development Area, which allows for single-family detached and attached residential development for this general area. With the exception of the small acreage lots fronting on Terminal Drive north of the subject property, much of the surrounding area has remained large lot residential and forested in character.

OVERVIEW OF IMPACTS

Public Utilities, School System, & Public Safety

The existing single-family residence will have minimal impact to public utilities, the public school system and public safety services. The subject property and area are served by private well and septic systems. The proposed rezoning is a “downzoning” with regard to the density of residential homes that are allowed to be developed on the property by right. The subject property has direct access to a public road with regard to public safety related calls.

Transportation

The impact of the rezoning the existing single-family residence on the existing transportation network does not warrant any improvements to public roads. The subject property has direct access to Boydton Plank Road (Route 1) and any future entrance improvements will have to be approved by VDOT.

1. Rt. 1 Boydton Plank Road has a functional classification of a minor arterial and has an average annual daily traffic (AADT) count of 9,900 vehicles per day.
2. A private entrance will be required to access the site. There is an existing private entrance that currently accesses the site.
3. VDOT has no objection to the proposed rezoning.

RECOMMENDATION

Staff recommends APPROVAL of the request to rezone the subject property given that:

1. The requested zoning classification, RR-1, Residential, Rural, is compatible with the surrounding zoning pattern and surrounding land uses; and
2. The existing residential use conforms to the underlying uses recommended for this general area in the Comprehensive Land Use Plan’s Suburban Residential Area of the Northern Dinwiddie Development Area.

PLANNING COMMISSION RECOMMENDATION

Since this is a zoning matter, the standard statement regarding the Planning Commission's recommendation on this zoning matter must be read. In order to assist, staff has prepared the following motion:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning P-25-14 be recommended for (approval OR disapproval) to the Board of Supervisors.

Mr. Bassett asked the members if they had any questions.

The Chairman asked the members if they had any more questions for Mr. Bassett. He said since there are no questions, would the applicant like to come forward and add anything.

Mr. John Worch came forward and said he did not have anything he wanted to add, but he would answer any questions the members may have.

The Chairman asked the Commissioners if they had any questions for the applicant. He said since there are no questions he would entertain a motion. Ms. Bishop made a motion and read the following:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning P-25-14 be recommended for (approval OR disapproval) to the Board of Supervisors.

It was seconded by Mr. Titmus and with Mr. Langley, Ms. Bishop, Mr. Titmus, Mr. Hayes and Mr. Harvell voting "AYE" P-25-14 was recommended for approval to the Board of Supervisors.

RE: OLD BUSINESS

The Chairman asked Mr. Bassett if he had any old business.

Mr. Bassett said he does not have any old business.

RE: NEW BUSINESS

The Chairman asked Mr. Bassett if he had any new business.

Mr. Bassett said in your 2026 public meeting schedule that you will be voting on at the January Organizational meeting Veterans Day falls on your November 11, 2026 meeting day. In the past when there is a conflict with a holiday we moved the meeting to the following day. He said he wanted to get there opinion on that decision a head of time.

All the members were in agreement with having the meeting on the following day, which is November 12, 2026.

IN RE: PLANNING COMMISSIONER COMMENTS

The Chairman asked the Commissioners if they had any comments.

There was some general conversation about the solar facility case and the West Petersburg rezoning case going before the Board of Supervisors this month.

Mr. Harvell took a moment and introduced his wife, who was sitting in the audience.

IN RE: PLANNING DIRECTOR COMMENTS

The Chairman asked Mr. Bassett if he had any comments.

Mr. Bassett informed the Commissioners that beyond the yearly organizational portion of the meeting staff is working with an applicant on their possible case. The applicant Capek Properties, who is a truck repair business on Simpson Road, is requesting to modify their landscape buffer as part of their development. They would like to reduce their buffer from 50 feet to 25 feet along the side property lines.

IN RE: ADJOURNMENT

The Chairman said if there is no further business he would entertain a motion for adjournment. Mr. Titmus made a motion to adjourn the meeting, and Ms. Bishop seconded it and with all members in agreement the meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Mark Bassett
Planning Director

Signed: _____
Planning Commission Chairman

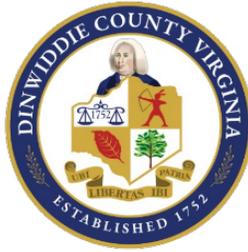
Dated: _____



Resolution

of the **PLANNING COMMISSION** of **DINWIDDIE COUNTY, VIRGINIA**

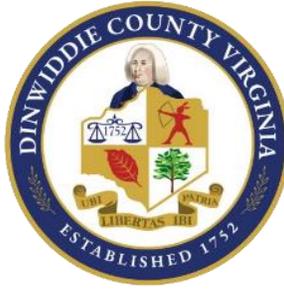
BE IT RESOLVED, by the Planning Commission of Dinwiddie County, Virginia that _____ shall be appointed as the Chairman of the Planning Commission of Dinwiddie County, Virginia for the year 2026, or until he resigns, is unable to hold office, or until a successor assumes office.



Resolution

of the **PLANNING COMMISSION** of **DINWIDDIE COUNTY, VIRGINIA**

BE IT RESOLVED, by the Planning Commission of Dinwiddie County, Virginia that _____ shall be appointed as the Vice-Chairman of the Planning Commission of Dinwiddie County, Virginia for the year 2026, or until he resigns, is unable to hold office, or until a successor assumes office.



Resolution

of the PLANNING COMMISSION of DINWIDDIE COUNTY, VIRGINIA

ORGANIZATIONAL MEETING OF THE PLANNING COMMISSION SCHEDULE OF MEETINGS AND DATES FOR 2026

WHEREAS, the Planning Commission of Dinwiddie County, Virginia is required by the Virginia Code to adopt a regular meeting schedule,

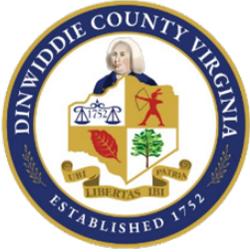
NOW THEREFORE BE IT RESOLVED by the *Planning Commission of Dinwiddie County, Virginia*, that the following rules shall apply for the year 2026:

1. Regular Meetings of the Planning Commission shall be held every month, on the second Wednesday of the month, as shown on the attached 2026 calendar, in the Board Meeting Room in the Dinwiddie Government Center, 14010 Boydton Plank Road, Dinwiddie, Virginia. The regular meeting time shall be 7:00 PM unless otherwise noted.
2. Should it be necessary to cancel or continue a regular and/or an advertised Planning Commission meeting due to weather or other conditions, the meeting shall be continued for 7 days to the same time and place.

Regular meeting dates are as follows:

January 14, 2026	May 13, 2026	September 9, 2026
February 11, 2026	June 10, 2026	October 14, 2026
March 11, 2026	July 8, 2026	November 12, 2026
April 8, 2026	August 12, 2026	December 9, 2026

*Note: The organizational meeting for the calendar year 2026 will be held on January 13, 2027 at 7:00 p.m.



Staff Report

Planning Commission

January 14, 2026

Case #:	SE-26-1
Applicant:	Capek Properties and authorized agents, Lisa Capek and Ramon Esparza
Request:	To modify the landscape plantings and buffer area as part of landscaping requirement in Section 22-416, Tree cover requirements
Property Location:	north side of Simpson Rd. (Route 142) 0.42 mile east of the intersection of Route 1 and Simpson Rd. (Route 142)
Tax Map Parcel Nos.:	21-45
Property Size:	7.45 +/- acres
Magisterial District:	Rohoic

CASE OVERVIEW

The applicant, Capek Properties and authorized agents, Lisa Capek and Ramon Esparza, are requesting as part of the site development process an exception in accordance with Dinwiddie Code Sections 22-413 and 22-421 to modify the landscape plantings as part of landscaping requirement in Section 22-416, Tree cover requirements. The proposed development is for a truck repair shop on the following described property containing approximately 7.45 +/- acres. The property is generally located on the north side of Simpson Rd. (Route 142) 0.42 mile east of the intersection of Route 1 and Simpson Rd. (Route 142). The property is further defined as Tax Map Parcel No. 21-45. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Employment Center Area of the Northern Dinwiddie Development Area, which allows for commercial and industrial uses for this general area.

ATTACHMENTS

Application, Location Map, Capek Properties Truck Shop Landscape

LAND USE/ZONING ANALYSIS

The adjoining properties to the east and west are designated by the county's adopted comprehensive plan for uses that do not require the provision of buffers or screens. In the Comprehensive Plan Land Use Plan, this general area is designated for industrial development, and further the current zoning on the adjoining properties is M-1, Industrial Limited. With the adjoining properties sharing the same M-1 zoning, landscape buffer yards are not required between the adjoining properties. The two 50-foot two side yard landscape buffer areas are in place to accommodate the required 10% tree cover landscaping.

Section 22-416 – tree cover requirements requires that developments in the M-1 zoning district provide a minimum tree cover at ten years maturity of 10%. The Planning Commission may modify the site plan landscape requirements. The applicant is requesting to modify the tree cover requirements by reducing the perimeter landscape buffer area from 50 feet to 25 feet. In portions of the landscape buffer area the requested reduction minimizes the area allowed for the installation of the new landscaping/plantings required to meet the 10% tree cover. The existing landscaping plan provides 34,813 sq. ft. of landscape

area which is over the 30,952 sq. ft. required coverage area. It appears that the site plan side yard buffer areas do have room to be modified and still allow room for the landscape plantings. The applicant is concerned that a semi-truck and trailer needs 80 feet to park and the 50-foot buffer does not allow for that in certain areas mainly around the building footprint; therefore, the applicant is requesting to reduce the side yard buffer areas from 50 feet to 25 feet.

STAFF RECOMMENDATION

The planning staff has reviewed the request to modify the side yard landscape buffers and believes that the two side yard landscape buffers may be reduced to accommodate the tractor trailer movements on the subject property. The side yard landscape buffers may be reduced in width while still allowing for enough area to maintain the required landscape plantings.

PLANNING COMMISSION ACTION

The motion could read as follows: In accordance with Dinwiddie Code Section 22-413 the Planning Commission does hereby grant (approval, approval with conditions, or denial) of the exception to Zoning Ordinance Section 22-412 and Section 416 to modify the side yard buffers as shown on the site plan entitled Capeck Properties Truck Shop as prepared by Cecil McNair, Jr., P.E., Ratchet Designs dated March 14, 2023 and as approved on June 5, 2023.



Planning and Zoning
 Mark Bassett
 P.O. Drawer 70
 Dinwiddie, VA 23841
 Phone: (804) 469-4500 ext. 2116
 Fax: (804) 469-4500
 Website: www.dinwiddieva.us

COUNTY OF DINWIDDIE

OFFICE OF PLANNING AND ZONING

LAND USE AMENDMENT APPLICATION

1) LAND USE INFORMATION

For: BOS PC BZA
 Conditional Use Permit

Type: Variance

New Renewal

Rezoning Amendment
 Special Exception Street Vacation

Previous/Renewed Case#: _____

Existing Zoning: _____

Existing Acreage: _____

Amend Previous Case: YES NO

Proposed Zoning: _____

Proposed Acreage: _____

Land Use Taxation: YES NO

Total Acreage: _____

Description of Request: ~~25ft~~ 25ft perimeter setback instead of soft. Semi truck & trailer needs 80ft to park. This reduced set back will allow for optimal use of property.

Water: Public Well
 Sewer: Public Septic

Attached: Misc. Information Master Plan
 Text Statement Proffered Conditions

2) APPLICANT/AGENT INFORMATION

Applicant(s): Capek Properties

Phone: 804-205-0650

Address: 13131 Drakewood Rd Midlothian VA 23113

Email: capekproperties@gmail.com

Agent(s): Lisa Capek / Ramon Esparza

Phone: 804-205-0650 / 540-607-4658

Address: 13131 Drakewood Rd Midlothian VA 23113

Email: ramon87esparza@gmail.com

Property Owner Contract Purchaser Other: _____

3) PROPERTY OWNER INFORMATION

Owner's name: Capek Properties

Phone: 804-205-0650

Address: ~~13131~~ 25700 Simpson Rd Petersburg VA 23803

Mailing Address: 13131 Drakewood Rd Midlothian VA 23113 Tax Parcel #: _____
 (If different from what is listed in the Assessor's Office)

4) SUBJECT PARCEL INFORMATION

General Location of Project: 25700 Simpson Rd Petersburg VA 23803

Tax Map#: 21-415

Tax

Map#: _____

Subdivision Name: _____

Subdivision

Name: _____

Section: _____ Block: _____

Section: _____

Block: _____

Address: 25700 Simpson Rd

Address: Petersburg VA 23803

Zoning: M-1 Acreage: 7.45

Zoning: _____

Acreage: _____

Existing Use: _____
Use: _____
Conditions: _____
Conditions: _____

Existing

Tax Map#: _____
Map#: _____
Subdivision Name: _____
Name: _____
Section: _____ Block: _____
Block: _____
Address: _____
Address: _____

Tax

Subdivision

Section: _____

Zoning: _____ Acreage: _____
Acreage: _____
Existing Use: _____
Use: _____
Conditions: _____
Conditions: _____

Zoning: _____

Existing

Tax Map#: _____
Map#: _____
Subdivision Name: _____
Name: _____
Section: _____ Block: _____
Block: _____
Address: _____
Address: _____

Tax

Subdivision

Section: _____

Zoning: _____ Acreage: _____
Acreage: _____
Existing Use: _____
Use: _____
Conditions: _____
Conditions: _____

Zoning: _____

Existing

Explain the proposed use, type of development, operation program, the reason for this request, etc.:

Truck repair shop.

State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood, or the county in general. Include, where applicable, information concerning the use of public utilities, the effect of requests on public schools, the effect on traffic, including means of access to the nearest public road, the effect on existing and future area development, etc.:

This will not impact any of the above. I just want to get as much use out of my property as possible.

List case numbers and explain any existing use permit, special exception, conditional use, or variance previously granted on the parcels in question:

If requesting a variance or special exception, explain the unique physical hardship or extraordinary situation that is justification for the request:

Complete names and addresses (including Zip codes) of all owners adjacent, across the road or highway from the property and across the railroad right-of-way, waterways, from such property must be obtained by the applicant from the Commissioner of Revenue, County Government Center. If such property lies in

another county or city, the respective jurisdiction will provide the information to the applicant.
Applications with incomplete parcel information will not be accepted.

Property Owner Name Property Owner Mailing Address Tax Parcel # 21-45

13131 Drakewood Rd
Middlebush VA 23113

REQUIRED INFORMATION FOR APPLICATION

The applicant/agent must **INITIAL** next to each requirement and ensure that all information listed below is included in the application packet.

1. **TAX MAPS.** A copy of the appropriate county tax map with property marked (provided at the pre-application conference) .
2. **PLANS/PLATS.** If available provide a survey plat of the entire parcel. Any request that requires plans must be accompanied by those plans at the time of submission of this application. All plans and plats are to be folded.
3. **FEES.** The fee must accompany this application. Checks must be made payable to: "Treasurer, County of Dinwiddie".
4. **ACKNOWLEDGEMENT.** Incomplete applications will not be accepted.

I/We hereby certify that to the best of my/our knowledge, all the above statements and the statements contained in any exhibits transmitted are true and that the adjacent property owners listed herewith are the owners of record as of the date of the application.

APPLICANT'S NAME* Capek Properties
(Same name as used in Item 2, Page 1)

APPLICANT'S SIGNATURE [Signature]
DATE: 11/3/25

AGENT'S NAME** Lisa Capek
(Person other than, but acting for, the property and responsible for this application)

SIGNATURE OF AGENT* [Signature]
DATE: 11/3/25

* If the applicant is not the owner of the property, the applicant must file a power of attorney from the property owner(s) giving the applicant authority to submit this application.
** Agent must file power of attorney from the property owner(s) giving the agent authority to submit this application.

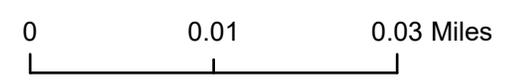
OFFICE USE ONLY

Rec'd: _____ Date Rec'd: _____ Time _____
Rec'd: _____
Fee Amount: _____ Receipt No.: _____ Case _____
No.: _____
Application has been amended: YES NO
Reviewed by: _____
1

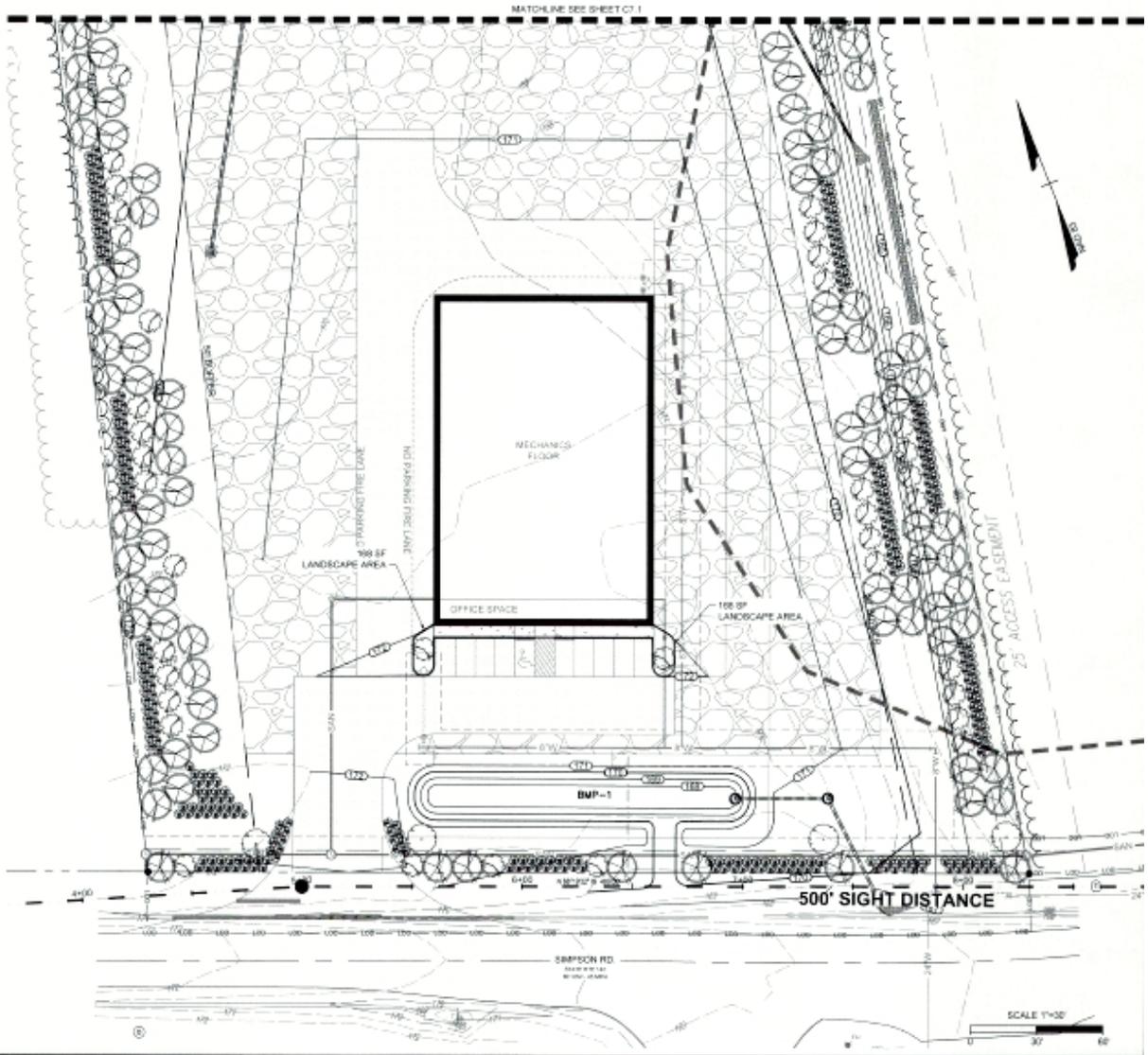


**Dinwiddie County
Planning & Zoning**

SE-26-1



Date: 1/8/2026



Landscape Plan, Front Portion of Property



BYLAWS

DINWIDDIE

COUNTY

PLANNING

COMMISSION

REVISED MARCH 8, 2006

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10. Voting
11. Correspondence
12. Amendments

Planning Commission Code of Ethics

ARTICLE 1 – OBJECTIVES

- 1-1 This Commission, established in conformance with the motion by the Dinwiddie County Board of Supervisors in 1959, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Chapter 22, Title 15.2, Article 2, Code of Virginia.
- 1-2 The official title of this commission shall be the Dinwiddie County Planning Commission.

ARTICLE 2 – MEMBERS

- 2-1 The Dinwiddie County Planning Commission (“Commission”) shall consist of not less than five (5) nor more than fifteen (15) members appointed by the Board of Supervisors. One of the members may be a member of the Board of Supervisors. All members must reside in Dinwiddie County and at least one half of the members must be owners of real property.
- 2-2 The term of the members are terms for four (4) years from and after the effective date of resolution except for a member from the Board of Supervisors, whose term shall correspond with his tenure of office as a Supervisor. Their successors shall be appointed for terms of four (4) years. Any vacancy in membership shall be filled by appointment by the Board of Supervisors. Any member shall be eligible for reappointment. Any appointed member may be removed by the Board of Supervisors for inefficiency, neglect of duty or malfeasance in office. It is recommended that the Board of Supervisors provide payment of expenses incurred by the performance of the official duties of this Commission.

ARTICLE 3 – OFFICERS AND THEIR SELECTION

- 3-1 The officers of the Commission shall consist of a Chairperson and Vice-Chairperson.
- 3-2 Nomination of officers shall be made from the floor at the regular January meeting of each year. Election of officers shall follow immediately.
- 3-3 A candidate receiving a majority vote of the entire membership of the Commission shall be declared elected. He shall take office immediately and serve for one (1) year or until his successor takes office. No commission member shall serve as chairperson for more than four (4) consecutive years.
- 3-4 Officer vacancies shall be filled immediately by regular election procedures.

ARTICLE 4 – DUTIES OF OFFICERS AND STAFF

- 4-1 The Chairperson shall be a member of the Commission and shall:

- a. Preside at all meetings.
- b. Appoint committees, special and/or standing.
- c. Certify official documents.
- d. Rule on all procedural questions. (Subject to a reversal by two-thirds (2/3) majority vote of the members present.)
- e. Be informed immediately of any official communication and report the same at the next regular meeting.
- f. Ensure new members are properly oriented to the Commission's bylaws and rules of order.
- g. Carry out other duties as assigned by the Commission.

4-2 The Vice-Chairperson shall be a member of the Commission and shall:

- a. Act in the absence or inability of the chairperson to act.

4-3 Subject to the approval of the Board of Supervisors, the County Planner shall:

- a. Keep a written record of all business transacted by the Commission.
- b. Notify all members of all meetings.
- c. Keep a file of all official records and reports of the Commission.
- d. Give notice of all hearings and public meetings.
- e. Attend to the correspondence of the Commission.
- f. Keep a set of minutes of all meetings.
- g. Prepare and be responsible for the publishing of advertisements relating to public hearings.
- h. Provide all necessary documents to all members of the Commission, but most especially provide bylaws and rules of procedure to newly appointed members.
- i. Carry out other duties as assigned by the Commission.
- j. Maintain an office at the Pamplin Building, Dinwiddie County, Virginia.

4-4 Subject to the approval of the Board of Supervisors, the County Attorney shall:

- a. Assist the Commission in analyzing the facts.
- b. Provide advice and action in legal matters.
- c. Serve as Parliamentarian at Commission meetings.

ARTICLE 5 – MEETINGS

5-1 The Commission shall adopt a regular meeting time, location and schedule for the year at its regular January meeting of each year.

5-2 Special meetings shall be called by the Chairperson or two members upon written request to the County Planner. Written notice of Commission meetings shall be given to each member, at least five (5) days prior to such meetings. Written notice of a special meeting is not required if the time of the special meeting has

been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice.

- 5-3 All regular meetings and hearings shall be open to the public.
- 5-4 A majority of the membership of the Commission shall constitute a quorum. No action of the Commission shall be valid unless authorized by a majority vote of those members present and voting. Voting shall be by voice vote or roll call, in which case a record shall be kept as a part of the minutes.
- 5-5 Commission members are encouraged to attend all meetings, regular and special, and to notify the Chairman or County Planner as soon as possible if unable to attend a meeting. Any member who misses three regular meetings in succession, or fails to attend at least sixty percent (60%) of regular scheduled meetings during any calendar year, without sufficient justification, is grounds for recommendation by the Commission to the Dinwiddie County Board of Supervisors for removal from office.

ARTICLE 6 – COMMITTEES

- 6-1 Special Committees may be appointed by the chairperson for the purposes and terms approved by the Commission.

ARTICLE 7 – ORDER OF BUSINESS

- 7-1 The order of business for a regular meeting shall be as follows unless amended by a majority vote of the Commission:
 - a. Call to Order by Chairperson
 - b. Pledge of Allegiance and Moment of Silence
 - c. Roll call to determine quorum
 - d. Review and approval of minutes from previous meetings
 - e. Review agenda
 - f. Citizens' Comments – unrelated to agenda items
 - g. Public Hearings
 - h. Unfinished Business
 - i. New Business
 - j. Adjournment
- 7-2 Members shall address only the Chairperson, or address each other through the Chairperson. A member must be recognized by the Chairperson before proceeding.
- 7-3 The Chair shall be allowed to participate in all matters without relinquishing the Chair.

- 7-4 All motions shall be restated by the Chairperson before a vote is taken. The names of the persons making and seconding motions shall be recorded.
- 7-5 The rules contained in the most recent edition of *Robert's Rules of Order* shall be the parliamentary authority in all cases not covered by the Commission's Bylaws.
- 7-6 The County Attorney or a designee of the Commission shall be Parliamentarian.
- 7-7 The Commission shall keep a set of minutes of all regular meetings, and these minutes shall be a public record.
 - a. The Chairperson or Vice-Chairperson shall sign the minutes after their approval by a majority of the members present and voting.

ARTICLE 8 – CITIZENS COMMENT PERIOD

To ensure that the affairs of the Commission may be conducted in an orderly manner, to ensure that all persons desiring to address the Commission on matters pertinent to it are afforded an opportunity to do so, to permit persons in attendance to observe and hear the proceedings of the Commission without distraction, and to permit to the fullest extent the Commission to conduct County business with minimal disruption, the following rules are established. Any individuals, who do not abide by the following rules, after a warning, may be asked to leave the meeting.

- 8-1 Rules for Citizens Comment Period
 - a. Each person desiring to speak must sign up in advance of the opening of the Citizens Comment Period on the agenda.
 - b. Each speaker shall be limited to a period of three minutes; when two minutes have passed the speaker will be reminded that there is one minute remaining.
 - c. Speakers who have signed up may use their allotted time only for themselves and may not donate their time to other speakers.
 - d. Comments must be confined to matters germane to the business of the Commission and shall not be cumulative or repetitive.
 - e. Speakers should address the Commission with decorum – loud, boisterous and disruptive behavior, obscenity, and vulgarity should be avoided as well as other words or acts tending to evoke violence or deemed to be a breach of the peace.
 - f. The Citizens Comment period is not intended to be a question and answer period or time for dialogue with County officials. Questions which are raised during a comment period may, at the discretion of the Commission, be responded to by County officials after sufficient time for appropriate investigation.
 - g. Speakers shall remain at the podium while addressing the Commission.
 - h. Speakers shall not be interrupted by audience comments, calls/whistles, laughter, or other gestures.

These rules do not preclude persons from delivering to the Commission or the County Planner written materials including reports, statements, exhibits, letters, or signed petitions or to prohibit persons from presenting oral and written comments on any subject germane to the business of the Commission to individual Commission members or to the Commission through the County Planner outside the context of the public meeting.

ARTICLE 9 – PUBLIC HEARINGS

- 9-1 In addition to those required by the law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.
- 9-2 No action at a public hearing shall be taken until after a notice of intention so to act has been published once a week for two (2) successive weeks in some newspaper published or having general circulation in Dinwiddie County. The term two successive weeks shall mean that such notice shall be published at least twice in such newspapers with not less than six days elapsing between the first and second publication. The notice shall specify the time and place of hearing at which persons affected may appear and present their views, which time of hearing shall be not less than 5 days nor more than 21 days after the second advertisement appears in the newspaper.
- 9-3 The case before the Commission shall be presented by the County Planner or another person delegated by the County Planner.
- 9-4 A record shall be kept of those speaking before a hearing.
- 9-5 The following rules shall govern the conduct of the public hearings:
- a. After the case has been summarized as provided in Section 9-3, the floor shall be open for citizen comments. No person may address the Commission unless he/she has first been recognized by the Chairperson.
 - b. The applicant shall have ten (10) minutes to address the Commission and present written and/or oral comments. Individuals who have signed up to comment on the case shall have three (3) minutes to present written and/or oral comments. All comments shall be directed to the Commission, not the audience or other individuals. Specified time limits may vary at the discretion of the Chairperson.
 - c. After all persons who desire to address the Commission have had the opportunity to do so, the Chairperson may grant additional time to persons who have spoken previously.
 - d. The Chairperson may terminate the hearing at any time after all persons who desire to address the Commission have had one (1) opportunity to do so.

- e. Commissioners may question each speaker at the end of his/her presentation.

ARTICLE 10 – VOTING

- 10-1 All matters before the Commission that require a majority vote shall be by roll call.
- 10-2 No member shall abstain from voting on a roll call vote unless he/she has a conflict of interest in the matter being voted upon, and so states for the record, or unless by the consent of a majority of commissioners present.

ARTICLE 11 – CORRESPONDENCE

- 11-1 It shall be the duty of the Planning Department to draft and sign all correspondence necessary for the execution of the duties and functions of the Commission.
- 11-2 It shall be the duty of the Planning Department to communicate by telephone or fax when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.
- 11-3 All official papers and plans involving the authority of the Commission shall bear the signature of the Chairperson or Vice-Chairperson together with certification by the Planning Department designee.

ARTICLE 12 – AMENDMENTS

- 12-1 These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days prior notice has been given to all members of the Commission and a copy of the proposed amendment is sent with the notice.

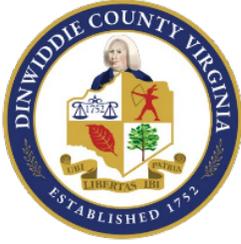
**CODE OF ETHICS AND STANDARDS OF CONDUCT
FOR MEMBERS OF THE DINWIDDIE COUNTY
PLANNING COMMISSION**

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Dinwiddie County Planning Commission should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States and of all governments therein and never knowingly be a part to their evasion.
2. Put loyalty to the highest moral principles and to the County as a whole above loyalty to individuals, districts, or particular groups.
3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that provide equal opportunity to all citizens without regard to national origin, race, color, religion, gender, age, disability, pregnancy, or sexual orientation.
6. Ensure the integrity of the actions of the Planning Commission by conducting official and private affairs in a way that clearly conveys that you cannot be improperly influenced in performing your official duties.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word, which can be binding on public duty.
8. Engage in no business with the County government, or the school system, either directly or indirectly, which is inconsistent with the conscientious performance of Planning Commissioners' duties except as may be consistent with the conflict of interest statutes in the Code of Virginia.
9. Never use any information gained confidentially in the performance of Planning Commission duties as a means of making private profit.
10. Expose, through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the

Freedom of Information Act using closed sessions only to deal with sensitive personnel, legal or contractual matters as provided by the Code of Virginia.

12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.
13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Commission.
14. Review orally and in public session, at the annual organizational meeting, each of these principles.
15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.



Dinwiddie County Planning and Zoning Department

14010 Boydton Plank Road

Dinwiddie, Virginia 23841

Phone: 804-469-4500

MEMORANDUM

TO: Dinwiddie County Planning Commission

FROM: Mark Bassett, Planning Director

DATE: January 14, 2026

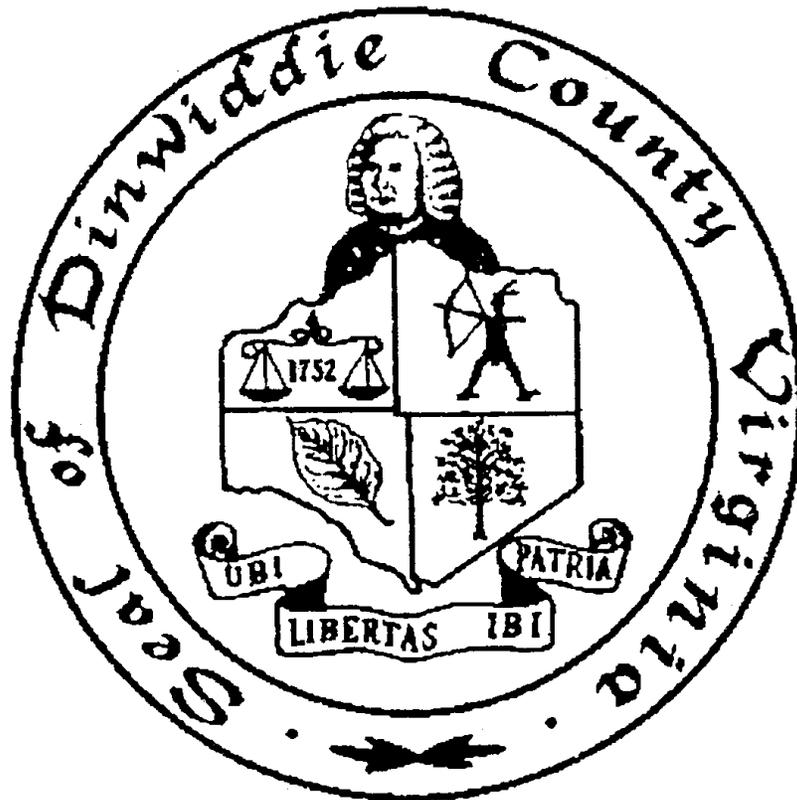
SUBJECT: Proposed Resolution to adopt the Dinwiddie County Planning Commission Bylaws

Planning Commission Action

WHEREAS, the Planning Commission of Dinwiddie County, Virginia shall adopt such rules and regulations as it may consider necessary; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission does hereby adopt the Dinwiddie County Planning Commission Bylaws.

Planning Commission Code of Ethics



DINWIDDIE COUNTY

Dinwiddie, Virginia

Adopted March 8, 2007

CODE OF ETHICS AND STANDARDS OF CONDUCT FOR MEMBERS OF THE DINWIDDIE COUNTY PLANNING COMMISSION

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4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, sex, age, religion, creed, country of origin, or handicapping condition. Avoid adopting policies, supporting programs or engaging in activities that discriminate against or offend individuals because of race, sex, age, religion, creed, country of origin or handicapping condition.
6. Ensure the integrity of the actions of the Planning Commissioners by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone, whether for remuneration or not. A member should never accept for himself/herself or for family members, favors or benefits under any circumstances, which might be construed by reasonable persons as influencing the performance of Planning Commissioners duties.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word, which can be binding on public duty.
8. Engage in no business with the county government, or the school system, either directly or indirectly, which is inconsistent with the conscientious performance of the Planning Commissioners' duties except as may be consistent with the conflict of interest statutes in the Code of Virginia.
9. Never use any information gained confidentially in the performance of the Planning Commissioners duties as a means of making private profit.
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