

VIRGINIA: MINUTES FOR THE REGULAR MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE BOARD MEETING ROOM OF THE DINWIDDIE COUNTY GOVERNMENT CENTER BUILDING ON THE 8<sup>TH</sup> DAY OF JULY AT 7:00 P.M.

PRESENT:	SAMUEL W. HAYES	CHAIRMAN	AT-LARGE
	EDWARD TITMUS		DIST #2
	JOHN HARVELL		DIST #3
	THOMAS TUCKER (Webex from home)	VICE CHAIRMAN	AT-LARGE
	ANTHONY SIMMONS (Webex from home)		DIST #5
	BUTCH CUNNINGHAM		DIST #4
	EVERETTE PROSISE (Webex from home)		DIST #1

OTHER:	MARK BASSETT	PLANNING DIRECTOR
	MICHAEL DREWRY (Webex from home)	ASST. COUNTY ATTORNEY

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**IN RE: CALL TO ORDER**

The Chairman called the meeting to order at 7:00 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 the roll to be called and all members were present.

**IN RE: APPROVAL OF AGENDA**

The Chairman asked if there were any additions or corrections to the agenda. He said since there are none he would entertain a motion to accept the agenda as presented.

Mr. Titmus made a motion that the agenda be accepted as presented. It was seconded by Mr. Cunningham and with Mr. Harvell, Mr. Titmus, Mr. Cunningham, Mr. Prosise, Mr. Simmons, Mr. Tucker and Mr. Hayes voting "AYE" the agenda was accepted as presented.

**IN RE: MINUTES**

The Chairman asked if there were any corrections to the March 11, 2020 regular meeting minutes. He said since there are none he would entertain a motion to accept the minutes as presented.

Mr. Tucker made a motion that the minutes be accepted as presented. It was seconded by Mr. Titmus and with Mr. Simmons, Mr. Cunningham, Mr. Prosise, Mr. Harvell, Mr. Titmus, Mr. Tucker and Mr. Hayes voting "AYE" the minutes were accepted as presented.

The Chairman asked if there were any corrections to the May 13, 2020 workshop meeting minutes. He said since there are none he would entertain a motion to accept the minutes as presented.

Mr. Titmus made a motion that the minutes be accepted as presented. It was seconded by Mr. Harvell with Mr. Titmus, Mr. Prosis, Mr. Simmons, Mr. Cunningham, Mr. Harvell, Mr. Tucker and Mr. Hayes voting "AYE" the minutes were accepted as presented.

The Chairman asked if there were any corrections to the June 8, 2020 regular meeting minutes. He said since there are none he would entertain a motion to accept the minutes as presented.

Mr. Titmus made a motion that the minutes be accepted as presented. It was seconded by Mr. Simmons and with Mr. Prosis, Mr. Simmons, Mr. Harvell, Mr. Titmus, Mr. Cunningham, Mr. Tucker and Mr. Hayes voting "AYE" the minutes were accepted as presented.

**RE: CITIZEN COMMENTS**

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

**RE: PUBLIC HEARING**

**Planning Commission Staff Report**

File #: C-20-4  
Applicants: Ralph A. Shands and Thermon S. Shands, and their agent, Henry Layden and Todd Bryant  
CUP Request: To operate an open pit sand and gravel mine  
Property Location: approx. 1,500 west of 26714 Troublefield Road, Stony Creek  
Tax Map Parcel #: 87-10, 87-11 & 87-12  
Property Size (Proposed Mining Site): approx. 134.0 acres  
Current Zoning: Agricultural, General, A-2  
Magisterial District: Sapony  
Planning Commission Mtg.: June 8, 2020

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**CUP REQUEST**

The applicants, Ralph A. Shands and Thermon S. Shands, and their agent, Henry Layden and Todd Bryant, are seeking a conditional use permit to utilize the following described property containing approximately 134.0 +/- acres as an open pit sand and gravel mine. The property is located 1,500 feet west of 26714 Troublefield Road, Stony Creek, VA, and is further designated as Tax Map Parcel Nos. 87-10, 87-11, 87-12 and is zoned A-2, Agricultural General, which allows such use upon receiving a conditional use permit. The County's Comprehensive Land Use Plan places this property within the Rural Conservation Area which allows limited commercial, service development at the Ordinance defined density.

**RELATED ATTACHMENTS**

- CUP Amendment Application
- Property Location Map

## **OVERVIEW OF PROPOSED OPEN PIT MINING OPERATION**

The proposed mining operation is proposed to be operated similar to the neighboring “Pegram mine” which was approved by the Board of Supervisors with conditions on November 20, 2012, and the “Shands mine” (Tax Map Parcel #87-13) that was approved with conditions in March 2016. The proposed hours of operation for the sand and gravel mine are from 7:00 AM to 4:00 PM Monday through Friday. To serve area citizens Saturday hours are proposed from 8:00 AM to 2:00 PM. Any additional Saturday hours of operation would be under emergency operations only. The sand and gravel material is mined using an excavator (no blasting is used to extract the material) and the material is then stockpiled on the mine site. The stockpiled material will be loaded from the stockpile into the rubber-tired loader using an excavator. The proposed maximum depth of the mine pit(s) is 14 feet. Over time with the progression of the mining lifts taking place below the existing water table, pooling of water will take place in the mine pit creating a small lake. As the mining in each area of the site is completed, the banks of the lakes created by the mining extraction process are sloped at a three to one slope and these sloped lake banks are stabilized with seed. The mining pit areas are buffered from the surrounding area by constructing earthen berms from the excavated topsoil (it is estimated that there is four inches of topsoil in the mining area), and these earthen berms are three feet in height and four feet wide at the tops of the berms. Any excess topsoil is used to reclaim the mine site post mining by spreading and disking in this topsoil to a depth of four inches and seeding on all areas not covered by water.

The stockpiled sand and gravel material is processed on site utilizing a screening plant at approximately 80 tons per hour. There is no crushing of rock material allowed as part of this mining operation. Any overburden or waste material is stockpiled on site and seeded. Any runoff from the stockpile areas drains back into the mine pit areas. The stockpiled waste material is either sold or is utilized on the site to reclaim the banks and slopes. After the sand and gravel is processed on the mine site, it is hauled offsite utilizing the haul road that extends from Troublefield Road into the site along the existing farm service road. The haul road is to be watered as needed to control dust. It is estimated that no more than 50 truckloads of mined sand and gravel material will be hauled offsite each day during the conditioned hours of operation.

The post mine land use will return to the pre-mine agricultural use. The entire mine site is to be reclaimed by revegetating the site using the stockpiled topsoil and any stockpiled overburden.

## **ZONING ANALYSIS**

The properties surrounding the subject property include single-family residential dwellings, farmland, forestal land uses, and Stony Creek runs along the western property line and the properties are currently zoned A-2, Agricultural, General. The proposed sand and gravel mining operation is to take place on the one parcel, Tax Map Parcels 87-10, 87-11 & 87-12.

The surrounding properties are zoned Agricultural, General, A-2, and Zoning Ordinance Section 22-75, Permitted Uses, (49) allows open pit sand and gravel mining with a conditional use permit. As designated by the Comprehensive Land Use Plan, the subject property is within the Rural Conservation Area. As such, the Comprehensive Plan states that this general area is expected to accommodate limited commercial and service development.

## **OVERVIEW OF IMPACTS**

The Department of Mines, Minerals, and Energy (DMME) and more specifically the Division of Mineral Mining (DMM) will issue and oversee the required permit/license to operate the proposed mine.

The mining operation will be subject to the conditions of the permit/license. Drainage, safety, and reclamation practices are made a part of the permit as are periodic inspections by the operator.

#### Public Utilities, School System, & Public Safety Impacts

The existing utilities are handled on-site, and the mechanical systems utilized as part of the mining operation: an excavator, a rubber-tired loader, a conveyor, a screening plant, and a dewatering screw the systems needing on-site power will be powered by a diesel engine. There are public safety issues involved with the proposed use, and the CUP conditions address the safety related impacts of the mining operation as do the Federal and State guidelines for mining operations.

#### Transportation Impacts

The impacts on the transportation network are being addressed by VDOT through the commercial entrance permit. VDOT is reviewing the the request to allow a maximum number of 50 dump trucks per day on the days as allowed under the conditions of the CUP to haul the sand and gravel mined at the site to an off-site location(s). Prior to commencement of the mining operation the applicant will comply with all VDOT permitting requirements and entrance design and construction requirements and specifications, including but not limited to driveway entrance alignments, sight line requirements, and tapers and/or turning lanes.

### **SITE AND USE ANALYSIS**

Staff feels that the request to operate an open pit sand and gravel mining operation on the subject property and haul no more than 50 truckloads of sand and gravel from the site Monday through Saturday and during emergency operations is an appropriate use of the property, and given the configuration of the surrounding land uses and given the surrounding zoning pattern the use is appropriately located.

#### Planning Staff Recommendation:

The Staff reviewed the request for the conditional use permit and is satisfied that the applicant has successfully addressed the impacts on the subject property and surrounding area of operating an open pit sand and gravel mining operation and hauling no more than 50 truckloads of sand and gravel from the mine site.

Staff's recommendation of APPROVAL of the conditional use permit to allow the subject to the following conditions:

C-20-4 Conditions:

1. Generally. The use of the property shall be limited to open pit sand and gravel mining, and transportation and shall be subject to this conditional use permit. Open pit and sand gravel mining may occur only on Tax Map Parcels 87-10, 87-11 & 87-12 (totaling approximately 134.0 acres). The only access to and from the mining and site on Tax Map Parcels 87-10, 87-11 & 87-12 shall be across Tax Map Parcel 87-13.

2. Time of operation. The hours and days of operation for mining, and transportation to and from the mining sites shall be as follows:
  - a. 7:00 AM to 4:00 PM Monday through Friday except Federal and State holidays; and 8:00 AM to 2:00 PM Saturday except Federal and State holidays.
  - b. For emergency operations only from 8:00 a.m. to 4:00 p.m. Saturdays except federal and state holidays an emergency operation shall exist if and only if it is designated by the Commonwealth of Virginia or its agent when the product of the mine is required for the use of the Commonwealth on short notice.
  - c. No mining or transportation to or from the mining sites shall occur (1) outside of the times listed above, (2) on any Sunday, or (3) on any Federal or State holiday.
3. Mining pits; depth. The maximum depth of the mining pits shall not exceed fourteen (14) feet as measured from the initial ground elevation above the bottommost point of the mining pit.
4. No crushing operations are allowed. No crushing of sand, gravel, or stone shall be allowed on the mine site as part of the mining operation.
5. No blasting allowed. No blasting shall be allowed on the mine site as part of the mining operation. All mining shall be done utilizing an excavator.
6. No public access. No public access shall be permitted to the mining sites.
7. Berms for sites close to property lines. Mining sites in close proximity to an adjacent property line shall have an earthen berm buffer at or in close proximity to the mine pit or mined site three (3) feet in height and four (4) feet in width at the top of the berm. Each berm shall be seeded.
8. Hauling operations. A maximum of fifty (50) truckloads of mined material to include sand, gravel, topsoil, overburden, and spoils shall be hauled from the mine site each day only during the hours and days set forth in Condition Number Two (2) above. The operator shall be required to make a daily inspection of the road within two hundred (200) feet of any entrance to the mine and shall be required to sweep any debris within two hundred (200) feet of any entrance to the mine placed on the road by the hauling of sand, gravel, top soil, over burdens, oil and other materials associated with the operation of the mine.
9. Permits, reports, etc.

All applicable federal, state, and local permits shall be obtained and filed with the Dinwiddie County Planning Department prior to commencing operations. This conditional use permit is effective only upon receipt by the Dinwiddie County Planning Department of all such permits.

- a. All applicable federal, state, and local permits shall be maintained in good standing by owner/operator. Owner/operator shall provide copies of such permits to Dinwiddie County Planning Department during operations. Failure to maintain all applicable permits shall be grounds for revocation of this conditional use permit.
- b. Copies of violations and/or reports to or from applicable federal and state agencies shall be made available to Dinwiddie County upon request of the County.

10. Compliance with laws. All operations pursuant to this conditional use permit shall be conducted in compliance with all applicable federal, state and local laws and regulations.
11. Annual review. This conditional use permit shall be reviewed a minimum of once per calendar year to evaluate compliance with conditions contained herein.

### **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 statement:

**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, C-20-4, as presented for an open pit sand and gravel mining operation be recommended for (approval, approval with conditions, OR disapproval) to the Board of Supervisors.**

Mr. Bassett asked if there were any questions from the Commissioners.

Mr. Titmus asked if the contractor was mining on both mines currently.

Mr. Bassett said he believes they are still mining on the mine on the property owned by Samuel Shands.

Mr. Titmus asked if the maximum of fifty (50) truckloads in condition eight (8) applies if all three mines end up being in operation at the same time.

Mr. Todd Bryant, the contractor, said he would keep the truck traffic at no more than fifty trucks.

Mr. Hayes asked if all the trucks will be accessing Troublefield Road in the same location.

Mr. Todd Bryant said there are two different accesses. One will be on the current tax parcel 87-13 and the other would be on tax parcels 87-10, 87-11 and 87-12.

The Chairman asked if there were any more questions for Mr. Bassett. He said if not would the applicant like to come forward and add anything.

Thurman Shands, 26714 Troublefield Road, Stoney Creek VA said he did not have anything to add, but he would try along with the contractor to answer any questions the Commissioners might have.

Mr. Tucker asked if this operation is an extension of the mine currently in operation.

Mr. Thurman Shands said this is a separate mine.

The Chairman said if there are no more questions for the applicant or his agent he was opening the public hearing portion of the case. He asked if anyone had signed up to speak. He said since there is

no one signed up to speak he is closing the public hearing portion of the case. He opened the discussion among the Commissioners. The Chairman said if there is no more discussion, he would entertain a motion.

Mr. Harvell 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, C-20-4, as presented for an open pit sand and gravel mining operation be recommended for approval with the amended condition of a maximum of fifty (50) truckloads for all three mining operations and the addition of parcel 87-13 to the Board of Supervisors. It was seconded by Mr. Tucker and with Mr. Cunningham, Mr. Harvell, Mr. Simmons, Mr. Titmus, Mr. Prosis, Mr. Tucker and Mr. Hayes voting "AYE," C-20-4 was recommended for approval to the Board of Supervisors.

**RE: PUBLIC HEARING**

## **Planning Commission Staff Report**

File #:	C-20-5
Applicant:	Ogburn & Ogburn Trucking, LLC; Agent, Hampton Gordon
CUP Request:	To operate a laydown yard
Property Location:	Directly south across from 9502 Zion Road
Tax Map Parcel #:	28-35
Property Size: approx.	21.21 acres
Property Zoning:	Agricultural, General, A-2
Magisterial District:	Darvills
Planning Commission Mtg.:	July 8, 2020

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### **CUP REQUEST**

The applicant, Ogburn & Ogburn Trucking, LLC, and their agent, Hampton Gordon, are seeking a conditional use permit to operate a laydown yard on the following described property containing approximately 21.21 acres. The property is located south across the street from 9502 Zion Rd. Ford, VA, and is further designated as Tax Map No. 28-35. The property is zoned A-2, Agricultural General, which may be changed to allow such use upon receiving a conditional use permit. The County's Comprehensive Land Use Plan places this property within the Rural Conservation Area which allows limited commercial, service development at the Ordinance defined density.

### **RELATED ATTACHMENTS**

- CUP Application
- Location Map

### **OVERVIEW OF PROPOSED LAYDOWN YARD**

Ogburn & Ogburn Trucking, LLC's primary client is Gerdau Ameristeel of Dinwiddie County and the business activities include hauling steel products to the property located at 9502 Zion Road with some light assembling and welding of the steel before the products are transported off site. The conditional use permit for the aforementioned operation was approved by the Board of Supervisors in February 2018. Now, the applicant and their agent are requesting to have a steel laydown yard on the property to the immediate south across Zion Road.

## **ZONING ANALYSIS**

The adjacent properties to the north and west across Zion Road where the existing steel facility and laydown yard are located are zoned Agricultural, General, A-2. On the adjoining A-2 zoned property to the north is a single-family residence. The remainder of the subject property is adjoined by Baltimore Road and a vacant parcel zoned A-2 to the northeast and along the subject property's southern property line is Route 460. With the exception of the single-family residential property to the north and the vacant property to the east, the surrounding property consists of road frontage on Zion Road, Baltimore Road, and Route 460.

As designated by the Comprehensive Land Use Plan, the subject property is within the Rural Conservation Area. As such, the Comprehensive Plan states that this general area is expected to develop as low density residential, agricultural, and limited commercial and service development.

## **OVERVIEW OF IMPACTS**

This request is not expected to cause any new impacts to the surrounding properties as it has been in operation for at least 2 years without any noise or traffic complaints.

### *Public Utilities, School System, & Public Safety Impacts*

Any utilities are handled on-site and there is no expected impact to the school system, as related to the laydown yard. Any public safety or community issues related with the proposed use are minimized by the proposed conditions associated with this permit.

### *Transportation Impacts*

VDOT has reviewed the request and there do not appear to be any new impacts on the transportation network. Condition #4 requires the applicant meet all VDOT requirements and design and construction standards for vehicle access.

## **SITE AND USE ANALYSIS**

Staff feels that the request to operate a laydown yard on the subject property is an appropriate use of the property, and given the configuration of the surrounding land uses and given the surrounding zoning pattern the use is appropriately located. Additionally, the County has not received any noise or traffic complaints associated with the existing business.

As designated by the Comprehensive Land Use Plan, the subject property is within the Rural Conservation Area. As such, the Comprehensive Plan states that this general area is expected to develop as low density residential, agricultural, and limited commercial and service areas.



Although the Comprehensive Land Use Plan does not specifically recommend commercial/service activities within this general area, staff believes that the impacts of operating a laydown yard on the subject property will be minimized based on adherence to the proposed conditions.

**Planning Staff Recommendation:**

Planning staff reviewed the request for the conditional use permit and is satisfied that the impacts of operating a laydown yard on the subject property will be minimized based on adherence to the proposed conditions.

Staff's recommendation of APPROVAL of the conditional use permit to operate a laydown yard is subject to the following conditions:

**C-20-5 Conditions:**

1. The use of the property shall be limited to the laydown yard as identified in the Land Use Amendment Application.
2. Any buildings or structures constructed as part of the laydown yard shall meet all applicable Fire Code requirements and all applicable Building Code requirements;
3. Any site lighting installed shall be directed downward and inward to the site to preserve the night sky and shall not directly cast light onto the adjoining properties or public roads;
4. All vehicle access/entrance(s) to the subject property shall meet Virginia Department of Transportation (VDOT) design and construction standards;
5. The property shall meet design and construction standards for fire and rescue apparatus access;
6. The property shall meet all required development standards for this type of business as required by Chapters 18 and 22 of the Dinwiddie County Code, as amended;
7. All outdoor activities associated with the laydown yard shall only be conducted between the hours of 7:00 AM and 9:00 PM with no outdoor activities associated with the laydown yard on Easter Sunday, Thanksgiving Day and Christmas Day;
8. All assembling and welding activities associated with the related laydown yard and hauling facility as approved under conditional use permit C-18-1 shall only be conducted on Tax Map Parcel 28-36;
9. Any existing trees within 50 feet of the abutting parcel identified as Tax Map Parcel 28-35A and addressed as 9703 Zion Road shall remain in place and shall not be removed. Any laydown areas shall be screened from the Route 460 (Cox Road), Route 608 (Zion Road) and Route 622 (Baltimore Road) public right-of-ways and from the abutting eastern property line with opaque fencing or with landscaping or by maintaining the existing landscaping/trees and vegetation to be approved by the Dinwiddie County Planning Director;
10. All activities associated with the laydown yard shall comply with all applicable federal, state, and local codes; and

11. This conditional use permit is subject to be reviewed by the Dinwiddie County Zoning Administrator on an annual basis from the date of issuance. Failure to abide by these conditions may result in legal action.

### **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 statement:

**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, C-20-5, as presented to operate a laydown yard be recommended for (approval, approval with conditions, OR disapproval) to the Board of Supervisors.**

Mr. Bassett asked if there were any questions from the Commissioners.

Mr. Titmus asked if the Conditional Use Permit that was issued in 2018 is in full compliance at this time.

Mr. Bassett said staff has gone to the site and pictures were taken. He said it does not appear that the applicant is in full compliance at this time due to the steel beams located within the buffer/setback area along Zion Road.

The Chairman asked if there were any more questions for Mr. Bassett. He said if not would the applicant or his agent like to come forward and add anything.

Hampton Gordon, 14331 Courthouse Road, Dinwiddie VA said he would answer any questions the Commissioners may have.

Mr. Titmus said in condition 9 it says 50 feet of the abutting parcel identified as Tax Map Parcel 28-35A and on your plan it does not show that buffering around that property.

Mr. Gordon said the plan I gave you was done to give you an idea of the area under consideration. The conditions that are set forward after tonight, the Planning Department stipulations, VDOT requirements and any E&S and Public Safety concerns will be addressed in the full site plan.

Mr. Hayes asked how much of the road does the applicant use and has he thought about doing a partial abandonment of it.

Mr. Gordon said the applicant and I have had that discussion and are open to a partial abandonment of Zion Road.

The Chairman said if there are no more questions for the applicant or his agent he was opening the public hearing portion of the case. The Chairman asked if anyone had signed up to speak.

Ceanie Salmons 9703 Zion Road, Ford VA said she was not in support of this conditional use permit. We are having problems with trucks cutting short their turn onto Zion Road, which destroys our ditch. We find ourselves repairing that ditch over and over again. Trucks are parking on both sides of Zion Road using it as their public restroom and their public trash dump. There is already noise from the current laydown yard as well as the railroad and to expand the laydown yard would make that even worse. Also, expanding the laydown yard would make it more dangerous for my children and my live-stock. I cannot afford to move, but he can. I would like to see different fencing and buffering.

Kathy Crouch, 20256 Butterwood Road, North Dinwiddie said she is not in support of this conditional use permit. I am concerned about the noise from and the busy laydown yard where my daughter and grandchildren have to live and play. The things my daughter has said about the truck drivers is correct. I am asking that you deny the conditional use permit, C-20-5.

The Chairman said since there is no one signed up to speak he is closing the public hearing portion of the case. He opened the discussion among the Commissioners.

Mr. Prorise asked the applicant why he was putting some steel on the outside of the fence.

Mr. Timothy Ogburn said it was an entrance that he no longer uses and because there was space, he decided to put steel there. He said that he would remove it.

After some discussion among the Commissioners concerning buffers, setbacks, and potential the partial abandonment of Zion Road, the applicant and his agent came forth and asked that their case be deferred until their next Planning Commission meeting which is scheduled for August 12, 2020.

Mr. Cunningham made a motion and said based on the request of the applicant to defer their conditional use permit case, C-20-5, until the next Planning Commission meeting which is scheduled for August 12, 2020, I move to grant the applicant his request. It was second by Mr. Titmus and with Mr. Harvell, Mr. Titmus, Mr. Cunningham, Mr. Simmons, Mr. Tucker Mr. Hayes voting "AYE," and Mr. Prorise voting "NO" C-20-5 was deferred until the Planning Commission next regular meeting on August 12, 2020.

**RE: PUBLIC HEARING**

**To: Dinwiddie County Planning Commission**  
**From: Mark Bassett, Planning Director**  
**Date: July 1, 2020**  
**Subject: Request for a Deferral of Case, C-20-1, the Conditional Use Permit for an Assisted Living Facility**

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The applicant, 21723 Boydton Plank Rd LLC, and their agent, Mr. Curtis D. Gordon, Esq., request a deferral of Case, C-20-1, to the October 14, 2020 Planning Commission meeting. The Case will be advertised for the October 14, 2020 Planning Commission meeting on September 30<sup>th</sup> and on October 7<sup>th</sup>.

Mr. Tucker made a motion to accept the deferral request from the applicant involving case C-20-1. The deferral will be until the October 14, 2020 Planning Commission meeting. It was second by Mr. Simmons and with Mr. Titmus, Mr. Simmons, Mr. Prorise, Mr. Cunningham, Mr. Harvell, Mr. Tucker and Mr. Hayes voting "AYE," C-20-1 was deferred until the Planning Commission October 14, 2020 regular meeting.

**IN RE: COMMISSIONERS' COMMENTS**

There was some general discussion among the members

**IN RE: PLANNING DIRECTOR'S COMMENTS**

Mr. Bassett said the reason we have been social distancing at our last two meeting is because we wanted any member or citizen who chooses to be involved in the public meetings to be comfortable and to practice social distancing.

**IN RE: ADJOURNMENT**

The Chairman said if there is no further business he would entertain a motion for adjournment. Mr. Cunningham made a motion to adjourn the meeting and Mr. Titmus seconded it and with all Commissioners in agreement the meeting adjourned at 8:55 p.m.

Respectfully submitted,

Mark Bassett  
Planning Director

Signed: \_\_\_\_\_  
Planning Commission Chairman

Dated: \_\_\_\_\_