

BOARD OF SUPERVISORS MINUTES**SEPTEMBER 24, 2024**

At a Regular Meeting of the Orange County Board of Supervisors held on Tuesday, September 24, 2024, beginning at 5:00 p.m., in the Meeting Room of the Public Safety Building, 11282 Government Center Drive, Orange, Virginia. Present: R. Mark Johnson, Chairman; Keith F. Marshall, Vice Chairman; Eduward M. Van Hoven; Crystal D. Hale; and J. Bryan Nicol. Also present: Glenda Paul, Acting County Administrator; Amy F. Wilson, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

On the motion of Mr. Nicol, seconded by Mr. Marshall, which carried by a vote of 5-0, the Board adopted the agenda, as modified. Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

There were no Special Presentations and Appearances at this time.

RE: CONSENT AGENDA

On the motion of Ms. Hale, seconded by Mr. Nicol, which carried by a vote of 5-0, the Board adopted the Consent Agenda, as presented.

Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

RE: FY24 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
30052001-39900	Appropriated Fund Balance	\$ (5,271,114.75)	\$ (21,500.00)	\$ (5,292,614.75)
41221501-43150	Prof. Services - Legal	462,538.00	21,500.00	484,038.00
43320001-46910	Rapp. Juv. Detention Center	290,008.00	20,075.00	310,083.00
30052001-39900	Appropriated Fund Balance	(5,271,114.75)	(20,075.00)	(5,291,189.75)
45351001-43270	Res. Congregate Care	239,419.00	52,184.00	291,603.00
45351001-43275	Foster Care	827,249.00	211,643.00	1,038,892.00
45351001-43276	Congregate Care Ed. Serv.	455,034.00	76,720.00	531,754.00
45351001-43277	SpEd (IEP) Priv. Day Place.	1,675,051.00	101,287.00	1,776,338.00
45351001-43280	Comm. Based Services	835,196.00	130,812.00	966,008.00
45351001-43285	SpEd Wrap	31,356.00	2,159.00	33,515.00
45351001-43290	Community Based Services	11,777.00	114.00	11,891.00
30046006-37020	Cat. Aid - Federal - CSA	(97,266.14)	(13,740.00)	(111,006.14)
30045055-36125	Cat. Aid - State - CSA	(2,334,399.52)	(329,755.00)	(2,664,154.52)
30052001-39900	Appropriated Fund Balance	(5,271,114.75)	(231,424.00)	(5,502,538.75)
43220012-46840	Vol. Fire Chiefs' Association	786,528.00	95,885.00	882,413.00
30052019-39900	Appropriated Fund Balance	(798,691.58)	(95,885.00)	(894,576.58)
TOTALS		\$(13,429,545.49)	\$ 0.00	\$(13,429,545.49)

RE: FY25 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
30034001-34025	Insurance Recovery	\$ (20,532.00)	\$ (1,346.00)	\$ (21,878.00)
44320001-43350	Other Repairs/Maintenance	406,466.00	1,346.00	407,812.00
30035001-34025	Insurance Recovery	0.00	(4,616.00)	(4,616.00)
44240001-43350	Other Repairs/Maintenance	40,000.00	4,616.00	44,616.00
30045006-35775	State - Airport Grant	(473,562.00)	(1,889.00)	(475,451.00)
48170001-43370	Grounds Maintenance	63,887.00	1,889.00	65,776.00
TOTALS		\$ 16,259.00	\$ 0.00	\$ 16,259.00

RE: FY25 BUDGET AMENDMENTS FOR ORANGE COUNTY PUBLIC SCHOOLS

As part of the Consent Agenda, the Board approved the re-appropriation of funds from FY24 to FY25 for Orange County Public Schools in the amount of \$487,142 to the Operating Fund, \$15,134 to the Grant Fund, and \$14,603 to the Head Start Fund, as presented.

RE: RESOLUTION REQUESTING SAFETY STUDY ON THE INTERSECTION OF ROUTE 629 (LAHORE ROAD) AND ROUTE 669 (MARQUIS ROAD)

As part of the Consent Agenda, the Board adopted the following resolution, as presented:

RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) CONDUCT A SAFETY STUDY ON THE INTERSECTION OF ROUTE 629 (LAHORE ROAD) AND ROUTE 669 (MARQUIS ROAD) IN ORANGE COUNTY, VIRGINIA

WHEREAS, it is the intention of the Orange County Board of Supervisors to protect the health, safety, and welfare of all its citizens; and

WHEREAS, the Board has expressed safety concerns with the current configuration of the four-way intersection of Route 629 (Lahore Road) and Route 669 (Marquis Road), as the intersection is complicated by factors such as limited sight distance, narrow roadways, and travelers using speeds above the posted limits and road conditions; and

WHEREAS, the Board feels that making intersection improvements, up to and including a complete four-way stop and posting of appropriate speed limit and safety signage, would significantly improve the safety of this intersection for all residents and travelers;

NOW, THEREFORE, BE IT RESOLVED, on this 24th day of September, 2024, that the Orange County Board of Supervisors hereby requests that the Virginia Department of Transportation conduct a safety study on the intersection of Route 629 (Lahore Road) and Route 669 (Marquis Road) in Orange County, Virginia, as described above.

RE: ADOPTION OF THE AUGUST 13, 2024 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the August 13, 2024 Regular Meeting minutes, as presented.

RE: ADOPTION OF THE AUGUST 27, 2024 WORKSESSION MINUTES

As part of the Consent Agenda, the Board adopted the August 27, 2024 Worksession minutes, as presented.

RE: ADOPTION OF THE AUGUST 27, 2024 REGULAR MEETING MINUTES

This item was struck from the agenda.

RE: ADOPTION OF THE SEPTEMBER 10, 2024 REGULAR MEETING MINUTES

As part of the Consent Agenda, the Board adopted the September 10, 2024 Regular Meeting minutes, as presented.

RE: OLD BUSINESS

RE: REQUEST FOR VACATION OF RIGHT-OF-WAY (TABLED FOLLOWING PUBLIC HEARING ON SEPTEMBER 10, 2024)

Josh Frederick, Planning and Zoning Services Manager, reminded the Board this matter had been tabled following completion of the required Public Hearing on September 10, 2024, as the Board desired for the applicant to first vacate the internal property lines of the subdivision before vacating the public right-of-way. He noted that staff had only recently received the lot consolidation plats, as requested, and said administrative process had not been completed to-date. Mr. Frederick stated it was the Board's decision to either adopt the ordinance of vacation, as presented, or to table the matter for another two weeks. He added that the two processes could run parallel with one another, which would also allow the Clerk's Office Instrument Number for the right-of-way vacation to be included on the lot consolidation plat for cleaner reference.

Discussion ensued among the Board regarding: overview of the "two-step" vacation process utilized most recently; whether the lot consolidation plat could be withdrawn following the Board's action to vacate the right-of-way; the chance of making errors or creating issues if the public right-of-way was vacated first; and use of the approval process already in place.

On the motion of Mr. Nicol, seconded by Mr. Van Hoven, which carried by a vote of 5-0, the Board voted to take the matter off the table for consideration.

Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

Further discussion ensued among the Board regarding: the reason for the two-step approval process; reference to the Clerk's Office Instrument Number; requirement of the public right-of-way at the time the 18-lot subdivision was created years ago; and potential changes to the public right-of-way vacation process in the future.

On the motion of Mr. Van Hoven, seconded by Mr. Nicol, which carried by a roll call vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE TO VACATE RIGHT-OF-WAY ALONG GLENBROOKE LANE, OWNED BY THE COUNTY OF ORANGE, REQUESTED BY LORENZO CARRAZANA, ON BEHALF OF PERDUE BARBOURSVILLE, LLC

WHEREAS, in 2007, a 50-foot right-of-way was granted fee simple to the County of Orange via the "dedicated to public use" statement on a plat titled "Glenbrooke Estates Subdivision" recorded with Instrument # 070011501 in Plat Cabinet M, Pages 315 through 319, intended for the eventual extension of Glenbrooke Lane; and

WHEREAS, since the time of said public dedication, the owner of the property surrounding said 50-foot right-of-way changed and the current owner gifted a conservation easement over the property in December, 2022; and

WHEREAS, with the development restrictions of the conservation easement, the planned subdivision that would eventually utilize the subject extension of Glenbrooke Lane will no longer be developed and the current property owner desires to vacate the individual subdivision lot lines and consolidate the lots into a single property; and

WHEREAS, since there is no longer a public need for the subject right-of-way, the property owner, Perdue Barboursville, LLC, has applied for the Board to formally vacate the subject 50-foot right-of-way identified as the extension of Glenbrooke Lane; and

WHEREAS, pursuant to Section 15.2-2006 of the Code of Virginia, the Board of Supervisors is authorized to vacate public rights-of-way, and pursuant to Section 15.2-2272 of the Code of Virginia, the Board of Supervisors is authorized to consider vacation of a plat or part thereof, and, as such, advertised for and conducted a public hearing to consider the above action on September 10, 2024; and

WHEREAS, following the public hearing, the Board tabled action until its meeting on September 24, 2024, and requested that the property owner first complete the process of consolidating the individual lot lines; and

NOW, THEREFORE, BE IT ORDAINED, on this 24th day of September, 2024, that the Orange County Board of Supervisors hereby formally vacates the 50-foot right-of-way that was granted fee simple to the County of Orange via the "dedicated to public use" statement on the plat titled "Glenbrooke Estates Subdivision" recorded with Instrument # 070011501 in Plat Cabinet M, Pages 315 through 319; and

BE IT FURTHER ORDAINED, that, pursuant to Section 54-68(b) of the Orange County Subdivision Ordinance, said vacation shall, "vest fee simple title to the centerline of any roads, alleys, or easements for public passage so vacated in the owners of abutting lots," thus reverting ownership of the entire length and width of the subject right-of-way from the County of Orange to Perdue Barboursville, LLC; and

BE IT YET FURTHER ORDAINED, that, following the sixty-day appeal period required by Section 15.2-2006 of the Code of Virginia, a certified copy of this ordinance shall be recorded in the same manner as deeds and land records are recorded and indexed in the Orange County Circuit Court Clerk's Office.

Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

RE: NEW BUSINESS

There were no matters for New Business at this time.

RE: MATTERS FOR DISCUSSION OR CONSIDERATION

RE: ORDINANCE REQUEST; PENALTY FOR NON-FILING OF BUSINESS PERSONAL PROPERTY RETURNS (CARRIED OVER FROM THE SEPTEMBER 10, 2024 MEETING)

Josh Crawford, Chief Deputy, reminded the Board this matter was carried over from previous discussions on September 10, 2024. He indicated the request was to consider an ordinance that would impose a penalty for non-filing of business personal property returns, with the overall goal of improving accuracy of the business tax base while reducing the staff time and work associated with "best guessing" a business' personal property.

Discussion ensued among the Board regarding: whether the Commissioner was supportive of the request since she had not been in attendance at the meetings; the options before the Board at this time; collection of citizens' personal property from other agencies, such as DMV and DWR; the goal of improving accuracy; the current mechanisms in place to estimate business filings; and clarification on the use of staff to review and complete business personal property audits.

The Board of Supervisors took the information and request under advisement, and there was no action taken at this time.

RE: MEETING DATE FOR ZONING ORDINANCE UPDATE PROJECT

Chairman Johnson stated that a request had been received from the consultant selected to work with the County on the update of the Zoning Ordinance. He suggested the Board collectively agree on a date to be confirmed and submitted to the consultant.

Discussion ensued among the Board regarding: the Board members pairing up with their respective Planning Commission members to complete the meetings together; the purpose of the meeting to serve as an exchange of ideas as the consultant geared up to begin its work; and the result of the meetings to further define the scope of the update project by learning critical areas, hot topics, etc.

By consensus, the Board agreed to schedule its individual meetings with the Zoning Ordinance project consultant on the afternoon of October 22, 2024, as discussed.

RE: APPOINTMENT TO THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) WATER SUPPLY REGIONAL PLANNING UNIT

Chairman Johnson stated that the Virginia Department of Environmental Quality had recently issued notice to localities of their assignment to a Regional Planning Unit as part of the overall Local and Regional Water Supply planning regulation. As such, each locality was required to provide a Regional Planning Unit Representative and an Alternate.

By consensus, the Board appointed Bryan Nicol as its Representative and Crystal Hale as its Alternate on the Regional Planning Unit for the Virginia Department of Environmental Quality's Local and Regional Water Supply planning regulation, as discussed.

RE: CREATION OF BOARD OF SUPERVISORS' WATER SUBCOMMITTEE

Chairman Johnson indicated there had been ongoing interest and discussions concerning the creation of a Board of Supervisors' Water Subcommittee as the Board had other standing subcommittees for projects and particular areas of interest.

By consensus, the Board created its Water Subcommittee and appointed Supervisors Nicol and Hale, as discussed.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

There were no Department Director or Constitutional Officer Reports at this time.

RE: COUNTY ATTORNEY'S REPORT

The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

The County Administrator had nothing to report on at this time.

RE: BOARD COMMENT

Supervisor Nicol shared comments on his recent participation in the Virginia Association of Counties (VACo) Region 6 and 7 Meeting.

RE: INFORMATIONAL ITEMS

The Board received the following correspondence for its information:

- Office on Youth Quarterly Report
- Parks and Recreation Quarterly Report

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments at this time.

RE: CALENDAR

The Board received copies of its calendar of meetings for the months of September 2024, October 2024, and November 2024.

RE: PUBLIC HEARING #1; SUP 23-09

Kyra Davis, Planner, presented the staff memo and request for Special Use Permit from Jeremy and Melanie Beveridge, which included information on the location and specifications of the subject property, the request to renew the current SUP for a public garage, suggested conditions for approval, and the recommendation of approval from the Planning Commission.

The applicants were present, but did not have additional remarks to offer.

At 5:56 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

SUP 23-09

The Board of Supervisors will consider a Special Use Permit application from Jeremy and Melanie Beveridge to renew their current Special Use Permit (SUP 22-02), which expires on October 12, 2024, that permits a public garage. The property is located at 8475 Gold Dale Road, Locust Grove, is identified as Tax Map Parcel 36-44J, and contains 5.55 acres. The property is currently zoned Agricultural (A) and is situated in the Agricultural (A2) Recommended Future Land Use category, as described in the Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing at 5:56 p.m.

On the motion of Mr. Van Hoven, seconded by Mr. Marshall, which carried by a roll call vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING SUP 23-09 TO RENEW THE EXISTING SPECIAL USE PERMIT FOR A PUBLIC GARAGE ON TAX MAP NO. 36-44J, REQUESTED BY JEREMY AND MELANNIE BEVERIDGE

WHEREAS, Jeremy and Melannie Beveridge applied for a Special Use Permit to renew their current Special Use Permit (SUP 22-02), which would expire on October 12, 2024, in order to continue permitting a public garage on their property located at 8475 Gold Dale Road, Locust Grove, referenced as Tax Map No. 36-44J, containing approximately 5.55 acres, and zoned Agricultural (A), pursuant to Section 70-141:147 and Section 70-303 of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on September 5, 2024; and

WHEREAS, the Planning Commission considered whether the proposed Special Use Permit would further the purposes of the Comprehensive Plan and the Zoning Ordinance; would not threaten the public health, safety, or welfare; would be compatible with its surroundings; would not unduly impact the environment or natural, scenic, or historic assets of the County; and would not result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was consistent with the considerations above and, as such, recommended approval of the request to the Board of Supervisors, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on September 24, 2024; and

WHEREAS, following the Public Hearing and discussion, the Board of Supervisors hereby supports the request, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of this Special Use Permit request, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 24th day of September, 2024, that the Orange County Board of Supervisors hereby approves SUP 23-09 to allow a public garage on property located at 8475 Gold Dale Road, Locust Grove, referenced as Tax Map No. 36-44J, subject to the five (5) conditions and five (5) sub-conditions, as attached to the original Ordinance retained in the County Administrator's Office, as presented during the Public Hearing; and

BE IT FURTHER ORDAINED, that this Special Use Permit and the conditions shall supersede and replace the action taken and the conditions previously approved by the Board of Supervisors on the subject property as part of SUP 22-02.

Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

RE: PUBLIC HEARING #2; REZ 23-01

Kyra Davis, Planner, presented the Staff Report and request for Rezoning from Jordan Marshall, which included information on the location and specifications of the subject property, the request to rezone approximately 6.5 acres from Limited Residential (R-1) to General Commercial (C-2) Conditional, the proffers volunteered by the applicant, and the recommendation of approval from the Planning Commission.

Jordan Marshall, applicant, gave a brief presentation to the Board, which contained more information on the requested Rezoning.

At 6:13 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

REZ 23-01

The Board of Supervisors will consider an application from Jordan Marshall to rezone an approximately 6.5-acre portion of Tax Map Parcel 34-52A from Limited Residential (R-1) to General Commercial (C-2) Conditional. The property is located on Route 20 across from its intersection with Independence Road (Route 650) in Rhoadesville. Proffers have been volunteered to require adherence with the concept plan submitted with the application as well as for additional landscape buffering on the west side of the property. The property is situated in the Village Recommended Future Land Use category, as described in the Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing at 6:13 p.m.

Supervisor Marshall stated that he was related to the applicant and, although he had no personal or financial interest in the business venture, to avoid any appearance or conflict of interest, he recused himself from the vote.

On the motion of Ms. Hale, seconded by Mr. Van Hoven, which carried by a roll call vote of 4-0-1, with Mr. Marshall abstaining, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING REZ 23-01 TO REZONE 6.5 ACRES FROM LIMITED RESIDENTIAL (R-1) TO GENERAL COMMERCIAL (C-2) CONDITIONAL, REQUESTED BY JORDAN MARSHALL

WHEREAS, Jordan Marshall has requested the rezoning of property located on Route 20 across from its intersection with Independence Road (Route 650), Rhoadesville, identified as Tax Map No. 34-52A, with the affected portion totaling approximately 6.5 acres, from Limited Residential (R-1) to General Commercial (C-2) Conditional, pursuant to Section 70-191 and Section 70-193 of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on August 15, 2024; and

WHEREAS, the Planning Commission considered whether the proposed Rezoning would further the purposes of the Comprehensive Plan and the Zoning Ordinance; would not threaten the public health, safety, or welfare; would be compatible with its surroundings; would not unduly impact the environment or natural, scenic, or historic assets of the County; and would not result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was consistent with the considerations above, and, as such, recommended approval of the request to the Board of Supervisors, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on September 24, 2024; and

WHEREAS, following the Public Hearing and discussion, the Board of Supervisors hereby supports the request, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of this Rezoning request, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 24th day of September, 2024, that the Orange County Board of Supervisors hereby approves REZ 23-01 to rezone property located on Route 20 across from its intersection with Independence Road (Route 650), Rhoadesville, identified as Tax Map No. 34-52A, with the affected portion totaling approximately 6.5 acres, from Limited Residential (R-1) to General Commercial (C-2) Conditional, subject to the Legal Summary and the voluntary proffers dated February 22, 2023, as attached to the original Ordinance retained in the County Administrator's Office, as presented during the Public Hearing.

Ayes: Johnson, Van Hoven, Hale, Nicol. Nays: None. Abstentions: Marshall.

RE: PUBLIC HEARING #3; SUP 23-03

Kyra Davis, Planner, presented the Staff Report and request for Special Use Permit from Jordan Marshall, which included information on the location and specifications of the subject property, the request to allow operation of a facility for agricultural/commercial vehicle repair and tire services, suggested conditions for approval, and the recommendation of approval from the Planning Commission.

Jordan Marshall, applicant, gave a brief presentation to the Board, which contained more information on the requested Special Use Permit.

Discussion ensued among the Board regarding: the purpose of Condition 3, which would limit vehicles waiting for service to be parked in the rear of the facility, something that was inconsistent with surrounding businesses.

At 6:16 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

SUP 23-03

The Board of Supervisors will consider a Special Use Permit application from Jordan Marshall to allow operation of a facility for agricultural/commercial vehicle repair and tire services. The property is located on Route 20 across from its intersection with Independence Road (Route 650) in Rhoadesville, is identified as Tax Map Parcel 34-52A, and contains 9.35 acres. The property is currently zoned Limited Residential (R-1) on the west and General Commercial (C-2) on the east. REZ 23-01 is a companion application to rezone the R-1 portion to C-2 Conditional. The proposal includes construction of an approximately 150' x 100' structure to house the proposed use, along with related site improvements. The property is situated in the Village Recommended Future Land Use category, as described in the Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing at 6:16 p.m.

Supervisor Marshall stated that he was related to the applicant and, although he had no personal or financial interest in the business venture, to avoid any appearance or conflict of interest, he recused himself from the vote.

On the motion of Ms. Hale, seconded by Mr. Van Hoven, which carried by a roll call vote of 4-0-1, with Mr. Marshall abstaining, the Board adopted the following ordinance, as modified:

ORDINANCE APPROVING SUP 23-03 TO ALLOW OPERATION OF A FACILITY FOR AGRICULTURAL AND COMMERCIAL VEHICLE REPAIR AND TIRE SERVICES ON TAX MAP NO. 34-52A, REQUESTED BY JORDAN MARSHALL

WHEREAS, Jordan Marshall applied for a Special Use Permit to allow operation of a facility for agricultural and commercial vehicle repair and tire services, on property located on Route 20 across from its intersection with Independence Road (Route 650), Rhoadesville, referenced as Tax Map No. 34-52A, containing approximately 9.35 acres, and zoned as General Commercial (C-2) Conditional and Limited Residential (R-1), pursuant to Section 70-141:147 and Section 70-483 of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on August 15, 2024; and

WHEREAS, the Planning Commission considered whether the proposed Special Use Permit would further the purposes of the Comprehensive Plan and the Zoning Ordinance; would not threaten the public health, safety, or welfare; would be compatible with its surroundings; would not unduly impact the environment or natural, scenic, or historic assets of the County; and would not result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was consistent with the considerations above and, as such, recommended approval of the request to the Board of Supervisors, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on September 24, 2024; and

WHEREAS, following the Public Hearing and discussion, the Board of Supervisors hereby supports the request, as modified during its Public Hearing; and

WHEREAS, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of this Special Use Permit request, as modified during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 24th day of September, 2024, that the Orange County Board of Supervisors hereby approves SUP 23-03 to allow operation of a facility for agricultural and commercial vehicle repair and tire services, on property located on Route 20 across from its intersection with Independence Road (Route 650), Rhoadesville, referenced as Tax Map No. 34-52A, subject to the five (5) conditions and three (3) sub-conditions, as attached to the original Ordinance retained in the County Administrator's Office, as modified during the Public Hearing.

Ayes: Johnson, Van Hoven, Hale, Nicol. Nays: None. Abstentions: Marshall.

RE: PUBLIC COMMENT

At 6:18 p.m., Chairman Johnson opened the floor for public comment.

There being no speakers, public comment was closed at 6:18 p.m.

RE: ADJOURN

On the motion of Mr. Nicol, seconded by Ms. Hale, which carried by a vote of 5-0, the Board adjourned the meeting at 6:19 p.m. Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

R. Mark Johnson, Chairman

Theodore L. Voorhees, County Administrator