

Virginia: At a meeting of the Accomack County Board of Zoning Appeals, held
in the Chambers of the Board of Supervisors on the 16th day of
December, 2015, A.D.

Members present:

Mr. Robert L. Nock, Chairman
Mrs. Elizabeth Kerns, Vice Chairwoman
Mr. Harvey A. Drewer II
Mr. Lynn P. Gayle

Members absent:

Mr. W. Richard Bull

Others present:

Ms. Gracie A. Milbourne, Zoning Administrator & Recording Secretary

The meeting was called to order by Mr. Robert L. Nock, Chairman, at 10 a.m.
and opened to a public hearing on the following zoning matters:

NEW BUSINESS:

1). A request from Leopoldo Bonilla for a Special Use Permit pursuant to Article IV, Section 106-78.13 for the location of residential housing units at the former Owl Motel at 19003 Lankford Highway, County Tax Map# 79-A-81, Parksley, Virginia.

Mr. Steve Mallette, Agent, appeared before the Board to represent this application and presented the signatures and certified mail receipts of the adjoining property owners. Mr. Mallette provided a brief history of the existing property and its uses as well as pictures and exhibits to explain the proposed use. He indicated that there is a need for 350 people for the upcoming solar projects and poultry house construction in the County and believed this location could provide temporary housing for 38 people with renovations to the old motel and cottages.

The following neighboring property owners and/or tenants appeared before the board in opposition: Messrs. Mark Mason, Mickey Merritt, and Bernard Hastings. They expressed concerns about 1) possible illegal activities being conducted by the tenants; 2) noise; 3) traffic problems; 4) drainage issues at the intersection of Lankford Highway and Whites Neck Road; 5) septic system problems; 6) safety concerns; 7) overcrowding; 8) community safety; 9) future tenants; 10) an on-site manager, and etc.

In conclusion, Mr. Mallette recognized the concerns of the neighbors but viewed this proposal as an opportunity for this deteriorating property to be revitalized for temporary housing and for permanent housing in the future for teachers and other professionals moving to the shore. He addressed the community's safety concerns by stating that the employees associated with the solar project are high level people and are not considered criminals as they are required to have background checks. He further agreed to comply with requirements of VDOT, the health department, the building official, and an engineer and asked for the approval of this project.

After a lengthy discussion, Mr. Gayle made a motion to approve this application with the following stipulations:

- 1) There shall be a limit of 38 people living in the housing units with a single person per unit;
- 2) There shall be an on-site manager living on the premises;
- 3) The highway drainage issue must be addressed;
- 4) This Special Use Permit is good for a 2 ½ year period;
- 5) An annual report must be submitted to the Zoning Office; and
- 6) This Special Use Permit shall be reviewed after the 2½ year period if future housing plans are considered for this property.

Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Gayle, and Mr. Drewer.

2). A request from Simon Birch, Agent, for a Special Use Permit pursuant to Article III, Section 106-53.10 for the location of a mobile food cart beside 11079 Lankford Highway, County Tax Map# 41B-A-40, Temperanceville, Virginia.

Mr. Simon Birch, Agent, appeared before the Board to represent this application and presented the signatures and certified mail receipts from all the adjoining property owners with the exception of Ms. Annabelle Taylor. He asked for approval to operate a food business at this location to sell prepared food and sandwiches to the employees from Tyson Foods and the general public.

No one appeared in opposition to this request, however, Mr. Benny Hall, the adjoining property owner to the east, asked via phone, that Mr. Birch keep the right-of-way to his property passable for farm equipment.

Mr. Birch agreed to Mr. Hall's request and further mentioned that he has contacted VDOT and the local health department for their approvals.

After a brief discussion, Mrs. Kerns made a motion to approve this application with the condition that acknowledgement must be submitted to the Zoning Office that Ms. Annebelle Taylor, an adjoining property owner, has been contacted for comments. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Drewer, and Mr. Gayle.

MINUTES:

Mr. Drewer made a motion to approve the minutes of the November 18, 2015 meeting as circulated. Mrs. Kerns seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Drewer, and Mr. Gayle.

ADJOURNMENT:

Mrs. Kerns made a motion to adjourn at 12 p.m. Mr. Drewer seconded the motion. Ayes: Mr. Nock, Mrs. Kerns, Mr. Drewer, and Mr. Gayle.

Mr. Robert L. Nock, Chairman