

**Buckingham County  
Planning Commission  
Regular Meeting  
April 25, 2016**

At a regular meeting of the Buckingham County Planning Commission held on Monday, April 25, 2016 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John E. Bickford, Chairman; Alice T. Gormus, Vice-Chair; Royce Charlton, III; Patrick Bowe; James D. Crews; Sammy Smith and Danny R. Allen, Board of Supervisors' representative.. Also present were Rebeca S. Cobb, Zoning Administrator, and E.M. Wright, Jr., County Attorney. The following member was absent: Chet Maxey.

**Re: Call to Order, Invocation, and Pledge of Allegiance**

Chairman Bickford called the meeting to order and Commissioner Crews gave the invocation. Commissioner Smith led the Pledge of Allegiance and it was said by all who were in attendance.

**Re: Quorum Present**

Chairman Bickford certified there was a quorum - seven of eight members were present. The meeting could continue.

**Re: Adoption of Agenda**

**Bickford:** Ms. Cobb any changes to the agenda?

**Cobb:** No sir.

**Bickford:** Seeing none do I have a motion to approve?

**Smith:** So moved.

**Allen:** Second.

**Commissioner Smith moved, Supervisor Allen seconded and was unanimously carried by the Commission to approve the agenda.**

**Re: Approval of Minutes**

**Bickford:** Ok very good. Approval of minutes we have the minutes from March 21st for regular work session.

**Smith:** So move to accept.

**Allen:** Second.

**Bickford:** Have a motion to accept as presented. Any discussion? Seeing none we'll vote.

**Commission Smith moved, Supervisor Allen seconded and was unanimously carried by the Commission to approve the minutes of March 21, 2016 work session meeting as presented.**

**Bickford:** Then our regular meeting of March 28<sup>th</sup>.

**Smith:** So moved Mr. Chairman.

**Allen:** Second.

**Bickford:** Motion is seconded as to approve as presented. Alright we will vote.

**Commission Smith moved, Supervisor Allen seconded and was unanimously carried by the Commission to approve the minutes of March 28, 2016 regular meeting as presented.**

#### **Re: Public Comment**

**Bickford:** That brings us to our Public Comment period. Anyone that would like to speak please come forward to the podium. You have 3 minutes if you're speaking on your own. If you happen to be representing a group you have 5 minutes. I'll now up the floor.

**Cobb:** They're both here for new business.

**Bickford:** Alright I'll close the Public Comment period and move to our new business.

#### **Re: New Business-Introduction-16SUP234 Bed and Breakfast**

**Bickford:** Ms. Cobb you've got the introduction of the Bed and Breakfast.

**Cobb:** Yes this is case 16-SUP234, owner/applicant Sidney Paterson, Tax Map Section 206, Parcel 1, Lot 1 containing approximately 8.4 acres, on Saw Mill Road, in the Francisco Magisterial District. The property is currently zoned A-1 agriculture and the applicant is asking for a Special Use Permit to operate a Bed and Breakfast. Special...a bed and breakfast is a special use requirement under the A-1 district. I'm asking you tonight to set a Public Hearing for this request. The applicant is here if you have questions for her.

**Bickford:** Ok. Do any of the Commissioners have any questions they'd like to ask the applicant?

**Smith:** I just have one.

**Bickford:** Ok. Ms....

**Smith:** Paterson.

**Bickford:** Ms. Paterson. I'm sorry Ms. Paterson. Thank you Commissioner Smith. Would you just state your full name mam please?

**Paterson:** Sidney J. Paterson.

**Bickford:** Thank you. Mr. Smith has a question for you.

**Smith:** When it says that your continental breakfast will be served from a commercial kitchen...answer... Let me ask you does that mean it will be pre-prepared food which you just warm up?

**Paterson:** (Nodded her head yes.)

**Smith:** I wanted to make that clear. And that was the only question I had.

**Paterson:** Ok.

**Bickford:** Ok very good. Alright any other Commissioners have any questions at all? Seeing none all then in favor, motion to move forward to the...

**Allen:** Oh I'm sorry.

**Bickford:** Go ahead.

**Allen:** So moved.

**Charlton:** Second.

**Bickford:** Alright we have a motion and second to move this forward to Public Hearing.

**Supervisor Allen moved, Commissioner Charlton seconded and was unanimously carried by the Commission to move Case 16-SUP234 Bread and Breakfast to Public Hearing.**

**Bickford:** So Ms. Paterson will be taking us up at Public Hearing next month which will be the date... Ms. Cobb do you happen to have the date?

**Cobb:** May 23<sup>rd</sup>.

**Bickford:** The 23<sup>rd</sup> of May. Look forward to seeing you here. Thank you mam.

**Re: New Business-03V88 Variance on Side Setback**

**Bickford:** Alright Ms. Cobb that brings us back to our review of the variance on side setback.

**Cobb:** Yes so this was a variance that was granted in 2003 by the Board of Zoning Appeals. I provided you some of the minutes from that as well as the letter of conditions. You'll see that in those conditions it said that if it wasn't completed within a year's time frame that they were to come back to the Planning Commission and provide a letter as to why it wasn't completed. You've been provided that letter in your handout as to why it hasn't been completed and so now I'm just bringing this before you all tonight to review and see if you think we can continue this application on so that he can...he would be required to get another building permit. His building permit is expired. He would have to get a building permit and finish the addition.

**Bowe:** Can I ask a question?

**Cobb:** Yes and he is here.

**Bowe:** Why shouldn't he be able to?

**Cobb:** Why shouldn't...

**Bowe:** Because he didn't comply with the first one? Is that what you're saying?

**Cobb:** I haven't said that he shouldn't be able to but that was part of his conditions was to come back to the Planning Commission. I mean the...to me the outside structure is already up so you've already got the setback issue there so unless...if you say no then to me you'd have to say take it down as well I mean...

**Bowe:** I don't think we need to do that.

**Bickford:** No. Mr. Toney is here if anyone would like to ask him any questions.

**Smith:** Well let's have a little discussion before we ask him any questions.

**Bickford:** Alright. Ok. Go ahead Mr. Smith.

**Smith:** I drove out there and I met Ms. Mary Toney and the brother...her brother that is living there with her. I asked for permission to walk around the house. The house is finished from the outside.

**Bickford:** Ok.

**Smith:** I see no reason...do we have as the Planning Commission the ability to say yes he can go and apply for another building permit or do we have to move this on to the Board of Supervisors?

**Cobb:** It would not go to the Board of Supervisors. You have the option to send it back to the Board of Zoning Appeals...

**Bickford:** They make the final decision if I recall.

**Cobb:** That's who it would go back to but because it's listed in the conditions as it coming to the Planning Commission I just brought it to you all.

**Smith:** Right and I think the hardship letter pretty much explains why. Why. And you know I think from the nodding heads that I'm seeing that we have a consensus that there is no reason so how do we move forward?

**Bickford:** How does the Commission feel? Does anyone have any questions for Mr. Toney or Ms. Cobb?

**Gormus:** I have a question.

**Bickford:** Ok. Would you like to address it to Mr. Toney?

**Gormus:** I just want to address it to anybody that will answer. How long does a building permit last?

**Cobb:** So a building permit generally lasts for 6 months. However, with that being said that's if there's no activity. So say you came in today and got a building permit and then you did nothing, then it would expired in 6 months. If you came in today and got a building permit and in a month you got a footer inspection then that keeps it going. That kinda reactivates it.

**Gormus:** Ok so it is activated by the inspections?

**Cobb:** Yes.

**Gormus:** Ok. So then why do we need to redo this if it's already done? I'm totally confused.

**Cobb:** It's not done on the inside. So he had a building permit. That building permit has expired because he didn't continue to do work. The outside was finished. There's still plumbing and wiring and the framing I think is done but the finishing of the walls and that sort of thing has to be done.

**Smith:** There's no dry wall.

**Cobb:** So that...he needs the building permit for the electrical and the plumbing because he still needs inspections for electrical and plumbing.

**Gormus:** So he needs the zoning to say yes before he can get the building permit to say yes?

**Cobb:** He does not need zoning to say yes.

**Gormus:** Well then why do we have this?

**Cobb:** Because it was a condition of his variance. Just like we would issue...

**Gormus:** Oh ok. Ok, ok.

**Bickford:** They have the final say so on the change of a variance or acceptance of a variance.

**Bowe:** But they put it in our hands.

**Bickford:** Well...

**Allen:** So can you say you wanted to do a continuation of the building permit.

**Cobb:** Tonight all I need is for you all to vote and say yes he may continue with the variance and get his building permit.

**Bowe:** And then what? Does he still have to go back to the variance people?

**Gormus:** No.

**Bickford:** He wouldn't have to because it's already been accepted.

**Bowe:** So we can make the decision right here tonight?

**Cobb:** Yes.

**Bowe:** I commend the man for even asking for a building permit. I'm goin tell you I mean if it was my house and the outside was finished...

**Bickford:** You're not supposed tell us that Pat.

**Bowe:** Ok. I commend you for even getting one.

**Bickford:** You're not supposed to tell us that Pat.

**Bowe:** Ok.

**Smith:** That's too much information.

**Bickford:** But that is good. So if we say we want... if we say we accept this and just want to agree to extend the building permit and the variance and it does...

**Cobb:** Well not extend the building permit. He would have to go get a building permit. We can extend the approval of his variance.

**Bickford:** He would still have to get a building permit. But the variance would be extended which would avoid going back to the Board. Ok. Very good.

**Gormus:** Alright I say yes. So I'm making the motion.

**Bowe:** I'll second it.

**Allen:** We're getting a new building permit or can you just extend the other?

**Bickford:** Yes he has to get a new building permit but he does not have to get approval of the variance is what it will do so. We have a motion to approve... or continue the variance with the understanding that Mr. Toney will still have to get a new building permit. Everyone understand that? Ok. Any discussion before we vote. Any further? Alright seeing none we'll vote.

**Vice-Chair Gormus moved, Commissioner Bowe and Commissioner Charlton seconded and was unanimously carried by the Commission to extend the variance for Case 03V88 variance on side setback.**

**Bickford:** It is approved Mr. Toney. You just have to get a building permit sir.

**Toney:** Thank you.

**Bickford:** Thank you for your answers.

**Smith:** Tell your sister I said hey.

**Toney:** Inaudible.

**Re: Reports/Correspondence-March Building Permits and Zoning Administrator's Report**

**Bickford:** Ok Ms. Cobb that takes care of all the business except for your reports and correspondence so are you...

**Cobb:** In March there were 33 building permits totaling \$7,988.95. And that's the end of my report.

**Bickford:** Very good. Alright, that wraps you up?

**Cobb:** Yep that's it for me.

**Re: Commission Matters/Concerns**

**Bickford:** Ok that brings us to Commission Matters. Does any Commissioners have anything they'd like to voice at this time? Seeing none do I have a motion to adjourn?

**Re: Adjournment**

**Gormus:** Move to adjourn.

**Allen:** Second.

**Vice-Chair Gormus moved, Supervisor Allen seconded and was unanimously carried by the Commission to adjourn the meeting.**

There being no further business, Chairman Bickford declared the meeting adjourned.

ATTEST:

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Rebecca S. Cobb  
Zoning Administrator

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John E. Bickford  
Chairman