

PRESENT: Greg Benton, Livingston District
Kevin W. Marshall, Berkeley District
Timothy J. McLaughlin, Chancellor District
David Ross, Courtland District
Gary F. Skinner, Lee Hill District
Paul D. Trampe, Salem District
Chris Yakabouski, Battlefield District

STAFF PRESENT: Mark B. Taylor, County Administrator
Ed Petrovitch, Deputy County Administrator
Karl Holsten, County Attorney
Aimee R. Mann, Deputy Clerk

Mr. Benton called the meeting to order at 4:30 p.m. Dr. Trampe led the Pledge of Allegiance and Mr. Benton gave the invocation. Mr. Benton announced that Mr. Skinner requested to participate remotely in the meeting from his home in Spotsylvania County because he was unable to physically attend as he was recovering from a heart attack.

On a motion by Mr. Yakabouski and passed 6 to 0 with Mr. Skinner absent, the Board suspended their bylaws and authorized Mr. Skinner to participate in the meeting remotely.

VOTE:

Ayes:	6	Mr. Benton, Mr. Marshall, Mr. McLaughlin Mr. Ross, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	1	Mr. Skinner
Abstain:	0	

On a motion by Mr. Yakabouski and passed 6 to 0 with Mr. Skinner absent, the Board suspended their bylaws to allow for roll call voting.

VOTE:

Ayes:	6	Mr. Benton, Mr. Marshall, Mr. McLaughlin Mr. Ross, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	1	Mr. Skinner
Abstain:	0	

APPROVAL OF AGENDA

On a motion by Mr. Yakabouski and passed unanimously, the Board approved the agenda with the removal of the following item:

- Approval of Purchase Order to Superion, LLC for TRAKiT 9 Software Upgrade.

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

PUBLIC PRESENTATIONS

Carl Steadman spoke about his civil rights being violated when trying to get information on a magistrate's order.

APPROVAL OF THE CONSENT AGENDA

The County Administrator read the synopsis as a brief preview of these agenda items for the public.

The following items were pulled for separate consideration:

- Proclamation for Izaak Walton League of America 2018 National Convention;
- Proclamation for Sheriff's Office National Night Out 2018;

On a motion by Mr. Ross and passed unanimously, the Board approved the amended Consent Agenda as follows:

1. Acceptance, Budget Adjustment, and Appropriation of Additional Funds for the Virginia Department of Health Child Safety Seat Check Station Coordinator Grant Award as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-85

Approving Grant Award Modification, Designation of Authorized Agents in the Execution and Administration of the Grant Award Modification and Acceptance and Appropriation of FY 2019 Funds

WHEREAS, Spotsylvania County has received approval for a federal pass through grant from the Virginia Department of Health in the amount of \$23,253 to be utilized by the Sheriff's Office for the Child Safety Seat Check Station Coordinator Grant Program; and

WHEREAS, the County is not required to provide a local match for the grant award; and

WHEREAS, the County and Sheriff's Office will administer the grant in accordance with the terms as set forth in the grant award agreement.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors, that the grant award modification between Spotsylvania County and the Virginia Department of Health is approved; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the following individuals are hereby designated as authorized agents any of whom may act in the execution and administration of the grant award agreement: Mark B. Taylor, County Administrator; Mark Cole, Deputy County Administrator; Edward Petrovitch, Deputy County Administrator; and Annette B. D'Alessandro, Grants Manager; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the grant in the amount of \$23,253 is accepted and that the Capital Projects Fund budget is hereby amended to reflect the increase in funds associated with the grant award; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the following appropriations be, and the same hereby are, made for the fiscal year beginning July 1, 2018, for expenditures in the amount of \$23,253 to be utilized only for the Child Safety Seat Check Station Coordinator Program, to be expended only by order of the Board of Supervisors as follows:

CAPITAL PROJECTS FUND: \$ 23,253

2. Appointment of Nancy Bebe to the Rappahannock Area Community Services Board (RACSB);
3. Approval of Contract to J.L. Kent & Sons, Inc. for Country Club Estates Waterline Replacement Project;
4. Grant Application Request and Resolution for the FFY 18 BJA STOP Violence Threat Assessment and Technology Reporting Program as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-86

Approving Grant Application Submission and Designation of Authorized Organizational Representatives for the FFY 2018 BJA STOP Violence Threat Assessment and Technology Reporting Program

WHEREAS, Spotsylvania County wishes to apply for a federal grant from the U.S. Department of Justice under the FFY 2018 BJA STOP Violence Threat Assessment and Technology Reporting Program in the amount up to \$95,472; and

WHEREAS, if awarded a portion of the grant funds would remain with the County for a staff member to travel to Washington D.C. to attend mandatory training associated with the grant award; and

WHEREAS, if awarded a portion of the grant funds would be subawarded to the Spotsylvania County School Division for the purchase of an anonymous reporting and an incident response and management notification system in an effort to reduce violent school crimes; and

WHEREAS, if awarded a portion of the grant funds subawarded to the Spotsylvania County School Division would be utilized to send two staff members to travel to Washington D.C. to attend mandatory training associated with the grant award; and

WHEREAS, if awarded the Spotsylvania County School Division will be responsible for the local match costs of up to \$31,824; and

WHEREAS, the Spotsylvania County School Division will utilize their annual School Division Adopted Budget – Instructional Technology for the local match; and

WHEREAS, the Spotsylvania County School Division and the County, will administer any subsequent grant award in accordance with the terms as set forth in the grant award agreement.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors that the following individuals are designated as authorized organizational representatives for the submission and processing of this specific grant application:

Mark B. Taylor, County Administrator, or
Mark Cole, Deputy County Administrator, or
Edward Petrovitch, Deputy County Administrator, or
Mary Sorrell, Finance, or
Annette D'Alessandro, Finance

5. Hardwood Cove Subdivision Street Acceptance to the Virginia Secondary Street System (Chancellor District) as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-87

**A RESOLUTION REQUESTING AMABELL DRIVE BE ADDED TO THE STATE
SYSTEM OF SECONDARY ROADS**

WHEREAS, Amabell Drive, within the Chancellor voting district, as described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Street Requirements of the Virginia Department of Transportation, and

WHEREAS, the County and the Virginia Department of Transportation have entered into a comprehensive agreement on June 6, 1997, for stormwater detention in Spotsylvania County, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Sec. 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as currently described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

6. Personal Property Refund – Ewa A & Michael S Midkiff;
7. River Glen Phase II Subdivision Street Acceptance to the Virginia Secondary Street System (Courtland District).

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-88

**A RESOLUTION REQUESTING BARCLAY DRIVE AND KINCAID COURT BE
ADDED TO THE STATE SYSTEM OF SECONDARY ROADS**

WHEREAS, Barclay Drive and Kincaid Court, within the Chancellor voting district, as described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Street Requirements of the Virginia Department of Transportation, and

WHEREAS, the County and the Virginia Department of Transportation have entered into a comprehensive agreement on June 6, 1997, for stormwater detention in Spotsylvania County, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Sec. 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as currently described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Proclamation for Izaak Walton League of America 2018 National Convention

On a motion by Mr. McLaughlin and passed unanimously, the Board adopted the proclamation as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-89

**Recognizing Izaak Walton League of America 2018 National Convention and the
Fredericksburg-Rappahannock Chapter of the IWLA**

WHEREAS, the Izaak Walton League of America, was founded in 1922 to conserve outdoor America for future generations; and

WHEREAS, almost every major, successful conservation program that America has in place today can be traced directly to a League activity or initiative; and

WHEREAS, located in nearly 240 communities across the country, League chapters offer opportunities to enjoy outdoor recreation and participation in conservation programs; and

WHEREAS, the Fredericksburg-Rappahannock Chapter of the Izaak Walton League is located in the County of Spotsylvania; and

WHEREAS, the 2018 Izaak Walton League of America National Convention is being held July 17-21, 2018 in Fredericksburg, Virginia to include Civil War battlefields tours and a Rappahannock River paddle tour; and

NOW, THEREFORE, BE IT PROCLAIMED, that the Spotsylvania County Board of Supervisors recognizes Fredericksburg, Virginia as the location of the Izaak Walton League of America 2018 National Convention and further recognizes the Izaak Walton League of America, through the local Fredericksburg-Rappahannock Chapter of the IWLA.

Proclamation for Sheriff's Office National Night Out 2018

On a motion by Mr. Marshall and passed unanimously, the Board adopted the proclamation as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-90

Approving Proclamation Request for National Night Out 2018

WHEREAS, the National Association of Town Watch (NATW) sponsors a national community-building campaign on Tuesday, August 7, 2018, entitled “National Night Out”; and

WHEREAS, the National Night Out campaign provides an opportunity for neighbors in Spotsylvania County, Virginia to join over 38 million neighbors across approximately 16 thousand communities from all 50 states, U.S. territories and military bases worldwide; and

WHEREAS, National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live; and

WHEREAS, neighbors in Spotsylvania County assist the Spotsylvania County Sheriff’s Office through joint community-building efforts and support National Night Out 2018; and

WHEREAS, it is essential that all neighbors of Spotsylvania County come together with police and work together to build a safer, more caring community; and

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors, do hereby call upon all neighbors of Spotsylvania County to join Spotsylvania County Sheriff’s Office and National Association of Town Watch in support for National Night Out on Tuesday, August 7, 2018; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors do hereby proclaim Tuesday, August 7, 2018 as “NATIONAL NIGHT OUT” in Spotsylvania County, Virginia.

GENERAL FUND: \$ 0.00

BOARD OF SUPERVISORS REPORTS

Mr. Marshall made a motion to recognize individuals involved in a CPR event and a fire event at the next Board meeting. The motion passed unanimously.

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

Dr. Trampe invited all Board members to attend VACo's County Officials Summit being held on August 16 at the Fredericksburg Expo and Conference Center.

Mr. Yakabouski thanked staff that put on the Stars and Stripes event, saying it was a great event. He said he would like future Stars and Stripes events to include a parade and asked for this to be added to the August meeting agenda.

Mr. Ross thanked Vakos Co. for the fireworks show.

Mr. Benton made a public apology to Arthur Snider in regards to the Transportation Committee.

PRESENTATIONS/REPORTS BY STAFF

One Solution Human Resources (HR) and Financial Management System Project Update

The implementation of the One Solution HR and Financial Management system has been a top priority of the County. Phase I of the project was scheduled to go live on July 1, 2019. Staff presented the Board with an update on the status of the project and explained their request for the Board's authorization to advertise a full-time Financial System Administrator and a part-time Procurement Clerk, which they believed would be necessary to ensure a successful implementation and ongoing management of the County's long term investment in this system.

On a motion by Mr. Benton and passed unanimously, the Board authorized funding a full-time Financial System Administrator and part-time Procurement Clerk as part of the project funding in FY19 and in the base budget in FY20.

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

COUNTY ADMINISTRATOR/COUNTY ATTORNEY REPORTS

Mr. Taylor provided an update on the retiree health insurance questions and answers. Discussion ensued regarding the potential for a full-time health benefit coach position. Mr. Taylor encouraged the Board to watch the streaming of the School Board's meeting regarding additional funding from the state.

CLOSED MEETING

On a motion by Mr. Yakabouski and passed unanimously, the Board adopted a resolution to adjourn into closed meeting as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-91

To Adjourn into a Closed Meeting

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically regarding the matter of *Clara Mills v. Spotsylvania County*, U.S. District Court for the Eastern District of Virginia, Civil Action No. 3:18-cv-00423-MHL; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically regarding the Virginia Freedom of Information Act; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(7) and (8), such discussions may occur in Closed Meeting.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby authorize discussion of the aforesated matters.

RETURN TO OPEN MEETING AND CERTIFICATION

On a roll call vote, the Board returned to open meeting and adopted the following resolution:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-92

Return to Open Meeting

WHEREAS, the Spotsylvania County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors hereby returns to open session and certifies, by roll call vote, that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and identified in the motion to go into Closed Meeting were heard, discussed or considered in the Closed Meeting.

The Board recessed at 6:13 and reconvened at 6:30 p.m.

PUBLIC PRESENTATIONS

The following citizens spoke on behalf of the Buckley family regarding the removal of Juan Antonio from their care: John Buckley, Vicki Pratt and Alma Buckley.

PUBLIC HEARINGS

SUP17-0005 Mineral Springs Plantation, LLC (Columbia Gas of Virginia, Inc.) (Chancellor District)

Ms. Pomatto presented.

Mr. Benton declared the public hearing opened.

The following citizens spoke in opposition or with concerns: Ashley and Nicholas Koslicki.

Brian Mitchell, on behalf of the applicant: He addressed the concerns of the citizens regarding lighting.

Mr. Benton declared the public hearing closed.

On a motion by Mr. McLaughlin and passed unanimously, the Board approved the resolution as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-93

**Approve with Conditions
Special Use Permit SUP17-0005
Mineral Springs Plantation, LLC (Columbia Gas of Virginia, Inc.)**

WHEREAS, Mineral Springs Plantation, LLC (Columbia Gas of Virginia, Inc.) requests special use permit approval to allow a public utility, light on Rural (RU) zoned property. Approval of the special use permit will allow the installation of a PIG insertion facility on a portion of TM# 10-7-82 (.65 acres), which is located at 13919 Hunting Run Drive within the Mineral Springs Plantation subdivision. The property is located outside the Primary Development Boundary. The property is identified for Rural Residential development on the Future Land Use Map of the Comprehensive Plan. Tax parcel 10-7-82. Chancellor Voting District; and

WHEREAS, staff has reviewed the subject application and recommends approval with conditions as stated in the staff report and the executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on June 20, 2018, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended approval of the project with a vote of 6-0; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on July 10, 2018, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Board of Supervisors considered the Special Use Permit request in accordance with Sec. 23-4.5.7, Standards of Review, and finds that the application with the recommended conditions satisfies the following standards:

1. That the proposed use is in accord with the comprehensive plan and other official plans adopted by the county;
2. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;

3. That the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
4. That the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
5. That the proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood;
6. That the proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities;
7. That the proposed use will not cause undue traffic congestion or create a traffic hazard; and
8. That the proposed use will have no unduly adverse impact on environmental or natural resources.

WHEREAS, general welfare and good zoning practice are served by approval of the Special Use Permit application;

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby approve SUP17-0005 Mineral Springs Plantation, LLC (Columbia Gas of Virginia, Inc.) with the conditions listed below:

1. The property shall be developed in accordance with the Generalized Development Plan (GDP) titled, "PIG INSERTION FACILITY, SPECIAL USE PERMIT, 13919 HUNTING RUN DRIVE, TAX MAP NUMBER 10-7-82, SPOTSYLVANIA COUNTY, VIRGINIA" dated February 9, 2018 and last revised May 21, 2018.
2. The facility shall be completely fenced and all fencing shall be six-feet (6') in height and screened with forest green slats as detailed on the GDP.
3. Landscaping shall be provided around the facility, as detailed on the GDP, in order to screen the facility to the extent possible from the public right of way and neighboring properties.
4. The facility shall not be lit.

BE IT FINALLY RESOLVED that the Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

**SUP17-0006 Catholic Diocese Arlington (Saint Patrick Catholic Church and School)
(Chancellor District)**

Mr. White presented.

Jonelle Cameron, on behalf of the applicant: She gave an overview of the project and stood to answer any questions.

Mr. Benton declared the public hearing opened and when no one indicated an intention to speak, closed the public hearing.

On a motion by Mr. McLaughlin and passed unanimously, the Board adopted the resolution as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2018-94

**Approve with Conditions
Special Use Permit SUP17-0006**

Catholic Diocese of Arlington (Saint Patrick Catholic Church and School)

WHEREAS, Catholic Diocese of Arlington (Saint Patrick Catholic Church and School) requests special use permit approval to allow the expansion of an existing place of worship and private school on a Rural (RU) zoned property. The property is located at 9151 Elys Ford Road which is on the east side of the intersection of Elys Ford Road and US Ford Road, approximately 1,300 feet NW from the intersection of Elys Ford Road and Bullock Road. The property is located outside of the Primary Development Boundary. The property is identified for Institutional development on the Future Land Use Map of the Comprehensive Plan. Tax parcel 10-A-1C. Chancellor Voting District; and

WHEREAS, staff has reviewed the subject application and recommends approval with conditions as stated in the staff report and the executive summary; and

WHEREAS, the Spotsylvania Board of Zoning Appeals heard an appeal to an administratively denied request for a height variance on May 15, 2018; and

WHEREAS, the Spotsylvania Board of Zoning Appeals heard the appeal, granting a modification of six (6) feet to the maximum allowed height of 35 feet in a Rural (RU) zoning district to allow the proposed church structure to be constructed at an average height of 41 feet; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on June 6, 2018, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended approval of the project with staff's recommended conditions but striking recommended condition 6, and further recommending that the applicant work with the neighbors to consider the full retention of the 35-foot buffer, safety fence, and other privacy and safety concerns raised, with a vote of 7-0; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on July 10, 2018, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Board of Supervisors considered the Special Use Permit request in accordance with Sec. 23-4.5.7, Standards of Review, and finds that the application with the recommended conditions satisfies the following standards:

1. That the proposed use is in accord with the comprehensive plan and other official plans adopted by the county;
2. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;
3. That the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
4. That the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
5. That the proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood;
6. That the proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities;
7. That the proposed use will not cause undue traffic congestion or create a traffic hazard; and
8. That the proposed use will have no unduly adverse impact on environmental or natural resources.

WHEREAS, general welfare and good zoning practice are served by approval of the Special Use Permit application;

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby approve SUP17-0006 Catholic Diocese of Arlington (Saint Patrick Catholic Church and School) with the conditions listed below:

1. This Special Use Permit shall supersede any previous permissions or conditions associated with CP 82-10 and CP92-21.
2. The property shall be developed in conformance with the Generalized Development Plan (GDP) titled, "Generalized Development Plan For Special Use Permit St. Patrick Catholic Church and School" dated December 2017 and stamped by engineer Shannon L. Mattison on 6-26-2018.
3. The design of the church building to be constructed on the Property shall be in general conformance with the illustrative elevations entitled "St. Patrick Catholic Church & School," prepared by McCreery Architects, LLC, dated September 5, 2017 and revised 09/28/2017 (Church Elevations). The primary façade of the church building materials shall be brick, EIFS, brick veneer, hardiplank, synthetic stone, masonry, block, and/or architectural pre-cast concrete. The foregoing shall not preclude use of other building materials for building features, such as fascia, trim, roofing and/or other secondary building elements.
4. The design of the second structure shall reflect the rural character of the county, including but not limited to: i. It shall be designed to reflect the traditional building style of rural Spotsylvania County; ii. It shall be constructed of materials that reflect the traditional building materials of rural Spotsylvania County, including but not limited to red brick, stucco, white frame and other colonial period materials; iii. The roof shall be pitched; and, iv. colors and finishes shall be traditional and reflect the traditional and historical character of rural Spotsylvania County;
5. The Place of Worship shall not exceed 608 seats or the occupancy limit identified by the Fire Marshal for the sanctuary, whichever is less.
6. Development within the identified Site Boundary of Site 44SP0638/088-5365 as depicted in the inserted Figure 4 on the GDP is prohibited. However, this condition shall not prohibit the use of Reserve Drainfield Location G. If the use of reserve drainfields are needed on the Property, Reserve Drainfield Location G shall be the drainfield of last resort.
7. No temporary parking of vehicles shall occur on either Elys Ford Rd., or US Ford Rd.

BE IT FINALLY RESOLVED that the Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

NEW BUSINESS

None

ADJOURNMENT

On a motion by Mr. Benton and passed unanimously, the Board adjourned its meeting at 7:17 p.m.

VOTE:

Ayes:	7	Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

Mark B. Taylor
Clerk to the Board of Supervisors