



# Clarke County Board of Supervisors Regular Meeting Agenda

Main Meeting Room Berryville / Clarke County Government Center  
101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia

Item	October 18, 2011	Packet Page
<b>Afternoon Session 1:00 PM</b>		
1) Call To Order		5
2) Adoption Of Agenda		6
3) Clarke County School Board Update		7
4) Approval of Minutes		
– September 27, 2011 Regular Meeting		8
5) Consent Agenda		
A. Approve Revision to Easement Application Criteria as Presented		29
6) Citizen's Comment Period		31
7) VDOT		
– Regular Update		32
8) Chesapeake Bay TMDL Local Responsibility Update by Alison Teetor		33
9) Active Living Center [aka Senior Center] Status Update		34
10) Board of Supervisors Personnel		35
1. Closed Session. <b>Action:</b> The Personnel Committee recommended the following appointment: Mark Cochran, Clarke County Industrial Development Authority, for the remainder of an unexpired term ending 10/30/2013		35
2. Expiration of Term for appointments expiring through November 2011. <b>Information Only</b> – no Board action required.		36
11) Board of Supervisors Work Session		45
1. SYIP 2013-2018 Primary Highway Plan for the Commonwealth Transportation Board. <b>Recommended Action:</b> Further discussion by the Board.		47
2. Discussion of Historical Perspective on Reduction of Commonwealth Funding and Impact Upon Clarke County <b>Information Only</b> – no Board action required.		68
12) Board of Supervisors Finance		71
1. Supplemental Appropriations. "Be it resolved that the following adjustments be made to FY 11 Expenditure, Appropriations, and Revenue accounts: Criminal Justice Training Center; Economic Development, NSVRC, School Debt Svc Fund, Unemployment Compensation, Government Capital Projects. <b>Recommended Action:</b> Approve Finance Committee recommendation to adopt.		71
2. Capital Projects Carryover from FY 11 to FY12. "Be it resolved that the unexpended budgeted expenditure and appropriations, as well as revenue estimates, that remained at the end of FY 12		73



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	in the Government and School Capital Projects Funds, be carried forward to FY12, as outlined in the tables presented in the Finance Committee packet. <b>Recommended Action:</b> Approve Finance Committee recommendation to adopt.	
3.	Conservation Easement Carryover from FY 11 to FY 12. "Be it resolved that \$244,667 of unexpended budgeted expenditure and appropriations, as well as revenue estimates, that remained at the end of FY 11 in the Conservation Easement Fund, be carried forward to FY12. <b>Recommended Action:</b> Approve Finance Committee recommendation to adopt.	71
4.	FY 11 Year-end Fund Balance Designations. "Be it resolved that the attached designations be approved for inclusion in the FY 11 Financial Report". <b>Recommended Action:</b> Approve Finance Committee recommendation to include in the FY11 Financial Report".	71
5.	Social Services Request for Payout of Compensatory Leave. <b>Recommended Action:</b> Approve Finance Committee recommendation.	84
6.	Acceptance of September 2011 Bills and Claims. <b>Recommended Action:</b> The Finance Committee recommends acceptance.	87
7.	Standing Reports:	
	▪ Reconciliation of Appropriations (FY2011)	85
	▪ General Fund Balance (FY2011)	86
	▪ General Fund Expenditure Summary	103
	<b>Information Only</b> – no Board action required	
13)	Government Projects Update	132
14)	Miscellaneous	133
15)	Summary Of Required Action	134
16)	Board Member Committee Status Reports	135
17)	Closed Session <i>[as necessary]</i>	136

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## Evening Session 6:30 PM

18)	Citizen's Comment Period	137
19)	PH 11-14 TA-11-05 County Zoning Ordinance:	143
	Sections 3-A-1-a-2, 3-A-2-a-2, 3-A-3-a-2, Accessory Uses in the AOC, FOC, and Rural Residential Zoning Districts, so as to allow 'Structures up to 80 feet high for noncommercial telecommunication antennae';	
	Section 3-A-1-a-3 and 3-A-2-a-3, Special Uses in the AOC and FOC Zoning Districts, so as to add the adjective 'commercial' when describing telecommunication monopoles over 50 feet in height that are currently allowed as a Special Use in these Zoning Districts;	



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	Sections 3-A-1-f and 3-A-2-f, Vegetated Property Buffer in the AOC and FOC Zoning Districts, so as to allow structures for noncommercial telecommunication antennae in required Vegetative Property Buffers provided that vegetation may be cut only within a six foot radius of the structure, but with no land disturbance;	
	Section 3-C-2, Supplementary Regulations for Uses in Various Districts, so as establish standards for 'Structures up to 80 feet high for noncommercial telecommunication antennae'.	
20)	PH 11-12 TA-11-02 County Zoning Ordinance:	148
	Sections 3-A-1-c, 3-A-2-c, 3-A-3-c, Minimum Setback Requirements in the AOC, FOC, and Rural Residential Zoning Districts so as to increase from 150 to 200 sq ft the size of a structure that would be considered an accessory structure with reduced property line setback requirements;	
	Section 3-E-1-d, Use Regulations in the Flood Plain Overlay District, so as increase the minimum size for a structure allowed in a 100-year flood plain from 150 to 200 square feet;	
	Section 3-C-2-h, Supplemental Regulations for Dwellings of less than 600 square feet of Heated Area, so that the 600 square foot measurement applies to Living Space (defined in the Building Code as: "Space within a dwelling unit utilized for living, sleeping, eating, cooking bathing, washing and sanitation purposes.") instead of Heated Area, which has no technical definition.	
21)	PH 11-13 TA-11-03 County Zoning Ordinance:	151
	Section 3-E-3-e, Certificates of Appropriateness (in Historic Overlay Districts), so as to require the review of changes to the roof or windows of contributing buildings (in addition to changes that require a Building Permit) to be reviewed by the full Historic Preservation Commission instead of the Commission's Executive Committee. The changes also edit the sections for clarity, establish a time limit for action, and to specifically state that the public hearing notice requirements shall follow the requirements for all other public hearings, as described in Zoning Ordinance section 10-E;	
	Section 3-E-3-f, Appeals, which references Virginia Code Section 15.2306, which allows the demolition of an historic structure if it is offered for "a price reasonably related to its fair market value", so as to establish a method to define this price.	
22)	PH 11-15 TA-11-06	157
	County Zoning Ordinance: Section 6-E, Procedures for Site Plans, so as to change the number and size of site plans submitted with an initial application and after approval, require the submission of digital copies, and establish standards for such digital submissions; and	
	County Subdivision Ordinance: Section 4, Procedures for Preliminary Subdivision Plat Application and Submission of Record Plat, so as to change the number and size of plats submitted, require the submission of digital copies, and establish standards for such digital submissions.	
23)	PH 11-16 TA-11-07 County Zoning Ordinance:	162
	Section 1, Authority, Purposes and Intent, Planning Commission, and Zoning Administrator, and Section 7, Appeals, Variance and Zoning Map Interpretations, so as to shift the sections regarding	



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	modifications that can be approved by the Zoning Administrator from Section 1 to Section 7; Sections 3-A-1-d, 3-A-2-d, 3-A-d, Maximum Height of All Structures in the AOC, FOC, and Rural Residential Zoning Districts and Section 4-H-3, Height Regulations Exceptions, so as to shift from Section 4-H-3 to Section 3-A the 25-height limit for structures on parcels narrower than 75 feet; Section 3-C-2, Supplementary Regulations for Uses Various Districts and Section 4-H-3, Height Regulations Exceptions, so as to shift from Section 4-H-3 to Section 3-C-2 the 18 foot, six-inch height limit for Gasoline Pump Canopies; Section 4-H, Height Regulations Exceptions, so as to shift from Section 4-H-3-c to 4-H-3-a the height exception for parapet walls and to increase the exception by 6 inches to 42 inches to be consistent with the Building Code; Section 4-J-6, Exception process to requirement that off-street parking be located on the same lot as principal use, so as to change the entity that could approve such an exception from the Board of Zoning Appeals to the Planning Commission when it reviews a property's site plan; Section 9-B-106, definition of the term 'Livestock', so as to define livestock as hoofed animals and the order of animals that includes ostriches and emus.	
24) Adjournment		165
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Reports in October Packet:		166
1. Building Department		167
2. Commissioner of the Revenue		173
3. Virginia Transit Report		181
4. Energy Management Update		182