

AGENDA
FRANKLIN COUNTY BOARD OF SUPERVISORS
TUESDAY, SEPTEMBER 23RD, 2008

6:00 Call To Order, Chairman Charles Wagner

6:01 **PUBLIC COMMENT**

•

6:04 Recess for Previously Advertised Public Hearings as Follows:

1. **Penhook Pointe, LLC, Petitioner and Mary Amos Brown Estate, Vicki Brown Alderman, Executor, owners,** to apply for a Rezone for property currently zoned A-1, Agricultural District to RPD, Residential Planned Unit Development, with possible proffers and deviations on approximately 95.303 acres for the purpose of establishing a residential subdivision consisting for (40) single-family detached dwelling units. The subject property is currently zoned A-1 which does not prescribe a specific density, but states that this rural district may logically develop at low density. The future land use map of the adopted 2025 Comprehensive Plan for Franklin County designates this area as appropriate for Low Density Residential development, with a density range of one to two dwelling units per acre. The applicant requests rezoning to RPD, which allows maximum density of three (3) units per acre for single-family dwellings. The subject rezone request would result in forty (40) single-family dwelling units, for a proposed net density of 0.42 dwelling units per acre. The property is located on State Route 601, Dudley Amos Road, in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County Real Estate Tax Records as Tax Map # 48, Parcel # 7. (Case # REZO-6-08-2807)

2. **Penhook Pointe, LLC, Petitioner, and Mary Amos Brown Estate, Vicki Brown Alderman, Executor, owners,** to apply for a Special Use Permit for property currently zoned A-1 , Agricultural District, consisting of a total of +/- 6.3 acres for the purpose of private roads to serve forty (40) lots concurrent with a Rezone request. The future land use map of the adopted 2025 Comprehensive Plan for Franklin County designates the area as appropriate for Low Density Residential development. The property is located on State Route 601, Dudley Amos Road, in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County real estate tax records as Tax Map # \$ 48, Parcel # 7. (Case # SPEC-6-08-2808)

3. **Penhook Pointe, LLC, Petitioner, and Mary Amos Brown Estate, Vicki Brown Alderman, Executor, owners**, to apply for a Special Use Permit for property currently zoned A-1, Agricultural Forestry/Rural Residential consisting of a total of +/- 0.764 acres for the purpose of a recreational vehicle storage lot to serve forty lots, concurrent with a Rezone Request. The future land use map of the adopted 2025 Comprehensive Plan for Franklin County designates this area as appropriate for Low Density Residential development. The intended land use is for a Recreational Vehicle storage lot which will serve a forty lot residential subdivision. The property is located on State Route 601 Dudley Amos road, in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County real estate tax records as Tax Map # 48, Parcel # 7. (Case # SPEC-6-08-2809)

4. The Franklin County Board of Supervisors will hold a public hearing at approximately *6:00 P.M.*, on **Tuesday, September 23rd, 2008**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider the proposed adoption of an ordinance titled **Chapter 22: Section 110 General Procedures Addressing Mandatory Connection of New Construction to the Franklin County Public Sewer System**

SEC. 22-110. GENERAL PROCEDURES.

(a) *Mandatory connection of new construction to the Franklin County Public Sewer System.*

(1) No person shall make any connection to the Franklin County Public Sewer System or alter any fixtures so connected without first having received written approval from the Department of Public Works, its successors or assigns.

(2) New structures and/or facilities shall be defined for the purposes of Franklin County Code section 22-110(a) as those which obtain a building permit following the passage of section 22-110 by the Board of Supervisors. New subdivisions and development for the purposes of section 22-110(a) shall be defined as those which are reviewed, approved, or permitted by the Franklin County Planning Commission, Board of Supervisors, Planning and Community Development Department, or Building Official, or their successors or assigns following the passage of section 22-110(a) by the Board of Supervisors.

(3) New sewer systems for the purposes of offering such systems to the county for dedication and ownership according to Franklin County Code section 22-110 (b) and chapters 22, 19, and 25 shall be defined as those which are reviewed or approved by the Franklin County Planning and Community Development Department or the Public Works Department, or their successors or assigns, following the passage of sections 22-110 (b) by the Board of Supervisors.

(4) All new structures and/or facilities which are located within three-hundred (300) linear feet of the county's public sewer system (as measured from the closest point of the structure to the edge of an easement or right-of-way including the public sewer distribution system) shall be required to connect to the county's public sewer system. The connection of such premise to the county's public sewer system shall not be required when access to the affected property requires the crossing of another property without an available easement, provided that county property and the property of the Virginia Department of Transportation shall be exempted.

(5) All new structures and/or facilities, subdivisions, and developments with three (3) to fourteen (14) equivalent residential connections (ERCs) having a property line within six-hundred (600) linear feet of

the county's public sewer system (as measured from the closest point of the property line to the edge of an easement or right-of-way including the public sewer distribution system) shall be required to connect to the county's public sewer system.

(6) All new structures, facilities, subdivisions, and developments with fifteen (15) or greater equivalent residential connections (ERCs) shall be required to connect to the county's public sewer system if they meet the following distance requirements for the number of applicable lots or ERCs (the distance measured from the closest point of the property line to the edge of an easement or right-of-way including the county's public sewer distribution system):

TABLE INSET:

<i>Number of Lots or ERCs</i>	<i>Required Extension (Linear Feet)</i>
15-20	1,000
25	1,250
30	1,500
35	1,750
40	2,000
45	2,250
50	2,500
60	3,000
70	3,500
80	4,000
90	4,500
100	5,000
125	6,250
150	7,500

The county shall require up to 1,000 linear feet (L.F.) extension for 15--20 lots or ERCs, and each lot or ERC over 20 shall require an additional 50 L.F. extension. The maximum extension required is 7,500 L.F.

(7) Structures and/or facilities, subdivisions, and developments existing at the time of the passage of this ordinance (section 22-110(a)) are exempt from the requirement to connect to the county public sewer system so long as the septic tank or sewer system serving the property with sewage disposal meets the requirements of the Virginia Department of Health. The county may impose a connection fee, a front footage fee, and/or a monthly nonuser service charge that shall not be more than that proportion of a minimum monthly user charge as debt service compares to the total operating and debt service costs. In the event of a privately owned septic tank or sewer system failure as determined by the Virginia Department of Health, existing structures and facilities which were served by the failed septic tank or sewer system shall be required to connect to the county public sewer system if they meet the aforementioned vicinity and distance requirements for new structures and/or facilities, subdivisions, and developments.

(b) *Transfer of approved sewer systems to ownership by Franklin County.* The developer and/or owner of any new sewer system in Franklin County which is designed to serve three (3) or greater equivalent residential connections (ERCs) shall assure that such new sewer system meets all required standards of chapter 22, shall seek and obtain approval of the design and its construction by the Public Works Department or its successors and assigns, shall not supply sewer until the new sewer system receives such approvals, and, as a condition precedent to subdivision or site plan approval under chapters 19 and 25 of the Franklin County Code, shall offer such new system at no cost to the County of Franklin for dedication and ownership. The developer and/or owner of any such new sewer system shall follow all applicable regulations and policies of the County of Franklin and shall seek all required approvals for the planning, development and construction of the sewer system. Franklin County may consider acceptance of systems which are offered for dedication and ownership based on an analysis of the sewer system and its location. Those systems which are within 7,500 linear feet of the existing county public sewer system and/or within the anticipated county sewer service area are higher priority candidates for acceptance by the county. The anticipated county sewer service area and other criteria for acceptance may change over time at the discretion of the Board of Supervisors. Franklin County may accept or reject the ownership of any such sewer system offered to it according to the policies approved by resolution or ordinance. Any new sewer system built solely within the boundary limits of the Towns of Boones Mill or Rocky Mount or the service area of the Ferrum Water and Sewage Authority shall not be required to be offered by the developer and/or owner to Franklin County. (Ord. of 11-19-96, Ch. II, § II-6; Ord. of 2-15-05(1))

Call To Order and Action As Deemed Appropriate from Public Hearings

Richard E. Huff, II, County Administrator

- REF: 1. Award of Sediment Pond Cleaning (*See Attachment #1*)
 2. Other Matters

Adjournment Thereafter