

Minutes
Planning Commission
Isle of Wight County
October 28, 2025

1. Call to Order

Invocation

Pledge of Allegiance

Bobby Bowser, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on October 28, 2025, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

Brian Shotwell delivered the invocation.

Chairman Bowser invited everyone present to join in the Pledge of Allegiance.

2. Roll Call/Determination of a Quorum

Bobby Bowser, Chairman

Matthew Smith, Vice-Chairman

Brian Carroll

James Ford

Jennifer S. Boykin

George Rawls

Raynard Gibbs

Keith Johnson

Brian Shotwel

Roll was called and the following members were present: Bobby Bowser, Brian Carroll, James Ford, Jennifer Boykin, Raynard Gibbs, Matthew Smith, Brian Shotwell, Keith Johnson. The following members were absent: George Rawls.

A quorum was determined

ALSO IN ATTENDANCE

Amy Ring, Community Development Director

Bobby Jones, County Attorney

Cordell Asbenson, Planner I

Caleb Kitchen, Planner II

Shaunee Beussink, Environmental Planner

Amanda Landrus, Secretary

3. Action on Requests to Withdraw or Table Pending Agenda Items

Chairman Bowser asked if there were any requests to table or withdrawal agenda items. Amy Ring stated there were no requests.

4. Approval of Agenda

Chairman Bowser called for a vote to approve the agenda. Commissioner Carroll made the motion to approve the agenda with the amendment to combine the public hearings for COMP-25-2 and REZN-25-6. Commissioner Gibbs seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

5. Consent Agenda

Chairman Bowser called for a vote to approve the consent agenda. Commissioner Carroll made the motion to approve the consent agenda. Commissioner Gibbs seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

A. September 23, 2025, Planning Commission Meeting Minutes

B. August 26, 2025 Planning Commission Meeting Minutes

6. Citizens' Comments

Chairman Bowser opened the floor for any citizens' comments.

Mr. Michael John Smith, of 20247 Battery Street in Battery Park, thanked the Commission for its service and explained that he also works for a neighboring city, so he understands the challenges of public service. He described ongoing difficulties with complying with Chesapeake Bay Preservation requirements for his property.

Mr. Smith stated that he and his wife purchased their 1955 home in 2014 and attempted to follow County guidance on improvements such as permeable pavers and driveway work. He said that over the years, he received inconsistent guidance from County staff, and when he applied for a permit for a carport last year, he was instead issued a notice of violation after staff viewed his property on aerial imagery.

He explained that he has since spent several thousand dollars on surveys, engineering reports, and other compliance measures, and is now being required to install extensive vegetation in his yard. He described the requirement as unreasonable and disproportionate, stating that it would make the yard "look like a jungle."

Mr. Smith expressed frustration that, in his view, he was being held responsible for long-standing inconsistencies in how regulations were applied. He noted that his neighborhood lacks several basic services—such as fire hydrants, paved roads, regular mail delivery, and trash pickup—yet he is being subjected to intensive environmental requirements. He asked the Commission to ease the burdens being placed on him so that he might be able to retire soon.

Ms. Donna Smith also spoke. She stated that she is a nurse practitioner in Smithfield and that she and her husband believed they were following the rules when making improvements to their property. She said they always called the County first and, when told they could move forward, did so in good faith.

Ms. Smith explained that the problems began only after they applied for the carport permit and that the resulting process has been overwhelming and expensive, requiring repeated surveys and additional requirements. She expressed that they feel punished for trying to follow the proper

permitting process and asked the Commission to consider a more reasonable approach.

There being no further comment, Chairman Bowser closed citizens' comments.

7. Public Hearings

- A. Application COMP-25-2 of Backyard Motor Real Estate LLC, property owner, for a Comprehensive Plan Amendment for approximately 2.5 acres with tax map numbers 09-01-015 and 09-01-015B to amend the future land use designation from Rural Agricultural Conservation to Business and Employment.

Caleb Kitchen, Planner II, project manager, thanked the Commission for their foresight in suggesting that the two related cases be reviewed together, noting that staff intended to make the same request.

Mr. Kitchen explained that although the two applications are separate, they share significant overlap in terms of location, mapping, and background information. For efficiency, he stated that he would present both cases consecutively, moving more quickly through duplicate material in the second presentation.

Mr. Kitchen gave the following presentation.

	SITE DESCRIPTION
APPLICATION OF BACKYARD MOTOR REAL ESTATE, LLC COMPREHENSIVE PLAN AMENDMENT REQUEST COMP-25-2	• Tax Map IDs#: 09-01-015 and 09-01-015B • Location: 7458 Mill Swamp Road (Rt. 621) • Current Zoning: RAC • Election District: D5 • Request: To amend the future land use designation from Rural Agricultural Conservation (RAC) to Business and Employment (BE)
Planning Commission Regular Meeting October 28, 2025	

BACKGROUND	PROJECT DESCRIPTION
• Original Pons County Store dates to at least 1940 • Included convenience store, gasoline, single-bay garage • Previous motor vehicle repair use ceased in 1970s • County Store grandfathered use permitted in March 2025 • Would require CUP in RAC under current regulations	• Amendment needed to support the associated application for a change in zoning from Rural Agricultural Conservation (RAC) to Conditional General Commercial (C-GC) • Applicant requests this change in response to customer demand for minor automotive repair services in the local and surrounding rural community • Proposed use would not allow major repairs

COMP-25-2 Connor's Country Store Land Use Request - Location Map

**COMP-25-2 Connor's Country Store Land Use Request - Zoning Map**

COMP-25-2 Connor's Country Store Land Use Request - Land Use Map



COMPREHENSIVE PLAN REVIEW

- Applicant seeks to change future land use designation from RAC to BE
- Plan recommends RAC are expansive and protect rural areas of the county
 - Non farm uses such as agricultural, forest product processing, and appropriately sited solar farms
- Plan recommends BE areas developed to promote commercial activity
 - Mix of commercial uses, master planned for coordination
 - Best located on major transportation routes
 - Access to public water and sewer infrastructure
 - Connected to residential uses with vehicular and pedestrian access

COMPREHENSIVE PLAN REVIEW CONT.

- Subject properties are not located in a Development Service District (DSD)
 - Identified for development to occur in these areas
 - DSDs designed to focus growth, reduce development pressure in rural areas, and prevent sprawl
 - By design, infrastructure is limited outside of DSDs, thereby preserving the county's rural character and controlling public service costs
- Following the DSD approach has allowed the County to protect roughly 85% of the land area for rural and agricultural purposes

STAFF CONCLUSIONS

Staff finds the request to not be consistent with the Comprehensive Plan's definition and policies for BE uses.

• Strengths

1. The proposed BE development would encourage job creation and additional employment, as well as support future public service needs.

• Weaknesses

1. The proposed BE development is not located within a DSD, which is designed to protect and plan for future development in rural areas.
2. The proposed BE development is not for employment uses, which are not generally compatible with a rural and agricultural setting.
3. The proposed BE development is not located on major transportation routes or at a major intersection.
4. There is no proposed master planning for coordination with surrounding areas.
5. There are no plans to extend access to public water or sewer at this location.
6. The existing zoning district for these parcels (RAC), along with existing zoning classifications, are applicable for the existing BEZ future land use designation in the general vicinity.

STAFF RECOMMENDATION

Based on the weaknesses of the application, staff recommends denial of the comprehensive plan amendment.

Commissioner Carroll moved to recommend approval to the Board of Supervisors. The motion was seconded by Commissioner Smith. The motion passed by a vote of eight in favor with zero against the motion. Commissioner Bowser, Commissioner Carroll, Commissioner Ford, Commissioner Boykin, Commissioner Gibbs, Commissioner Smith, Commissioner Shotwell, Commissioner Johnson voted in favor of the motion, and none voted against the motion.

- B. Application REZN-25-6 of Backyard Motor Real Estate LLC, property owner, for a change in zoning district from Rural Agricultural Conservation (RAC) to Conditional-General Commercial (GC) for approximately 2.5 acres with tax map numbers 09-01-015 and 09-01-015B in order to establish minor motor vehicle repair service and outdoor motor vehicle storage uses on the properties**

Caleb Kitchen, Planner II, project manager, proceeded to the related rezoning application. Mr. Kitchen explained that the site details are identical, but this request seeks to change the zoning classification from Rural Agricultural Conservation (RAC) to Conditional General Commercial (C-GC) for approximately 2.5 acres, representing both parcels under consideration. He noted that the historical background for the property is the same as previously presented. The applicant is seeking the rezoning in order to establish a minor motor vehicle repair operation along with outdoor motor vehicle storage, which would be screened by a privacy fence. Mr. Kitchen emphasized that the proposal does not include any of the major repair activities outlined earlier in his presentation.

Mr. Kitchen gave the following presentation.

APPLICATION OF BACKYARD MOTOR REAL ESTATE, LLC CONDITIONAL REZONING REQUEST REZN-25-6

Planning Commission Regular Meeting
October 28, 2025

SITE DESCRIPTION

- Tax Map ID# 09-01-015 and 09-01-015B
- Location: 7498 Mill Swamp Road (Rt. 621)
- Current Zoning: RAC
- Election District: D5
- Request: A change in zoning district classification from Rural Agricultural Conservation (RAC) to Conditional-General Commercial (C-GC) for approximately 2.5 acres

BACKGROUND

- Original Pons Country Store dates to at least 1940
- Included a convenience store, gasoline, single-bay garage
- Previous motor vehicle repair use ceased in 1970s
- Country Store grandfathered use permitted in March 2025
- Would require CUP in RAC under current regulations

PROJECT DESCRIPTION

- Reasoning to support minor motor vehicle repair and outdoor motor vehicle storage, with a privacy fence.
- Proposed use would not allow major repairs.
- Voluntary proffer statement:
 - Limits permitted uses
 - Outdoor storage for vehicles directly related to repair use
 - No additional service bays
 - Max of 20 vehicles in storage area

REZN-25-6 Connor's Country Store Rezoning Request - Location Map

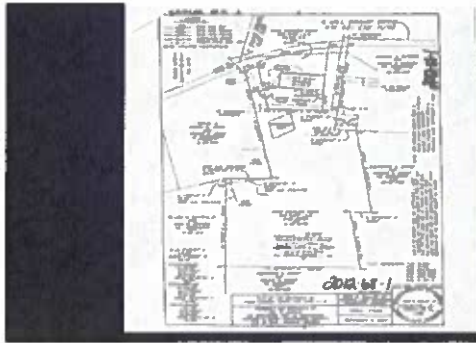


REZN-25-6 Connor's Country Store Rezoning Request - Zoning Map



REZN-25-6 Connor's Country Store Rezoning Request - Land Use Map





COMPREHENSIVE PLAN REVIEW

- Current future land use designation is Rural Agricultural Conservation (RAC)
 - o Designed to preserve and protect the rural character of the County
 - o Areas should remain largely in agricultural and forest uses
 - o Non-Farm uses such as agricultural, forest product processing, resource extraction, and uses related to large areas of land such as solar farms and agri-tourism may also be appropriate when used correctly
 - o Scattered or small clusters of residential
- Applicant is seeking amendment to Business and Employment (BE)

ORDINANCE REVIEW

- Current zoning is RAC
 - o Intended to preserve and protect areas that are predominantly of agricultural use and maintain the local land use capacity to support agricultural activity
 - o Intended to prevent unbridled growth and sprawling residential development
 - o Right to farm has been established as county policy
- Proposed zoning is C-100, subject to scattered residential
 - o Provide full range of commercial activities
 - o Exclude developments from higher density residential than the limited Commercial district
 - o Accommodate high, auto-oriented uses such as service centers
 - o Control access points, landscaping, signage, and street buffering
- If rezoning is approved, applicant will need to revise the property lines for each parcel to 0.01015 and 0.0118 and submit a preliminary site plan designed by a licensed engineer for approval and subsequent issuance of a zoning permit before operation of the vehicle repair center could begin.

AGENCY REVIEW

- Staff distributed the application to the following departments for review and comment:
 - o Fire Marshal: No Concerns
 - o Sheriff's Department: No Concerns
 - o Economic Development: Supports application to reclassify the property as commercial, since business will provide a service to the surrounding community and create jobs
 - o Environmental Planner: No negative impacts on wet and natural riparian areas may have occurred from previous motor vehicle repair service on the site. Any land disturbance would need to include proper mitigation to prevent further contamination. Future use of the site should limit the use of other contaminants when handling automotive or petroleum waste products
 - o VDOT: Recommends locating the site on a selected easement during site plan review

STAFF CONCLUSIONS	STAFF RECOMMENDATION
Strengths: 1. The proposed BRF, designation, would encourage job creation and a financial contribution to the County to support future public service use. 2. The project would include an existing storage building that serves as a major vehicle repair service pole in the area, which would provide additional parking. 3. The military-related site is located in the historic area of the County and has a potential for future development and a good prospect. Weaknesses: 1. The proposed use is not consistent with the current future land use designations of the Agricultural Communities (RAC). 2. The project does not include recommended changes to the existing structure, which would be in compliance with current VDOT departmental standards. 3. Changing the proposed use would require a new design that is not consistent with the existing design, designation and the current and potential character of the surrounding community.	Based on the weaknesses of the application, staff recommends denial of the rezoning request.

Chairman Bowser opened the public hearing and called for the applicant to come forward.

The applicants, Dustin and Vicki Conner, presented their request regarding the property located at 7458 Mill Swamp Road. Mr. Conner provided an overview of the property's history and their proposed use for the property. He explained that the building, constructed in 1948, has served various functions over the years, including a car repair shop, pharmacy, voting station, and general store. The Conners purchased the property in February and restored the general store while preserving its historic elements.

Mr. Conner stated that their business, Backyard Motorsports LLC and Conner's Country Store, is a small, family-run operation that serves local residents, farmers, bicyclists, hunters, and travelers. He noted that the proposed rezoning would allow minor vehicle repair and outdoor storage with appropriate screening. He further reported that they have complied with all required studies, reviews, and permitting steps requested by staff.

Mr. Conner emphasized that the business contributes to the local economy, creates jobs, and keeps revenue within the County. He also affirmed their commitment to being good neighbors and responsible operators. He reported obtaining 135 signatures of community support, indicating strong public backing, and respectfully requested approval of the rezoning.

Steven Edwards, 13644 Bethany Church Road, spoke in strong support of the application. He reflected on the history and purpose of the County's district plans, emphasizing their role in protecting rural areas while supporting the economies of the towns. He stated that rural community life historically centered around small country stores, which served as hubs for connection, shared values, and mutual support. Mr. Edwards noted the importance of community-building in rural areas and urged the Commission to consider the cultural and social value of preserving and supporting country stores. He acknowledged the staff report but stated that some uses warrant exception, and he believes this is one of them.

Robbie Hall, 301 Huntington Way, Smithfield, expressed support based on the store's long history and the benefit of restoring its traditional uses. He praised the Conners' stewardship and stated the community needs the services.

Adam Teller, 10329 Stallings Creek Drive, supports the application. His children frequent the store. He noted there are many unregulated "shade tree" auto repair mechanics elsewhere in the county.

and contrasted them with the applicants' plan to operate professionally with screening.

Billy Brinkley, Zuni, praised the applicants' character and improvements to the store. He expressed confusion at opposition given the small acreage and prior uses. He emphasized the value to the community and the applicants' investment.

Rose Gordon, 21345 Lankford Lane, shared her Midwestern experience with rural country stores and emphasized the importance of community ties, trust, and local services. She stated the Conners offer honest, affordable service.

Zoey Teller, 10329 Stallings Creek Drive, expressed support, noting she enjoys the store and its food.

James Evans, 11316 Burwells Bay Road, stated he visits regularly with his family. He emphasized the store's positive community impact, connection with local residents, and importance as a gathering place.

Don Mozingo, 10088 Halltown Road, praised the applicants' integrity and the value of having local minor vehicle repair services. He noted the building's 80+ year history serving similar functions.

Pamela Yon, 9570 Stallings Creek Road, neighbor and small business owner, stated the Conners have been excellent neighbors. She stated the store supports local businesses through locally sourced products. She shared personal examples illustrating their helpfulness and community spirit.

Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Carroll referenced earlier comments and asked Mr. Kitchen to address the Virginia Department of Transportation's (VDOT) entrance recommendation. He stated that he did not support the recommendation should the application be approved and asked whether the recommendation was mandatory.

Mr. Kitchen responded that it was not. He explained that because the applicant was not making substantial structural or property improvements, VDOT had no mechanism to require the entrance upgrade. The recommendation was advisory only and would not be enforceable through this process or by VDOT, according to the agency's correspondence.

Commissioner Carroll then asked for clarification regarding the proposed fencing. Mr. Kitchen stated that the fence would enclose the outdoor storage area. Although the applicant had previously submitted a fence application, staff placed it on hold so that it could be incorporated into the forthcoming site plan review. He noted that a security fence could be up to six feet in height and, because the property is not located in an overlay district such as Newport or a highway corridor, the fence would not be required to meet any particular design standard. Either a privacy fence or a see-through fence would be acceptable.

Commissioner Carroll's final inquiry concerned the applicant's proffer limiting vehicle storage and repair activities to vehicles on which they were actively working. He questioned why the County would restrict a small business owner to minor repairs, noting that he was willing to accept the

applicant's limits but wanted to understand the basis for the distinction.

Mr. Kitchen explained that "major" and "minor" motor vehicle repair fall under different use classifications with separate supplemental regulations in the Zoning Ordinance. He then read the definitions from the Ordinance.

Mr. Kitchen stated that throughout communications with the applicant, they had consistently indicated an intention to provide only minor repair services and had never expressed interest in performing engine or transmission work.

Commissioner Carroll asked for clarification regarding repairs to farm trucks—for example, if a farm truck experienced brake failure. Amy Ring, Community Development Director, responded that, under the Ordinance, repair of agricultural equipment and commercial trucks falls under the major repair category. If the applicant wished to include major repair services, they would need to submit a new application, as it is considered a different use. Ms. Ring concluded by noting that the rezoning and comprehensive plan amendment would not affect the existing country store use, which may continue lawfully. The only aspect under consideration was the request to add minor motor vehicle repair as an additional use.

Commissioner Boykin asked how much of the rear portion of the property would be enclosed by fencing.

Mr. Kitchen responded that the concept plan indicated a substantial fenced area, though he did not recall exact details from the applicant's earlier fence submission.

Mr. Conner explained that the fenced area would run from the rear corner of the cleared area straight across to enclose the outdoor storage section. He stated that the wooded area behind the structure would remain untouched, as discussed with neighboring property owners. He noted that no trees would be removed, and ground disturbance would occur only where fence posts are installed. The fence is intended to serve as a privacy barrier and reduce noise impacts.

Mr. Kitchen added that the plat shows a ten-foot waterline easement and a twelve-foot right-of-way for access to the well lot, and that these areas must remain accessible for utility maintenance. The applicant confirmed awareness of this requirement.

Commissioner Boykin remarked that the fenced area seemed large for storage of approximately twenty vehicles.

The applicant responded that they sought a uniform and professional appearance from all roadway viewpoints, noting that a reputable contractor would construct the fence. He added that nearby residents had been planning their own fence installation, and he offered to incorporate their needs to avoid unnecessary cost.

Commissioner Carroll asked for confirmation that a boundary line adjustment would be required.

Mr. Kitchen stated that it would be necessary, because outdoor storage for the motor vehicle use must be located on the same parcel as the garage. The boundary between the two existing parcels

would therefore need to be abandoned. When Commissioner Carroll compared this use with solar farms, Mr. Kitchen acknowledged the comment and clarified that only certain uses, such as solar facilities, are permitted to extend over parcel boundaries.

Commissioner Boykin requested confirmation that the applicant was in good standing regarding any prior zoning violations.

Mr. Kitchen reported that a violation had occurred earlier in the year involving vehicle storage in the rear yard and installation of a sign without a permit. Both issues have been corrected, and the property is no longer in violation.

Commissioner Smith expressed agreement with Commissioner Carroll and with several community members who spoke earlier. He stated that the proposal represented an opportunity to provide needed services within a rural community and reduce the burden of long travel for minor vehicle repairs. He indicated support for approving the application and asked whether any additional discussion was needed before offering a formal motion.

Commissioner Boykin asked whether any conditions would be included.

Commissioner Smith deferred placing conditions until further discussion concluded.

Mr. Kitchen reminded the Commission that the request was a rezoning, not a conditional use permit, and that proffers would therefore govern any conditions. The Chairman noted that the rezoning was part of a coordinated application.

Ms. Ring advised the Commission that the action before them involved both a County-wide comprehensive plan amendment and a conditional rezoning. She suggested that if the County regularly receives requests for minor vehicle services or similar neighborhood-scale uses in rural areas, it may be worth exploring amendments to the Zoning Ordinance. She noted that allowing such uses by conditional use permit, rather than requiring comprehensive plan amendments and rezonings, could prevent repeated instances of what amounts to spot zoning.

Chairman Bowser called for the vote for application COMP-25-2. Commissioner Carroll moved to recommend approval to the Board of Supervisors. The motion was seconded by Commissioner Smith. The motion passed by a vote of eight in favor and zero against the motion (8-0). Commissioner Bowser, Commissioner Carroll, Commissioner Ford, Commissioner Boykin, Commissioner Gibbs, Commissioner Smith, Commissioner Shotwell, Commissioner Johnson voted in favor of the motion, and no commissioner voted against the motion.

Chairman Bowser called for the vote for application REZN-25-6. Commissioner Carroll moved to recommend approval to the Board of Supervisors. The motion was seconded by Commissioner Gibbs. The motion passed by a vote of eight in favor of the motion with zero against (8-0). Commissioner Bowser, Commissioner Carroll, Commissioner Ford, Commissioner Boykin, Commissioner Gibbs, Commissioner Smith, Commissioner Shotwell, Commissioner Johnson voted in favor of the motion, and no commissioner voted against the motion.

C. Proposed Floodplain Management Overlay District Regulation Changes

Shaunee Beussink, Environmental Planner, gave the following presentation.



SPECIAL FLOOD HAZARD AREAS (SFHA)

- ▶ The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applied.
- ▶ For this riverine study only zones A and AE are considered not coastal areas.

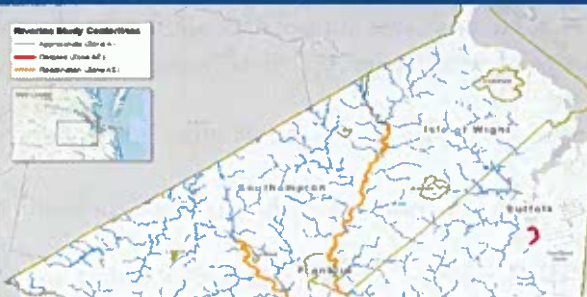
Study Overview

Riverine Hydrologic and Hydraulic Analyses, including:

- ▶ Model-based Approximate **ZONE A** Studies including previously unmapped reaches with drainage areas of 1 square mile or greater
- ▶ Updated Detailed **ZONE AE** Studies for Shingle Creek (Suffolk) and Tarrara Creek (Southampton / Boykins), including field survey for bridges / culverts
- ▶ Redelineated **ZONE AE** Studies for Blackwater River (all communities) and Nottoway River (Southampton)
- ▶ Coastal Flood Hazards are not being resurveyed




Study Overview Map



Floodplain Map Overview

Risk Level	Flood Hazard Zone	Description
HIGH RISK	ZONE AE	1 Percent Annual Chance Flood Hazard Area with published Base Flood Elevations (BFEs)
	ZONE A	1-Percent-Annual-Chance Flood Hazard Area without published BFEs
MODERATE RISK	0.2-Percent-Annual-Chance Flood Hazard Area	

"The 100-Year Flood Zone Explained"




Floodplain Map Overview

Risk Level	Flood Hazard Zone	Regulatory / Insurance Note
HIGH RISK	ZONE AE	Development is not allowed unless "no rise" in flood levels is certified
	ZONE A	Flood insurance is mandatory for structures with federally back mortgages
MODERATE RISK	0.2-Percent-Annual-Chance Flood Hazard Area	Flood insurance is not mandatory

"The 100-Year Flood Zone Explained"



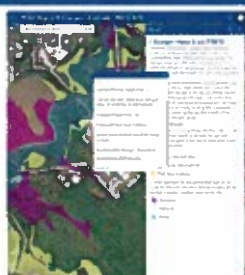

National Flood Hazard Layer (NFHL) File



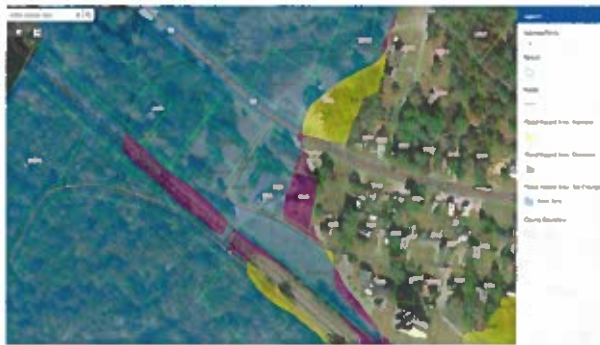
How Did the Floodplain Maps Change?

Change in Special Flood Hazard Area (SFHA) Extents

- Purple - Decrease
- Blue - Still Floodplain
- Yellow - Increase





Significant Impacts Overview

Comparing DRAFT and EFFECTIVE flood data

- Moderate changes in Special Flood Hazard Area (SFHA) extents are observed and vary by stream reach (increases in some locations and decreases in others)
 - In Franklin, there are more SFHA increases next to Blackwater River and decreases within the downtown business district
 - In Sumner, only a very small area is being revised. Almost all the floodplains in the community are from coastal/tidal flooding, which is not being revised
- Extension of Zone A hazards beyond past study limits results in newly mapped SFHAs
 - Based on national land use and strong Chesapeake Bay regulations, study additions are expected to have minimal impact on existing or future development

FEMA Risk MAP

100 YEAR FLOOD ZONE STATISTICS ON A 30-YEAR MORTGAGE

The flood risk you could be exposed to is:

- The 10-year flood zone gives you a 95% chance of being flooded
- The 25-year flood zone gives you a 71% chance of being flooded
- The 50-year flood zone gives you a 45% chance of being flooded
- The 100-year flood zone gives you a 26% chance of being flooded
- The 500-year flood zone gives you a 6% chance of being flooded

What does all this mean?

On a 30-year mortgage, you could expect to be flooded at least once during your mortgage term.

FEMA Risk MAP

Significant Impacts Overview

Comparing DRAFT and EFFECTIVE flood data

- Estimated impact to buildings (being added or removed to Draft SFHA) varies by jurisdiction

Population	1	10
Franklin	150	100
Sumner	175	175

- Most properties in the effective SFHAs are **not insured**

Population	1	10
Franklin	309	11
Sumner	810	54
Sumner	810	54

FEMA Risk MAP

Community Dashboards

Isle of Wight County, VA – Countywide

14

1%

\$5.3M

81

310

17,945

77%

260

5033

\$2.2M

6%

38

51

50

FEMA Risk MAP

FLOODPLAIN MANAGEMENT

Flood risk DOESN'T stop at a line!!

- Nationally, 25% of claims come from outside SFHA
- We as a community can regulate to standards higher than the NFIP minimum standards by:
 - Adopting and enforcing higher standards such as higher freeboard or lower substantial damage ratio
 - Enforcement
 - Promote open space
 - Promote purchase of flood insurance

FEMA Risk MAP

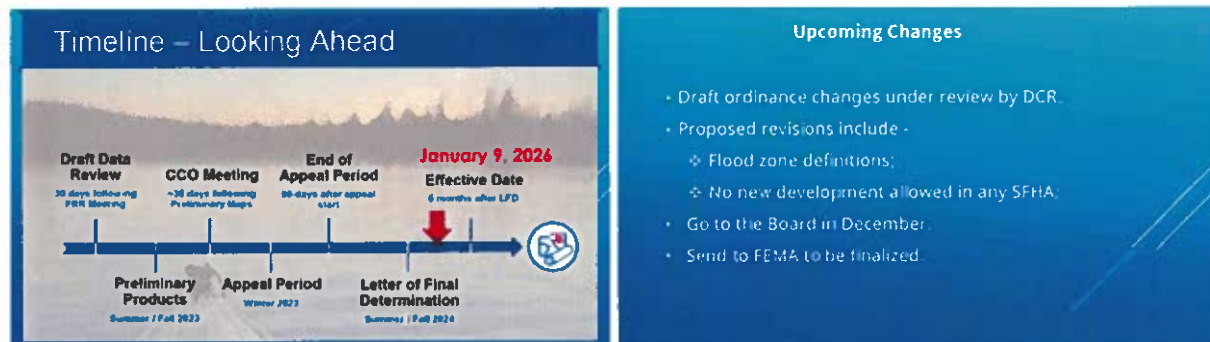
Risk Rating 2.0

Previously flood insurance was only based on what flood zone your property was in

Now NFIP considers your flood zone along with the value of your home

- Risk Rating 2.0 considers more flood risk variables (including cost to rebuild) to more accurately reflect property-specific flood risk

FEMA Risk MAP



Chairman Bowser opened the public hearing. There being no citizen comment, Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Boykin inquired whether individuals who find themselves newly placed in an increased flood-risk zone have any available appeal options through FEMA.

Shaunee Beussink responded that several pathways exist for property owners who believe their property has been incorrectly mapped.

She explained that property owners may hire an engineer to evaluate the structure's elevation. If evidence shows the building's elevation is higher than mapped or otherwise qualifies, the owner may pursue a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR). An elevation study or elevation certificate can determine whether a structure is fully or partially outside the flood zone. A successful amendment may remove the property from mandatory flood insurance requirements, though she noted that mortgage lenders may still require insurance if any portion of the lot remains within the flood zone.

Commissioner Johnson asked whether previous concerns regarding the use of undefined acronyms in the ordinance had been addressed.

Shaunee Beussink explained that acronyms were spelled out upon first use in the document. She clarified that some acronyms are required by the Department of Conservation and Recreation (DCR) to remain in the definitions section, even if not used elsewhere in the ordinance.

Commissioner Johnson acknowledged that as long as full terms appear at first use, that satisfies his concern.

Commissioner Carroll moved to recommend approval to the Board of Supervisors. Commissioner Boykin seconded the motion. The motion passed by a vote of eight in favor and zero voting against (8-0). Commissioner Bowser, Commissioner Carroll, Commissioner Ford, Commissioner Boykin, Commissioner Gibbs, Commissioner Smith, Commissioner Shotwell, Commissioner Johnson voted in favor with none voting against the motion.

8. Old Business

A. REZN-24-9 Kemps Village East Conditional PD-MX Zoning Request

Application REZN-24-9 of W.B. Owen and Nell C. Owen, Co-Trustees of the W. Bernard Owen Revocable Trust and Barger Family Trust, property owners, and GBK Builders, Inc., applicant, to change the zoning district from Rural Agricultural Conservation to Conditional Planned Development-Mixed Use of approximately 12.5 acres with tax map number 34-01-117 located on Carrollton Blvd. for 35 single family detached condominiums and approximately 2.7 acres of general commercial use

Amy Ring, Community Development Director, gave the following presentation.

REZN-24-9 Kemps Village East Conditional PD-MX Zoning Request Old Business Item



Planning Commission Regular Meeting
October 28, 2025

SITE DESCRIPTION

Tax Map ID#: 34-01-117

Location: Southwest corner of Intersection of Cedar Grove Road (Rte. 661) and Carrollton Boulevard (Rte. 17)

Current Zoning: Rural Agricultural Conservation

Election District: District 4

Request: To change the zoning district to Conditional Planned Development-Mixed Use (C-PD-MX) to allow for 35 single family detached condominiums and approximately 2.7 acres of general commercial use

PROJECT DESCRIPTION

Proffered conditions for the property include the following:

- ✓ Allows for up to 35 single family detached residential units in a condominium ownership structure,
- ✓ Allows for general commercial uses as permitted in the PD-MX zoning district, such as retail uses, sales, restaurants, and event centers. Other commercial uses, such as a convenience store or funeral home, would require a conditional use permit;
- ✓ Common open space areas maintained by an HOA; and
- ✓ Transportation improvements as recommended in the TIA

BACKGROUND

- Planning Commission held a public hearing on the application at their July 22, 2025, regular meeting
- Continued their discussion to their next available regular meeting.
- Deferred to October 28, 2025, regular meeting based on applicant's request in order to address concerns expressed during public hearing
- Applicant submitted revised proffer statement, TIA, and conceptual plan to include a dedicated right turn lane on Cedar Grove Road as well as an internal connect on between the residential and commercial uses on the site.



Right Turn Lane VDOT Comments

- Concurred with revised TIA findings with no issues with the proposed turn lane
- Also included the following informational comments:
 - Existing signal pole and cabinet are close to the existing roadway and will be required to meet separation and clear zone requirements
 - Current clearance between the road and existing signal pole is likely to require widening to both sides of the roadway to accommodate the proposed new turn lane
 - Improvement geometry must comply with the standards laid out in the VDOT Road Design Manual
 - There are existing gas, fiber, electrical, and signal appurtenance utilities that may complicate design of the proposed turn lane.
 - Lane changes will require lane usage signage to be installed on the existing signal mast arm consistent with the MUTCD. Existing signal heads may need to be adjusted on the mast arm to properly align with the new lanes.
 - Recommend updating the current proffers to reference the September 10, 2025, memorandum prepared by VHB consulting, which is the most recent update.

STRENGTHS & WEAKNESSES

Strengths

- Project is generally consistent with the future recommended land use designation of Mixed Use and Environmental Conservation.
- Sufficient school, utility, public safety and emergency medical service capacity to serve the additional service demands.
- Proffered conditions include road improvements to address traffic impacts.
- Conceptual plan is generally consistent with the requirements of the PD-MIX, NDSO, and CBPA zoning ordinance requirements.
- Environmentally sensitive areas in permanently protected common open space areas maintained by the property owner's association.
- Nonresidential commercial development which will generate employment opportunities and additional tax revenues.



STRENGTHS & WEAKNESSES

Weaknesses (Revised from 7/22/25 Meeting)

1. The proposed Cedar Grove Road right turn lane may not be feasible due to potential utility conflicts.



RECOMMENDATION

Based on the strengths listed above, staff recommends approval of the project with the proffered conditions.



Attorney Bill Riddick, representing the applicant, reviewed the changes made to the proposal following the July public hearing, during which several residents voiced concerns about traffic impacts at the Cedar Grove and Carrollton Boulevard intersection. In response, the applicant revised the proffers to include the installation of a right-turn lane at Cedar Grove, subject to approval by VDOT. He stated that the project engineer, Robert Kellum, had already engaged with VDOT and confirmed that the turn lane is feasible, with remaining issues limited to technical details such as turning radii and potential slip-lane or “pork chop” configurations. Mr. Riddick explained that adequate right-of-way is available, including additional property offered by Mr. Kemp if needed.

Mr. Riddick also described modifications to the concept plan, including an exit-only route through the commercial area to Carrollton Boulevard, which is expected to reduce traffic through the Cedar Grove neighborhood. Patios were removed from the buffer yard after concerns were raised, and a walking trail that had been removed in an earlier revision was restored at staff's suggestion. Mr. Riddick noted that the development meets the Comprehensive Plan's minimum density requirement for the zoning district, and that the applicant is proposing one of the lowest-density projects possible for the zoning classification. He stated that the project's traffic improvements would benefit not only the new development but also existing Cedar Grove residents.

Mr. Riddick added that the proposed homes would be at or below the County's current median sale price and contended that the product is appropriate and needed in the community. Mr. Riddick also referenced the longtime ownership of the land by Mr. and Mrs. Owen, noting their age and health, and expressed that they are entitled to develop their property in a reasonable way. He requested that the commission recommend approval of the rezoning.

Commissioner Johnson asked about the development's impact on nearby schools, referring to a

recent newspaper article suggesting that the high school may now be at capacity.

Ms. Ring responded that school division comments provided in July indicated adequate capacity at all schools that would serve the development. She stated the project is projected to generate about thirteen students and that, according to the school division, there was sufficient capacity based on the 2024–2025 school year.

Commissioner Johnson noted that school capacity standards may change, but Ms. Ring confirmed that no new standards had yet been adopted by the School Board.

Commissioner Johnson then asked if there were expectations regarding the type of commercial uses planned for the commercial portion of the site. Mr. Riddick stated that no commercial tenants have been identified, and that the commercial block is shown primarily as a placeholder until market interest develops. He added that big-box retail is unlikely, and that service-oriented uses are more probable. Mr. Johnson expressed concern about potential uses such as tattoo parlors. Mr. Riddick responded that uses of concern typically require a conditional use permit, ensuring public review before approval.

Commissioner Boykin asked whether there was any timeline for the construction of the commercial area. Mr. Riddick explained that there is no fixed schedule, and that the commercial portion could be built as soon as a buyer or tenant emerges. He emphasized that the roadway connection from the residential section through the commercial parcel will be built as part of the initial development, even if the commercial area is not constructed immediately.

Commissioner Johnson raised concerns about increased impervious area and runoff flowing toward the nearby ravine and lake. Mr. Riddick responded that stormwater in Virginia is heavily regulated, and that the applicant must comply with engineering standards ensuring that post-development runoff does not exceed pre-development conditions. He explained that stormwater systems are fully reviewed before construction plans can be approved.

Bobby Jones, County Attorney, added that the County relies on the Department of Environmental Quality to supplement stormwater reviews, and no construction may proceed until plans are approved and bonded.

Commissioners Boykin and Shotwell expressed concerns about the location of the existing traffic signal pole and control box in relation to the proposed turn lane and asked how long VDOT's approval process would take.

Robert Kellum, engineer for the project, stated that VDOT must review any intersection modifications as part of the site plan submission. He explained that he had spoken with VDOT, and that preliminary feedback indicated adequate space for the turn lane. He noted that if necessary, a slip-lane design could be used, and that similar configurations exist in many locations. Mr. Kellum also stated that traffic studies have been submitted, revised, and appear to have VDOT's general support.

Mr. Jones clarified that VDOT does not issue formal approval until a full site plan is submitted. He emphasized that because the rezoning is tied to a concept plan that includes the right-turn lane, the

applicant cannot proceed differently without returning for an amendment.

Commissioner Boykin stated a concern about approving the rezoning before VDOT provides a firm commitment.

Ms. Ring responded that the applicant's proffer requires them to construct the right-turn lane only if VDOT approves it, and that initial comments from VDOT raised no major concerns.

Commissioner Johnson noted that buses currently cannot turn into Cedar Grove Road if a car is waiting at the light, as the turning radius is insufficient.

Mr. Riddick and Mr. Kellum both stated that the redesigned intersection would widen the pavement and correct the turning radius issue, improving both bus and vehicular movements.

Commissioner Ford moved to recommend approval to the Board of Supervisors. Commissioner Gibbs seconded the motion. The motion passed by a vote of seven in favor and one voting against the motion (7-1). Commissioner Bowser, Commissioner Carroll, Commissioner Ford, Commissioner Boykin, Commissioner Gibbs, Commissioner Smith, Commissioner Shotwell voted in favor of the motion, and Commissioner Johnson voted against the motion.

9. New Business

A. County Attorney's Report

Bobby Jones confirmed there were no items for the County Attorney's Report.

B. Planning Director's Report

Amy Ring, Community Development Director, reminded the Commission of the scheduled retreat at 8:00 a.m. on Thursday. She noted that breakfast items would be available, and that three vehicles with designated staff drivers had been arranged. She requested that any members unable to attend notify her promptly, as Dominion Energy and the lunch venue required final attendance numbers.

Ms. Ring also reported that staff planned to advertise the proposed revisions to the comprehensive plan resulting from the Commission's five-year review. She stated that no additional comments had been received following the stakeholder work group meeting. Concurrently, staff would advertise the Rushmere Community Master Plan for which no further comments had been submitted. She anticipated bringing final drafts of both items to the Commission for public hearing at the November meeting, with the intention of forwarding them to the Board of Supervisors in December or January, depending on advertising deadlines and the Board's abbreviated December meeting schedule.

The County Attorney, Mr. Bobby Jones, noted that if the Commission acted on the comprehensive plan amendment at its November meeting, the item would likely move to the Board's January meeting unless all components were advertised together.

Commissioner Johnson asked Ms. Ring whether the County evaluates the cumulative traffic impacts of multiple developments for both approved and proposed developments when reviewing Transportation Impact Analyses (TLAs).

Ms. Ring explained that during the pre-application phase, County staff, VDOT, and the applicant's traffic consultant meet to establish the TIA scope. Approved developments are incorporated into background growth which includes historic traffic increase rates plus an additional percentage to account for new development. The TIA scope typically requires analysis of nearby approved and proposed developments within a defined geographic area, so that cumulative impacts are captured.

Commissioner Johnson asked specifically whether new Smithfield developments, such as the Promontory and Mallory Point, would eventually influence traffic along Route 17. Ms. Ring confirmed that they would, and that such impacts are included in background growth assumptions.

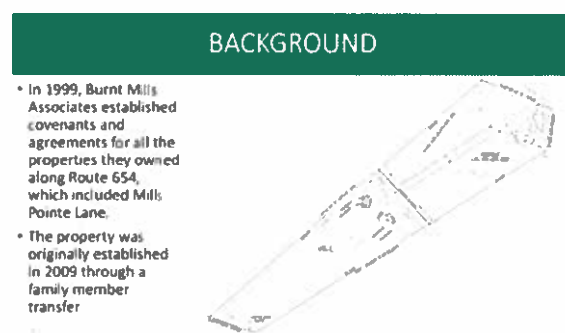
- C. EXC-25-7 of Amy Carlesi, property owner, for a waiver to Section 3.2.4.A.4 and Section 5.9.1.C of the Isle of Wight County Subdivision Ordinance, to create a family member subdivision lot from tax map number 49-04-009A on a private easement that currently serves fourteen existing lots

Cordell Asbenson, Planner I, gave the following presentation.



Site Description

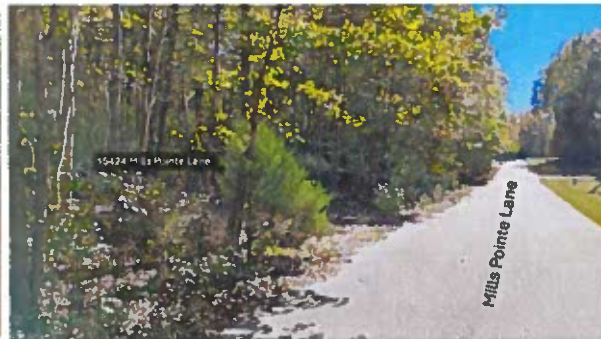
	Tax Map ID#:	49-04-009A
	Location:	15424 Mills Pointe Lane
	Current Zoning:	Rural Agricultural Conservation (RAC)
	Election District:	D4
	Request:	To waive Section 3.2.4.A.4 and Section 5.9.1.C of the Subdivision Ordinance, to create a family member subdivision.



BACKGROUND

- In 2021, the Subdivision Ordinance was amended to allow one (1) lot from a tract to be accessed from a single easement of right-of-way, unless approved by the Board of Supervisors and upon recommendation from the Planning Commission.
- The Subdivision Ordinance also stipulates that all roads providing access to three (3) or more lots, must be public roads that meet Virginia Department of Transportation (VDOT) construction standards.

Rezoning Exhibit



Ordinance Review

- Section 3.2.A.4, which addresses family member subdivisions, stated that no more than one lot may be created from a single tract of land that is accessed from a single easement of right-of-way unless approved by the Board of Supervisors upon recommendation from the Planning Commission.
- Section 5.9.1.C states that, unless specifically modified in this ordinance, all new streets must be public and comply with VDOT road standards.



Staff Analysis

Section 3.2.10.E of the Subdivision Ordinance lists criteria for a waiver to approve a request for a waiver. The Board of Supervisors shall make an affirmative finding that all the criteria are met:

1. Granting the waiver will not have an adverse impact on land use compatibility; it conforms the proposed use consistent with current and future land use.
2. No difference to the general regulations shall result in substantial impact on the property or the property may be used for its intended purpose at this time.
3. The waiver has not been opposed in writing by the county VDOT engineer, or health official. Staff has received no opposition to the request.
4. That granting the administrative waiver shall be consistent with the purposes and intent of this ordinance. Staff finds that the purpose and intent of the Ordinance is to promote the orderly development of the County, and to protect the public health, safety, and welfare by ensuring safe access by all emergency services vehicles. Staff does not find the waiver request is consistent with the Ordinance.



Staff Recommendation

Staff does not recommend approval of the waiver because it fails to meet the criteria outlined in the Ordinance.



Chairman Bowser called for discussion from the commissioners.

Commissioner Shotwell inquired whether emergency vehicle access limitations for two houses were the reason the proposed subdivision did not meet ordinance criteria.

Amy Ring explained that the ordinance adopted in 2021 addressed safety concerns related to private roads and easements that were often poorly maintained. She noted past incidents where emergency vehicles could not access lots, requiring staff to send personnel on foot or have patients meet responders at the road. As a result, the Subdivision Ordinance limits private streets not meeting VDOT standards to three lots and private easements to one lot. Ms. Ring clarified that while waiver requests can be submitted under certain criteria, the current request does not meet those criteria; therefore, staff did not recommend approval. She emphasized that the recommendation was based on an objective assessment.

Bobby Jones noted that the subject road was well-maintained and included a strong maintenance agreement within its restrictive covenants which would apply to the potential subdivision.

Commissioners Ford and Carroll discussed the number of lots, confirming there are fourteen existing lots accessed from the road. Commissioner Carroll noted that the proposal seemed to involve a family dividing a parcel to build a house and asked about an apparent irregular corner on the map.

Mr. Asbenson explained that the irregularity was a result of map cropping and not a substantive issue. Commissioners agreed that the road is well-maintained and likely not an access concern.

Commissioner Gibbs moved to recommend approval to the Board of Supervisors. The motion was seconded by Commissioner Ford. The motion passed by a vote of eight in favor and zero against the motion (8-0). Commissioner Bowser, Commissioner Carroll, Commissioner Ford, Commissioner Boykin, Commissioner Gibbs, Commissioner Smith, Commissioner Shotwell, Commissioner Johnson voted in favor of the motion, and no commissioner voting against the motion.

10. Closed Meeting

Bobby Jones confirmed there were no items for closed session.

11. Adjournment

There being no further information to discuss, Chairman Bowser adjourned the meeting at 8:11 PM.

Adopted this 27 day of Jan, 2026.

Bobby A. Bowser
Bobby Bowser, Chairman
Isle of Wight County Planning Commission

Attest: Amanda Landrus
Amanda Landrus, Secretary