

Town of Port Royal

“Behold Us Rising”



Established 1744

Port Royal Town Council

Meeting Agenda

May 22, 2024

6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER – Mayor

AMENDMENTS TO THE AGENDA

PUBLIC COMMENT

- Comments will be limited to three minutes, per person, in order to afford everyone an opportunity to speak. If comments relate to a specific public hearing item, we ask that you offer those comments at the time of the public hearing.
- If any issues arise from public comment to be addressed in detail, such issues will be put on the Agenda for the next meeting, or later, for this meeting, subject to a vote of the majority of Town Council.

REPORTS OF MEMBERS OF THE TOWN COUNCIL (including but not limited to committee/commission updates, reports on Council assignments, and items of interest).

- Donna Wilkerson, Vice-Mayor
- Angela Golden
- J.P. Wilkerson
- Justin McArdle
- Alex Long, Mayor

ITEM NO.	DESCRIPTION
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- 5-10** **Consent Agenda**
4-10.1 Approval of Meeting Minutes of the March 28, 2024, Town Council Meeting
- 5-11** **Financials – March 2024**
Review and questions as to documents.
- 5-12** **Reports of Staff**
5-12.1 Town Attorney
5-12.2 Town Manager/Clerk/Zoning Administrator
- 5-13** **Board/Commissions/Agency Representatives and Public Hearings**
- 5-14** **Action Items**
5-14.1 Go over the R1 Zoning Ordinance for ‘Old Town’ with respect to number of houses per acre, road frontage required, and setbacks. If the Council deems it appropriate, send a request to the Planning Commission for a joint public hearing.
5-14.2 Decide on a date for a public hearing for Budget Adoption and, if the Town Council deems appropriate, a joint public hearing with the Planning Commission for the R1 District changes.
- 5-15** **Discussion Items**
- 5-16** **Information Items**
5-16.1 Update on Financials, money put into certificate of deposits.
5-16.2 Update, the Mayor signed papers, as a ministerial act for the Fire Department to obtain money from the State of Virginia. However, no money moves unless voted by the Town Council.

Town of Port Royal

Profit & Loss by Class

April 2024

	Corporate	TOTAL
Ordinary Income/Expense		
Income		
CORPORATE INCOME		
PERMITS, FEES, LICENSES		
3-100-12010-010 Zoning Permit	125.00	125.00
3-100-12010-030 Dominion Cons.	65.78	65.78
3-100-12010-040 Rapp Elect Cons	24.05	24.05
Total PERMITS, FEES, LICENSES	214.83	214.83
REVENUE FROM USE OF MONEY		
3-100-14010-010 Interest Income	0.93	0.93
Total REVENUE FROM USE OF MONEY	0.93	0.93
TAXES		
3-100-11010-020 BPOL	989.75	989.75
3-100-11010-030 Comm. Tax	427.00	427.00
3-100-11010-040 Dom Utility	471.14	471.14
3-100-11010-045 Rapp Utility	200.00	200.00
3-100-11010-050 Meals Tax	9,023.14	9,023.14
3-100-11010-060 Local Sales Tax	2,223.39	2,223.39
Total TAXES	13,334.42	13,334.42
Total CORPORATE INCOME	13,550.18	13,550.18
Total Income	13,550.18	13,550.18
Gross Profit	13,550.18	13,550.18
Expense		
CORPORATE EXPENSES-		
MISCELLANEOUS CHARGES		
4-100-21010-106 Fees, Licenses	16.79	16.79
4-100-21010-107 Festival Exp.	141.49	141.49
4-100-21010-114 Town Equip/Supp	118.36	118.36
4-100-21010-116 Porta-Potty	163.88	163.88
Total MISCELLANEOUS CHARGES	440.52	440.52
OTHER CHARGES - UTILITIES		
4-100-23010-011 DomElec(Street)	272.62	272.62
4-100-23010-012 RECElec(Street)	85.09	85.09
4-100-23010-013 Internet/Phone	180.10	180.10
Total OTHER CHARGES - UTILITIES	537.81	537.81
PERSONNEL CHARGES		
4-100-20010-101 P/R Taxes -FICA	229.50	229.50
4-100-20010-103 P/R exp other	4.00	4.00
4-100-20010-201 Town Manager	3,000.00	3,000.00
Total PERSONNEL CHARGES	3,233.50	3,233.50
PURCHASED SERVICES		
4-100-22010-100 Grass Mowing	300.00	300.00
4-100-22010-120 Maintenance	250.00	250.00
4-100-22010-130 Accounting	500.00	500.00
4-100-22010-160 Legal Fees	750.00	750.00
Total PURCHASED SERVICES	1,800.00	1,800.00
Total CORPORATE EXPENSES	6,011.83	6,011.83
Total Expense	6,011.83	6,011.83
Net Ordinary Income	7,538.35	7,538.35
Net Income	7,538.35	7,538.35

Town of Port Royal

Profit & Loss by Class

July 2023 through April 2024

	Corporate	TOTAL
Ordinary Income/Expense		
Income		
CORPORATE INCOME		
CHARGES FOR SERVICES		
3-100-13010-010 Rental TownHall	300.00	300.00
3-100-13010-011 County Library	6,000.00	6,000.00
Total CHARGES FOR SERVICES	6,300.00	6,300.00
EXTRAORDINARY - RESTRICTED		
3-100-15010-012 Litter Grant	2,085.00	2,085.00
Total EXTRAORDINARY - RESTRICTED	2,085.00	2,085.00
MISCELLANEOUS		
3-100-15010-010 Donations	100.00	100.00
3-100-15010-011 Fire & Rescue	15,000.00	15,000.00
3-100-15010-013 Caroline Det.	10,000.00	10,000.00
Total MISCELLANEOUS	25,100.00	25,100.00
PERMITS, FEES, LICENSES		
3-100-12010-010 Zoning Permit	160.00	160.00
3-100-12010-030 Dominion Cons.	592.40	592.40
3-100-12010-040 Rapp Elect Cons	243.81	243.81
Total PERMITS, FEES, LICENSES	996.21	996.21
REVENUE FROM USE OF MONEY		
3-100-14010-010 Interest Income	10,263.86	10,263.86
Total REVENUE FROM USE OF MONEY	10,263.86	10,263.86
TAXES		
3-100-11010-010 Auto Decals	97.00	97.00
3-100-11010-020 BPOL	8,492.43	8,492.43
3-100-11010-030 Comm. Tax	2,120.23	2,120.23
3-100-11010-040 Dom Utility	5,393.33	5,393.33
3-100-11010-045 Rapp Utility	2,066.02	2,066.02
3-100-11010-050 Meals Tax	81,434.30	81,434.30
3-100-11010-060 Local Sales Tax	11,122.26	11,122.26
Total TAXES	110,725.57	110,725.57
Total CORPORATE INCOME	155,470.64	155,470.64
Total Income	155,470.64	155,470.64
Gross Profit	155,470.64	155,470.64
Expense		
CORPORATE EXPENSES		
MISCELLANEOUS CHARGES		
4-100-21010-101 Advertising	2,137.58	2,137.58
4-100-21010-106 Fees, Licenses	167.90	167.90
4-100-21010-107 Festival Exp.	865.95	865.95
4-100-21010-109 Insurance Exp.	2,581.00	2,581.00
4-100-21010-113 MISC Exp.	108.65	108.65
4-100-21010-114 Town Equip/Supp	782.35	782.35
4-100-21010-115 Office Supplies	1,469.39	1,469.39
4-100-21010-116 Porta-Potty	1,639.51	1,639.51
4-100-21010-117 Pier Repairs	297.38	297.38
4-100-21010-118 Postage	145.68	145.68
4-100-21010-119 Public Notices	953.00	953.00
4-100-21010-121 Planning Comm.	678.32	678.32
4-200-21010-122 ARPA Funds	2,276.83	2,276.83
Total MISCELLANEOUS CHARGES	14,103.54	14,103.54

Town of Port Royal
Profit & Loss by Class
July 2023 through April 2024

	Corporate	TOTAL
OTHER CHARGES - UTILITIES		
4-100-23010-010 DomElec(Office)	1,012.27	1,012.27
4-100-23010-011 DomElec(Street)	6,743.30	6,743.30
4-100-23010-012 RECElec(Street)	852.55	852.55
4-100-23010-013 Internet/Phone	1,726.70	1,726.70
Total OTHER CHARGES - UTILITIES	10,334.82	10,334.82
PERSONNEL CHARGES		
4-100-20010-101 P/R Taxes -FICA	2,385.23	2,385.23
4-100-20010-103 P/R exp other	26.50	26.50
4-100-20010-201 Town Manager	30,000.00	30,000.00
4-100-20010-401 Bonuses	1,179.50	1,179.50
Total PERSONNEL CHARGES	33,591.23	33,591.23
PURCHASED SERVICES		
4-100-22010-100 Grass Mowing	1,550.00	1,550.00
4-100-22010-110 Cleaning	200.00	200.00
4-100-22010-120 Maintenance	3,210.53	3,210.53
4-100-22010-130 Accounting	5,000.00	5,000.00
4-100-22010-160 Legal Fees	6,750.00	6,750.00
4-100-22010-190 Town Improvmnts	147.36	147.36
4-100-22010-200 Website, Intrnt	287.76	287.76
Total PURCHASED SERVICES	17,145.65	17,145.65
Total CORPORATE EXPENSES	75,175.24	75,175.24
Total Expense	75,175.24	75,175.24
Net Ordinary Income	80,295.40	80,295.40
Net Income	80,295.40	80,295.40

Town of Port Royal

Balance Sheet

As of April 30, 2024

	Apr 30, 24
ASSETS	
Current Assets	
Checking/Savings	
140 - Debt Reserve *3842	19,069.96
150 - Waterworks	
151 - Waterworks Capital *3945*	50,025.00
152 - Waterworks Reserve *2647*	20,847.71
Total 150 - Waterworks	70,872.71
CORPORATE	
CORPORATE CASH	
100-00100-110-General Fund	69,723.06
100-00100-111-Capital Fund	15,000.00
100-00100-112-Contingency Fund	15,000.00
100-00100-113-Mayor Discr. Fund	267.40
100-00100-114-TM Discr. Fund	500.00
100-00100-115 Money MKT 6947	50,149.77
100-00100-118 CD 7326	156,523.04
100-00100-120 CD 7520	103,582.66
Total CORPORATE CASH	410,745.93
EXTRAORDINARY INCOME	
200-00100-110 CARES Act Funds	9,380.44
Total EXTRAORDINARY INCOME	9,380.44
RESTRICTED CASH	
00120-110 Veterans Memorial	883.41
00120-111 Non-Motorized BoatRmp	5,000.00
Total RESTRICTED CASH	5,883.41
Total CORPORATE	426,009.78
WATER	
300-00100-110 Cash - Water	74,525.72
300-00100-111 Utility Relief	1,799.39
Total WATER	76,325.11
Total Checking/Savings	592,277.56
Other Current Assets	
363 - Loan to Escrow	300.00
Total Other Current Assets	300.00
Total Current Assets	592,577.56
Fixed Assets	
FIXED ASSETS - CORPORATE	
100-00100-811 Land	80,000.00
100-00100-812 Structures	546,540.00
100-00100-815 Equipment	20,000.00
100-00100-821 A/D Structures	-18,218.00
100-00100-851 A/D Equipment	-4,000.00
Total FIXED ASSETS - CORPORATE	624,322.00

Town of Port Royal
Balance Sheet
As of April 30, 2024

	Apr 30, 24
FIXED ASSETS - WATER	
300-00100-813 Intangibles	325,000.00
300-00100-814 Improvements	200,000.00
300-00100-815 Equipment	975,000.00
300-00100-831 A/D Intangibles	-130,000.00
300-00100-841 A/D Improvements	-13,334.00
300-00100-851 A/D Equipment	-65,000.00
Total FIXED ASSETS - WATER	1,291,666.00
Total Fixed Assets	1,915,988.00
TOTAL ASSETS	2,508,565.56
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
LIABILITIES	
Current Liabilities	
100-00200-120 Tax W/H Payable	1,687.00
100-00200-120 Tax Withholding	15.00
100-00200-130 Escrow Fd	300.00
Total Current Liabilities	2,002.00
Total LIABILITIES	2,002.00
Total Other Current Liabilities	2,002.00
Total Current Liabilities	2,002.00
Long Term Liabilities	
WATER LIABILITIES	
300-00200-300 USDA Loan	194,514.98
300-00200-310 VRA Loan	347,139.81
Total WATER LIABILITIES	541,654.79
Total Long Term Liabilities	541,654.79
Total Liabilities	543,656.79
Equity	
300-00300-100 Retained Earnings	1,856,390.91
Net Income	108,517.86
Total Equity	1,964,908.77
TOTAL LIABILITIES & EQUITY	2,508,565.56

Town of Port Royal
Profit & Loss by Class
April 2024

	Water	TOTAL
Ordinary Income/Expense		
Income		
WATER INCOME		
3-300-99000-010 Interest Inc.	0.67	0.67
3-300-99000-011 Water Income	3,839.57	3,839.57
Total WATER INCOME	3,840.24	3,840.24
Total Income	3,840.24	3,840.24
Gross Profit	3,840.24	3,840.24
Expense		
WATER EXPENSES		
4-300-39000-016 USDA Interest	0.00	0.00
4-300-39000-017 VRA Interest	4,191.42	4,191.42
4-300-39000-026 Dominion-tank	610.27	610.27
4-300-39000-027 Water Admin Fee	1,681.24	1,681.24
Total WATER EXPENSES	6,482.93	6,482.93
Total Expense	6,482.93	6,482.93
Net Ordinary Income	-2,642.69	-2,642.69
Net Income	-2,642.69	-2,642.69

Town of Port Royal
Profit & Loss by Class
July 2023 through April 2024

	Water	TOTAL
Ordinary Income/Expense		
Income		
WATER INCOME		
3-300-99000-010 Interest Inc.	6.33	6.33
3-300-99000-011 Water Income	57,456.65	57,456.65
Total WATER INCOME	57,462.98	57,462.98
Total Income	57,462.98	57,462.98
Gross Profit	57,462.98	57,462.98
Expense		
CORPORATE EXPENSES		
MISCELLANEOUS CHARGES		
4-100-21010-106 Fees, Licenses	35.00	35.00
Total MISCELLANEOUS CHARGES	35.00	35.00
Total CORPORATE EXPENSES	35.00	35.00
WATER EXPENSES		
4-300-39000-011 Arch/Eng SVC	290.00	290.00
4-300-39000-015 Fees, Permits	327.00	327.00
4-300-39000-016 USDA Interest	1,859.07	1,859.07
4-300-39000-017 VRA Interest	8,666.14	8,666.14
4-300-39000-026 Dominion-tank	4,613.54	4,613.54
4-300-39000-027 Water Admin Fee	13,449.77	13,449.77
Total WATER EXPENSES	29,205.52	29,205.52
Total Expense	29,240.52	29,240.52
Net Ordinary Income	28,222.46	28,222.46
Net Income	28,222.46	28,222.46

Town of Port Royal

5/2/2024 2:12 PM

Register: CORPORATE:CORPORATE CASH:100-00100-110-General Fund

From 04/01/2024 through 04/30/2024

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
04/01/2024	7383	Hefty Wiley & Gore, ...	CORPORATE EXPEN...		750.00	X		61,660.71
04/05/2024			CORPORATE INCO...	Deposit		X	212.24	61,872.95
04/05/2024	EFT	Dominion Energy Vi...	CORPORATE EXPEN...	4891102925	272.62	X		61,600.33
04/05/2024	7382	Joseph A. Fortune	CORPORATE EXPEN...	03/29/24 mowi...	150.00	X		61,450.33
04/11/2024			-split-	Deposit		X	9,732.52	71,182.85
04/11/2024	7384	Account Inc.	CORPORATE EXPEN...	April fee	500.00	X		70,682.85
04/11/2024	7385	Local Services LLC	CORPORATE EXPEN...		163.88	X		70,518.97
04/16/2024	7386	Rappahannock Electr...	CORPORATE EXPEN...	Acct #29755001	85.09	X		70,433.88
04/17/2024	E-pay	Virginia Dept. of Tax...	LIABILITIES:Current ...	30-541583766...	339.00			70,094.88
04/23/2024			-split-	Deposit		X	1,470.44	71,565.32
04/23/2024	EFT	AUB Visa *8730	-split-	4798 5100 663...	276.64	X		71,288.68
04/23/2024	E-pay	United States Treasury	-split-	54-1583766 Q...	740.00			70,548.68
04/23/2024	7387	Joseph A. Fortune	CORPORATE EXPEN...	04/15/24 mowi...	150.00	X		70,398.68
04/23/2024	7388	Joseph A. Fortune	CORPORATE EXPEN...	April fee	250.00	X		70,148.68
04/23/2024	7389	Breezeline	CORPORATE EXPEN...	8282 15 002 00...	180.10			69,968.58
04/29/2024			-split-	Deposit		X	2,134.05	72,102.63
04/29/2024		QuickBooks Payroll ...	-split-	Created by Pay...	2,380.50			69,722.13
04/30/2024			CORPORATE INCO...	Interest			0.93	69,723.06
04/30/2024	DD1170	Allyson L. Finchum	-split-	Direct Deposit		X		69,723.06

Please NOTE: This is for general informational purposes only.

The Planning Commission has this matter under consideration and has a meeting for 30 May 2024.

Per the Subdivision Ordinance, the Town Council must also act on the request.

Gaining an understanding of the issues is helpful.

OWNERS' CONSENT

WE, THE OWNERS OF THE PROPERTY SHOWN HEREON AND DESCRIBED IN THE COMMONWEALTH OF VIRGINIA, HEREBY STATE THAT THE BOUNDARY LINE ADJUSTMENT AND DIVISION SHOWN HEREON IS BEING MADE FOR THE PURPOSE OF ADJUSTING THE BOUNDARY LINE OF OUR PROPERTY AND IN ACCORDANCE WITH OUR OWNERS' CONSENT AND IN ACCORDANCE WITH OUR OWNERS' CONSENT AND IN ACCORDANCE WITH OUR OWNERS' CONSENT.

OWNER OF TAX MAP 13A-1-C-254 & 13A-1-B-344
GIVEN UNDER MY HAND THIS ____ DAY OF ____ 20__

LEN DAMERON, MEMBER
DAMERON HOME BUILDERS, LLC

STATE/COUNTY/LOCALITY OF ____ TO WIT:
THE FOREGOING INSTRUMENT RECORDED BEFORE ME BY
LEN DAMERON, MEMBER
DAMERON HOME BUILDERS, LLC
THIS ____ DAY OF ____ 20__
ANY COMMISSION EXPIRES THE ____ DAY OF ____ 20__

NOTARY PUBLIC

REGISTRATION NUMBER

DAMERON HOME BUILDERS, LLC
INSTRUMENT NO. 202302780
PLAT C&B 11, 13-30
TAX MAP 13A-1-B-32
ZONED B101

ASPHALT ROAD

"BACK STREET"
(66' RIGHT OF WAY)
(PLAT C&B 11, 13-30)

MORTON & ROSA B. USGIAW
DEED BOOK 187, PAGE 278
PLAT DEED BOOK 13, PAGE 699
TAX MAP 13A-1-B-32
ZONED R1

"KING STREET"
(UNDERSERVED)
(66' RIGHT OF WAY)
(PLAT C&B 11, 13-30)

LINE	BEARING	DISTANCE
11	S 50°35'42" E	6.23

NOTICE
NOTICE OF RECORDING OF THIS PLAT DOES NOT CONSTITUTE
ASSURANCE THAT PUBLIC RECORDS OR PUBLIC WATER SERVICES WILL BE
AVAILABLE TO SERVE THE LAND DESCRIBED ON THIS PLAT AT ANY
PARTICULAR TIME.

CERTIFICATE OF APPROVAL

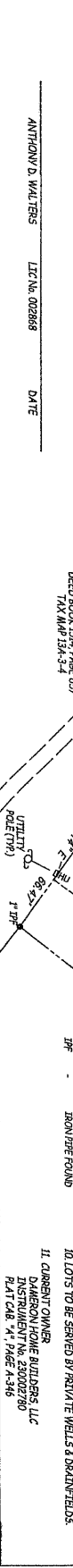
THIS BOUNDARY LINE ADJUSTMENT AND DIVISION IS APPROVED BY THE
UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND
MAY BE COMMITTED TO RECORD.

HEALTH DEPARTMENT
DATE
TOWN OF PORT ROYAL, ADMINISTRATOR OR AGENT
DATE

SURVEYOR'S CERTIFICATE

I, ANTHONY D. WALTERS, SURVEYOR, HAVE EXAMINED THE COMMONWEALTH OF VIRGINIA
HEREBY STATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND UNDERSTANDING THIS IS BOUNDARY
LINE ADJUSTMENT AND DIVISION OF THE LANDS SHOWN HEREON BEING A PORTION OF THE LAND
ACQUIRED BY DAMERON HOME BUILDERS, LLC BY DEED RECORDED IN INSTRUMENT NO. 202302780
AMONG THE LAND RECORDS OF CAROLINE COUNTY, VIRGINIA.

ANTHONY D. WALTERS LIC. No. 002868 DATE



VIRGINIA COORDINATE SYSTEM
NORTH ZONE - NAD83 (2011)

NOTES

1. NO TITLE REPORT FURNISHED
2. PROPERTY SUBJECT TO ALL COMPATIBLE EASEMENTS, RESTRICTIONS, RESERVATIONS, CONDITIONS, AND RIGHT OF WAYS OF PUBLIC RECORD.
3. THE BOUNDARY DATA SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY AND DEEDS/PLATS OF RECORD.
4. PROPERTIES SHOWN ON CAROLINE COUNTY TAX MAP 13A-1-C-254 & 13A-1-B-344.
5. NO PORTION OF THE LAND HEREON IS LOCATED IN THE FLOOD HAZARD SPECIAL FLOOD AREA ZONE "A" AS INDICATED ON FEMA MAP NO. 58088-010-D, DATED MAY 23, 2003.
6. PROPERTIES ZONED R-1 (RESIDENTIAL).
7. PROPOSED LOT USE: SINGLE FAMILY HOMES.
8. TOTAL AREA WITHIN BOUNDS OF SUBDIVISION: 1284 ACRES (85,942 SQ. FT.).
9. SETBACKS PER ZONING ORDINANCE: REAR: 3' FRONT: 15' SIDE: 5'
10. LOTS TO BE SERVED BY PRIVATE WELLS & DRAINAGE DITCHES.
11. CURRENT OWNER: DAMERON HOME BUILDERS, LLC INSTRUMENT NO. 202302780 PLAT C&B 11, 13-30

SHEET NO. 1 OF 1
JOB NO. 0203-23-002

PLAT SHOWING BOUNDARY LINE
ADJUSTMENT & SUBDIVISION OF
**TAX MAP 13A-1-C-254
& TAX MAP 13A-1-B-344**
TOWN OF PORT ROYAL
CAROLINE COUNTY, VIRGINIA



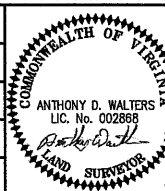
AXIS
LAND SURVEY, INC.
5753 COURTHOUSE ROAD
SPOTSVILANIA, VA 22551
OFFICE@AXISLANDSURVEY.COM
(540) 895-5011

CLIENT
DAMERON HOMES
c/o LEN DAMERON
PHONE: 540-310-4768
405 WESTWOOD DRIVE
FREDERICKSBURG, VA 22401

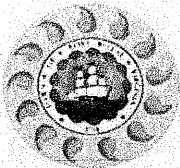
MANAGER:
ADW
DESIGN BY:
ADW
DRAWN BY:
ZJT
SURV. CHIEF:
OB Jr.
FIELDBOOK NO.
N/A

CHCK BY:
RJR
DATE
12-7-2023

SCALE
0' 15' 30' 60' 90'



No.	DATE	REVISION
1	2023.12.07	Digitally signed by Anthony Walters
2	2023.12.07	Date: 2023.12.07 09:55:57 -05'00'



PORT ROYAL TOWN HALL

419 KING STREET #29; POST OFFICE BOX 29

PORT ROYAL, VA 22535

804-742-5331

WWW.THETOWNOFPORTROYAL.COM

DATE SUBMITTED: 4/23/24

CASE NUMBER: _____

*NOTE: AN APPLICATION SHALL NOT BE DEEMED OFFICIALLY FILED UNTIL ALL REQUIRED PLANS, PLATS, FEES AND SUPPORTING DOCUMENTATION ARE SUBMITTED.

1. TYPE OF REQUEST

☐ REZONING: FROM _____ TO _____

☐ PROFFER AMENDMENT _____
(REZONING CASE #)

☐ SPECIAL EXCEPTION: _____
(ORDINANCE SECTION)

☐ SITE PLAN: _____ MAJOR _____ MINOR

☐ VARIANCE: _____

☐ ADMINISTRATIVE APPEAL _____

☐ COMP. PLAN AMENDMENT _____

☐ OTHER _____

☐ SUBDIVISION (MAJOR)

_____ PRELIMINARY

☒ FINAL

_____ CONCEPT

☐ SUBDIVISION (OTHER)

_____ MINOR

_____ BLA/VACATION

_____ FAMILY

2. PROPERTY INFORMATION

TAX MAP NUMBER 13A 1 C 25A

CURRENT ZONING R1

ACREAGE OF REQUEST 1.32

TOTAL ACREAGE 1.32

PHYSICAL ADDRESS/LOCATION N/A

VOTING DISTRICT _____

UTILITIES: _____ PUBLIC

☒ PRIVATE

_____ EXISTING

☒ NEW

3. APPLICANT / OWNER INFORMATION

OWNER OF RECORD:

Staff Report
Town of Port Royal Planning Commission

May 9, 2024

The applicant is seeking subdivision plat approval on three parcels of land, TM 13A-1-C-25A, 13A-1-B-34 and 13A-1-B-34A, totaling approximately 1.32 acres of land. The request is to subdivide the three parcels into a total of five lots (two additional lots) of approximately ¼ acre in size. The subject parcels are zoned R-1, which allows the creation of ¼ acre lots in accordance with §25.302, which states:

For residential lots created after the adoption of this ordinance and containing or intended to contain only a single-family dwelling served by public water systems but having an individual sewage disposal system, the minimum lot area shall be one-quarter (1/4) acre.

All subdivisions must comply with the Town Code including Chapter 17-Subdivision of Land, Chapter 25-Zoning, Chapter 13-Public Utilities.

Process

Per Chapter 17, the subdivision process includes both a Preliminary and Final Plat Review and approval process.

The Planning Commission is responsible for review and approval of preliminary plats pursuant to §17.204.1 of the Code. In accordance with subparagraph C, the commission may approve, disapprove, or require modifications to a preliminary plat it deems advisable or necessary in the public interest.

Preliminary Plat Requirements

To assist the Commission with its review, staff has reviewed the plat for consistency with §17.301.1 Preliminary Plat Requirements and §17.301.2 Items to Accompany the Preliminary Plat and offers the following comments for its consideration. Underlined language indicates that the information has not been provided.

§17.301.1

H. Names of all adjoining property owners and the location of their common boundaries together with zoning classifications and including the proposed subdivision.

M. Location of existing buildings within the subdivision and within 200 feet thereof.

O. Topographical lines, existing and finished, as required for approval of drainage and sewer facilities at vertical intervals of a maximum of two (2) feet.

S. If the proposed subdivision consists of land acquired from more than one source of title, the outlines of the several tracts shall be shown by broken lines and identified. TM 13A-1-B-34 is not identified in the application or on the plat.

T. All water and sewer lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, quarries, strip mines, water courses, tree masses, rock outcrops, and other significant manmade or natural features within the proposed subdivision and within three hundred (300) feet from the boundaries of the proposed subdivision.

U. All existing streets, including streets of record, easements, and right-of-way, including names, right-of-way widths, pavement widths and approximate grades of such streets or rights-of-way on or abutting the tract.

V. Location of water supply, sanitary and/or storm sewers and other drainage facilities, with the size and material of each indicated, and any proposed connections with existing facilities. Extension of Public water is required

17.301.2 Items to Accompany Preliminary Plat

A. A tentative proposal for providing each building lot with a safe water supply and an adequate means of sewerage in conformance with Town and Health Department Standards. Public water required-no construction plans/No health Department approval for drainfields.

B. Preliminary plans and specifications of any streets or public parking areas that are included in the subdivision and any special treatment which will be required in their construction, including the drainage system which will be required and in conformance with the standards of the Town of Port Royal and the Virginia Department of Transportation. *Not applicable as proposed but required if variations/exceptions are not granted by Town Council.*

Final Plats

The Planning Commission reviews and approves the final plat pursuant to §17.206.1 prior to forwarding its action to Town Council, which has final approval authority pursuant to §17.206.2.

Final Plat Requirements

Staff has reviewed the plat for compliance with the Final Plat Requirements contained in §17.302 and offers the following comments for consideration by the Commission. Underlined language indicates that the information has not been provided.

§17.302 Final Plat Requirements

§17.302.2 The Final Plat shall be substantially in accordance with the Preliminary Plat (together with any changes or additions required by the Planning Commission as a requirement for its approval), except that a Final Plat may include all or any part of the area covered by the Preliminary Plat.

§17.302.4 The Final Plat shall also show the following details:

B. Location and dimensions of all lot and street lines and center lines of all streets, both within and adjoining the subdivision; names and widths of all streets; and boundaries of all easements, school sites, parks or other public areas.

§17.302.6 The Final Plat shall show or have appended to it an unexecuted copy of a proposed Certificate of Owner's Consent to Subdivision suitable for recording, containing a statement to the effect that the subdivision is with the free consent and in accordance with the desire of the owners, proprietors, trustees and lienholders thereof, as applicable, and setting forth in full all restrictive covenants, reservations and dedications applicable to the proposed subdivision.

§17.302.7 The Final Plat shall provide on the first sheet space for:

D. A 3 inch by 5-inch space for approval by the-Planning Commission and Town Council.

§17.302.8 Documents to Accompany Final Plat. When submitted to the Administrator, all Final Plats shall be accompanied by the following:

A. Water supply and sewerage facilities plan, acceptable and in conformity with standards of the Town of Port Royal and the Virginia Department of Health and Water Control Board, stating that each building lot will have a safe water supply and an adequate means of handling sewage.

B. Plans for all streets, street signs and drainage systems acceptable and in conformity with the standards of the Town of Port Royal.

D. An unexecuted copy of the proposed deed of dedication, accompanied by a certificate signed by the sub-divider and duly acknowledged before some officer authorized to take acknowledgements of deed, to the effect that this is a true copy of the proposed deed of dedication which will be presented for recordation. Said copy shall:

2. Contain language such that when the deed is recorded it shall operate to transfer in fee simple to the Town of Port Royal such portion of the platted premises as is on such Plat designated and set apart for public streets, alleys, or other public use and to grant such easements as are shown on such plat to create a public right of passage over same.

The subdivision plat shows 560 sq. ft. of right-of-way dedication to the Town at the intersection of Market Street and Back Street. Staff believes this dedication is useless to the Town and the Commission should require the plat to be revised to transfer the 560 sq. ft to the abutting property owner.

ARTICLE IV DESIGN STANDARDS Chapter 17 Subdivision

Staff offers the following comments on the proposed subdivision.

§17.402 Streets - Not Applicable as proposed, provided a variation/exception is granted by Town Council

§17.403 Lots

§17.403.1 The lot arrangement, design, and shape shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography, and conform to requirements of this Ordinance. Lots shall not contain peculiarly shaped elongations solely to provide necessary square footage of area which would be unusable for normal purposes.

Proposed Lot 1 does not meet this requirement. Lot 1, by definition, is a double frontage lot, requiring a front setback of fifteen (15) feet along both street lines. The required setback of 15 feet along King Street reduces the buildable area to a width of nineteen (19) feet for the construction of a single-family dwelling and does not qualify for a variance as a newly subdivided lot. Should approval be granted for this configuration, a note should be required on the final plat and/or a covenant/restriction, stating that no variance will be granted to the required setbacks and structures shall conform to the required setbacks.

§17.403.2 Excessive lot depth in relation to lot width shall be avoided: A ratio of depth to width of two to one shall be considered optimum.

Proposed lots 2-5 do not meet this standard, having ratios of approximately 4.47:1, 4.34:1, 4.34:1, and 3:1 respectively. The subdivision is designed to avoid the street construction standards/requirements for lots accessing King Street. While the design meets the minimum zoning requirements for the R-1 Zoning District, the lots do not meet this design standard for the creation of new lots, which must be met, unless a variation/exception is granted by Town Council pursuant to §17.704 of the Subdivision Ordinance.

It should be noted that subdivision of the existing parcels along the current boundaries provides the same lot yield with a lot layout without the design issues of 403.1 and 403.2, subject to Health Department approval. Such a design would require the construction of

King Street to the VDOT Subdivision Street Standards, which the applicant is attempting to avoid.

§17.403.6 Lot size - The Planning Commission shall require that tentative approval of the Health Department be submitted as a basis for evaluating the lot sizes of subdivisions dependent upon individual on-site water and/or sewer systems. The Town shall not approve any subdivision unless tentative approval from the Health Department is given on a lot-by-lot basis stating that the proposed lots have satisfactory sites for the proposed water and sewer systems at the proposed lot size.

Health Department approval has not been provided.

ARTICLE V REQUIRED IMPROVEMENTS

§17.501 Responsibility for Required Improvements

Subdivision plats shall conform to the requirements of this Ordinance. All improvements shall be installed at the cost of the developer. No person shall commence the construction of any required improvements without obtaining permits as required.

§17.506 Water Service

Public water service shall be extended to all lots within the subdivision by' the sub-divider or developer. The water facilities shall be in compliance with regulations of standard design criteria, standard specifications, and standard details for water mains for the Town of Port Royal and the Virginia Department of Health.

The applicant is proposing individual on-site wells, which are not allowed under this section, unless a variation/exception is granted by Town Council pursuant to §17.704 of the Subdivision Ordinance.

ARTICLE VII ADMINISTRATION

§17.704 Variations and Exceptions

§17.704.1 Where the sub-divider or developer can show that a provision of this Ordinance if strictly adhered to and where because of topographical or other conditions peculiar to the site would result in a hardship to him, the Town Council may vary, modify, or waive the requirements of this Ordinance when the intent of this Ordinance would be preserved, and the public interest secured.

§17.704.3 A petition for any variance shall be submitted in writing by the sub-divider at the time when the Preliminary Plat is filed for consideration. The petition shall state fully the grounds for the application and all the facts relied upon by the petitioner.

CHAPTER 13 PUBLIC FACILITIES

§13.103. Public system required for certain subdivisions. Editor's Note: As to Code of Virginia provisions regarding the authority of the Town to regulate water facilities in subdivisions, see § 3.1-299.

A. Any subdivision located within a primary growth area as designated by the Town's Comprehensive Plan and located within an R-1 Zoning District or any R, B or M Zoning District shall provide a central water system which conforms to the requirements of the Town Water Ordinance. Such central water system, upon completion and approval by the agent, shall be dedicated to the Town to be operated as a part of its public utility system.

B. Any subdivision located outside of a primary growth area as designated by the Town's Comprehensive Plan and located in any R-1, R-2, R-3 or greater Zoning District shall provide a central water system which conforms to the applicable requirements of the Town and federal governments. Subject to the approval of the Council, any central water system developed as part of an approved subdivision located outside a primary growth area and which conforms to the requirements of the Town Water Ordinance may be dedicated to the Town to be operated as a part of its public utility system.

C. Where a subdivision located within a primary growth area can be served by the extension of an existing privately owned central water system, such extension may be made in satisfaction of this requirement, provided that if such private system is acquired by the Town at a later date no charge may be assessed against the Town for the improvements made as part of such extension. Whenever the requirement for provision of a public water system is to be satisfied by this subsection, a contract between the owner of the private central water system and the Town shall be executed prior to final approval of the subdivision plan by the agent. Such contract shall assure the future ability of the Town to acquire the improvements made as a part of the extension without cost.

§13.104. Connection required.

A. Every occupied building located within the Town where the public water system is at the property line and no more distant than 400 feet from such occupied building shall be connected with such system. The owner or tenant occupying such building shall use the public system for water consumed or used in and about the premises on which such building is located, to the exclusion of all other sources.

B. This section shall not apply to occupied buildings utilizing private water systems on December 1, 1987; provided, however, that should it become necessary for the occupant to

replace, modify or alter, in any manner, a water source, such occupant shall connect to the public water system.

C. A violation of this section shall constitute a Class 1 misdemeanor.

Excerpt from Code of Port Royal [22 May 2024]

Please note that changes adopted by a joint meeting of the PC and TC are not in this version: dealing with mobile homes and manufactured housing.

ARTICLE III - RESIDENTIAL DISTRICT R-1 Statement of Intent This district is composed of certain quiet, low-density residential areas plus certain vacant areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district to promote and encourage a suitable environment for family life. Associated uses are envisioned, such uses to be of a character unlikely to develop concentrations of traffic, noise, crowds of customers or outdoor advertising. To these ends development is limited to single-family dwellings and individual mobile homes of not more than **four to the acre on individual lots of at least one-quarter (1/4) acre**. Certain additional uses are permitted such as schools, parks, churches and certain public and private facilities that do not detract from this low intensity residential use.

§25.300

Use Regulations Only one main building and its accessory buildings may be erected on any lot of record and/or lot created under provisions found in 3-4-1 herein in the residential district R-1. Structures to be erected or land to be used shall be for the following uses:

1. Single family dwellings
 2. Public and semi-public uses such as schools, churches, playgrounds and parks.
 3. Accessory buildings as defined; however, garages or other accessory buildings such as car ports, porches, and stoops attached to the main building shall be considered part of the main building. No accessory building may be closer than three (3) feet to any property line.
 4. Public utilities: poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewer facilities.
- §25.301 Permitted by Special Use Permits The following uses are permitted when authorized by the Town Council of Port Royal after a recommendation from the Planning Commission.
1. Professional offices such as but not limited to medical, dental, legal, engineering and architectural conducted within a dwelling by the occupant.
 2. Tourist homes.
 3. Family care homes
 4. Home occupations conducted by the occupants.
 5. Signs as follows: 1.

Signs to advertise the sale or rent of the premises upon which the sign is erected up to six (6) square feet in total area. 2. Church bulletin boards, up to thirty (30) square feet in total area. 3. Directional signs up to two (2) square feet in total area. 4. Home Occupation signs up to four (4) square feet in total area. 5. Illumination of all signs shall be indirect, with the light source shielded from direct view.

146 §25.302 Area regulations.

1. For residential lots created after the adoption of this ordinance, and containing or intended to contain only a single-family dwelling served by public water systems but having an individual sewage disposal system, the **minimum lot area shall be one-quarter (1/4) acre.**

2. All pre-existing lots legally created prior to the adoption of this ordinance are hereby considered approved.

§25.303 Setback regulations

1. A new structure shall be set back from the property line a distance of at least fifteen (15) feet. The setback of pre-existing structures is considered to be appropriate and approved. 2. Frontage Regulations: fifteen (15) feet.

2. §25.304 Yard Regulations 1. **Side. A minimum of five (5) feet of space shall be left from the side lot line to appropriately maintain the structure.** 2. **Rear. A new structure shall be set back at least fifteen (3) feet from the rear property line. The rear yard of pre-existing structures is considered appropriate and approved.**

§25.305 Height Regulations

Buildings may be erected up to thirty-five feet in height, except that: 1. Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flag poles, television antennae, and radio aerials are exempt from these regulations. 2. No accessory building which is within twenty (20) **feet of y party lot line** shall be more than one (1) story height. All accessory buildings shall be less than the main building in height.