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Administrator

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Administrative Assistant/  
Deputy Clerk

DEBRA K. McCANN  
Director of Finance and  
Human Resources

May 30, 2013

To: Chairman and Members, Nelson County Planning Commission  
From: S. A. Carter, County Administrator *SAC*  
Re: Nelson County Zoning Ordinance (Zoning Fees Referral to Planning Commission)

Transmitted herewith is the Board of Supervisors Resolution R2013-34, which the Board approved in public session on May 23, 2013 to refer proposed fee amendments (increases), pertinent to the Nelson County Zoning Ordinance, to the Nelson County Planning Commission for review and subsequent recommendation to the Board of Supervisors in accordance with and pursuant to the provisions of §15.2-2285 of the Code of Virginia

Briefly, Messrs. Padalino and Massie from the Department of Planning and Zoning completed a comparative report of Nelson County's current land use fees (zoning and subdivision) in relation to those presently established by local government members of the Thomas Jefferson Planning District Commission and the Regional 2000 Local Government Council and those of other localities that are contiguous to Nelson County. This report (which Mr. Padalino will provide to the Commission for its review) was presented to and reviewed by the Board and is the basis of the Board's decision to refer this matter to the Commission.

Please advise should the Commission or staff require further input on the subject of this communication. The Commission's assistance and cooperation with the Board's referrals is appreciated.

Cc: Board of Supervisors  
Tim Padalino, Director, Planning and Zoning  
C. McGarry, Deputy Clerk  
Subject File

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**RESOLUTION R2013-34**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**REFERRAL OF AMENDMENT TO NELSON COUNTY ZONING ORDINANCE**  
**TO NELSON COUNTY PLANNING COMMISSION**  
**(ZONING FEES)**

**WHEREAS**, the Nelson County Board of Supervisors (the Board) has received and reviewed in public session conducted on May14, 2013 a staff report on the fees presently approved for use in the administration of Appendix A-Zoning (Nelson County Zoning Ordinance) of the Code of the County of Nelson, Virginia; and,

**WHEREAS**, the staff report found that the present fees applicable to Appendix A- Zoning are considerably less than the actual expenses incurred by Nelson County in the administration and processing of zoning applications for which payment of a fee is required; and,

**WHEREAS**, the Board finds that the present zoning fees should be considered for amendment to address in part the inadequacy of these fees with respect to the actual expenses incurred by the County to administer and process applications pursuant to Appendix A-Zoning.

**NOW, THEREFORE, BE IT RESOLVED** by the Nelson County Board of Supervisors, pursuant to the applicable provisions of Chapter 22, Planning, Subdivision of Land and Zoning of the Code of Virginia, 1950 with specific reference to §15.2-2285 of said Code, that amendment of Nelson County's present zoning fee(s) schedule be referred to the Nelson County Planning Commission for review and to report the Commission's findings and recommendations to the Board in accordance with Chapter 22 of the Code of Virginia.

**BE IT FURTHER RESOLVED**, by the Board of Supervisors that the Board herewith requests that the Nelson County Planning Commission limit its review to the following fees and also limit adjustments to these fees as proposed herein below unless the Commission should determine that additional recommendations to the Board are necessary:

<u>Fee Type</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Special Use Permit	\$45	\$200
Rezoning	\$25	\$300
Variance	\$25	\$150
Appeal	\$25	\$150

**LASTLY, BE IT RESOLVED** by the Board of Supervisors that the Nelson County Planning Commission's ensuing report on the Board's request herein also encompass an amendment to Appendix A-Zoning of the Code of the Count of Nelson, VA to provide for the establishment of a complete schedule of fees (current and as may be amended) within said Appendix A – Zoning.

Approved: May 23, 2013

Attest: , Clerk  
Nelson County Board of Supervisors