



Minutes
Essex County Planning Commission
Regular Meeting
March 3, 2026

A regular meeting of the Essex County Planning Commission was held on March 3, 2026, at the Essex County School Board Office, Tappahannock, Virginia.

Present:

David Jones – Chairman
Angelo Stevens, Jr – Vice Chairman
Bobbie Todd
Stephen Walters
Lou Spencer

Absent:

Wright Andrews

Also present:

Brian Barnes – Director of Building & Zoning
Kelly McKnight – Building and Zoning Office Manager
Tim Smith

CALL TO ORDER

Chairman David Jones called the Essex County Planning Commission meeting to order at 7:00 PM.

ROLL CALL

Chairman Jones asked Ms. McKnight to call the roll. A quorum was met.

MEETING AGENDA

Chairman Jones asked if any changes needed to be made to the agenda? Commissioner Lou Spencer made a motion that we move the McKinley Properties case under Public Hearing to be

heard first instead of last. Seconded by Commissioner Bobbi Todd. AYES: 5 NAYES: 0
ABSENT: 1

APPROVAL OF MINUTES

Chairman Jones asked if there were any additions or corrections that needed to be made to the February 3, 2026, minutes? Commissioner Spencer made a motion that we approve the minutes of the regular meeting held February 3, 2026. Seconded by Commissioner Todd. AYES: 5
NAYES: 0 ABSENT: 1

PUBLIC COMMENT

Mr. Woodie Walker, the Executive Director of the Economic Development Authority came forward to make comments. He said that the EDA is going to have their joint subcommittee meeting on March 12, 2026 from 3 to 5 pm in the school board office.

Mr. Walker stated that he has been working with VEDP (Virginia Economic Development Partnership). He said they do a lot of things in our economy that produce things. He is pursuing two grant opportunities, and he will speak more about that at the meeting on March 12, 2026.

Mr. Walker also discussed workforce housing. Mr. Walker sees an opportunity for the EDA to work with Habitat for Humanity. He said that they have some good programs that target first responders and school teachers to try to put them in housing.

PUBLIC HEARING

1. McKinley Properties, LLC, owner c/o J.L. Howeth, PC, agent, requests a change of zoning district classification on two adjacent and contiguous parcels from **B-1, Local Business, Development Service** Land Use District, to **R-3, Medium Density Residential, Development Service** Land Use District pursuant to Article III, Division 3, section 36.110, of the Essex County Zoning Ordinance in order to pursue residential development consistent with section 36.225 table 36.5, R-3 District Requirements- Single Family Residential and Non-Residential Use. The intended density for this district is a maximum of 4.14 parcels per acre. Located on a 1.7 acre +/- and a 1.38 +/- acre parcel, respectively, Tax Map # 36-10-9 and 36-10-10, located off VSH 708, Hospital Road, within the Central Voting District.

Commissioner Spencer made a motion to open up the public hearing portion. Seconded by Vice Chairman Stevens. AYES: 5 NAYES: 0 ABSENT: 1

Adjacent property owner Sandra Madren came forward. She said that she didn't know anything about the proffers until today. Below is the letter that she read:

MARCH 3, 2026

THANK YOU FOR YOUR TIME THIS EVENING

MY NAME IS SANDRA MADREN.

MY HUSBAND AND I OPPOSE THE REQUESTED ZONING CHANGE FROM B-1 TO R-3 ON PARCELS 36-10-09 AND 36-10-10

WE HAVE LIVED AT 283 BLACK GUM COURT (36B11/36B12) FOR 43 YEARS.

DURING THOSE 43 YEARS WE HAVE ENJOYED A QUIET AND PEACEFUL NEIGHBORHOOD WITH ONLY THREE OTHER NEIGHBORS, ONE BEING THE URGENT CARE (AND ASSOCIATED OFFICES), FOR CLOSE TO HALF OF THOSE 43 YEARS . THE URGENT CARE IS A GREAT NEIGHBOR AS THE ONLY ACTIVITY IS DURING BUSINESS HOURS.

ACCORDING TO THE ESSEX COUNTY ZONING CLASSIFICATION R-3 WOULD ALLOW A WIDE RANGE OF DWELLINGS INCLUDING MULTI-FAMILY

TONIGHT A PROPOSAL IS BEING PRESENTED FOR A MINOR SUBDIVISION. THIS IN ITSELF, HAS THE POTENTIAL TO GREATLY IMPACT OUR PROPERTY, AS WELL AS THE SERENITY OF OUR NEIGHBORHOOD.

THIS IS JUST A PROPOSAL, OUR REAL CONCERN IS THAT CHANGING THE ZONING TO R-3 COULD RESULT IN A DIFFERENT CONSTRUCTION PROJECT EITHER BY THIS DEVELOPER OR ANOTHER DEVELOPER WERE THE PROPERTY TO BE SOLD. FOR INSTANCE, CLASSIFYING THE PROPERTY AS R-3, WOULD PERMIT MULTIFAMILY DWELLING SUCH AS AN APARTMENT COMPLEX THAT WOULD BE CATASTROPHIC TO THE SERENITY OF OUR NEIGHBORHOOD AND OUR PROPERTY VALUE. THANK YOU IN ADVANCE FOR YOUR SERIOUS CONSIDERATION OF THE IMPACT OF THIS ZONING CHANGE.

SANDRA AND TOM MADREN
283 BLACK GUM COURT
P.O. BOX 684
TAPPAHANNOCK, VIRGINIA

gramsmadren@gmail.com 804-445-3423

tommadren@gmail.com 804-445-3424

Commissioner Todd asked Mrs. Madren since there are now proffers and the proffers state only single-family homes and that the proffers will stay with the lots, will that change your objection?

Mrs. Madren said that the problem is with the R-3 and what it allows. The biggest objection for her was that it allowed for multifamily homes. She said that she hasn't seen the proffers, and she didn't know anything about it.

Mr. Howard Byrd from 248 Black Gum Court came forward to speak. Mr. Byrd said that he has seen the proffers and he doesn't have a problem with five homes being built there. His problem is with R-3. He is also concerned with the drainage and the runoff once the construction begins.

Bernadette Byrd came forward and she wanted to know from where her road is what would the setback be to where they will start building?

Mr. Jeff Howeth said that would be their side yard setback.

Commissioner Spencer made a motion to come out of the public input part of the hearing. Seconded by Commissioner Todd. AYES: 5 NAYES: 0 ABSENT: 1

Commissioner Spencer made a motion to recommend approval to the Board of Supervisors of the McKinley Properties, LLC, owner c/o J.L. Howeth, PC, agent, requests a change of zoning district classification on two adjacent and contiguous parcels from **B-1, Local Business, Development Service** Land Use District, to **R-3, Medium Density Residential, Development Service** Land Use District pursuant to Article III, Division 3, section 36.110, of the Essex County Zoning Ordinance in order to pursue residential development consistent with section 36.225 table 36.5, R-3 District Requirements- Single Family Residential and Non-Residential Use. The intended density for this district is a maximum of 4.14 parcels per acre. Located on a 1.7 acre +- and a 1.38 +- acre parcel, respectively, Tax Map # 36-10-9 and 36-10-10, located off VSH 708 within the central voting district with proffers as indicated on the J. L Howeth dated March 2, 2026 which says we wish to offer the following proffers regarding the rezoning request of the above reference property from B-1 to R-3. Number 1. The Applicant and Owner proffer that a maximum of five (5) parcels shall be created with this proposed rezoning. The Applicant and Owner proffer that the only proposed use of the parcels shall be for single family residential development only. Signed by Timothy McKinley, Four Oaks Construction, LLC and Timothy McKinley, McKinley Properties, LC and sincerely Jeff Howeth.

Letter is shown below:

J. L. Howeth L.C.

1019 Elm Street
Tappahannock, Virginia 22560
804-443-6367

9408 King's Highway
King George, Virginia 22485
540-775-5585

2833 Cople Highway
Montross, Virginia 22520
804-493-9066 / 804-493-1333

March 2, 2026

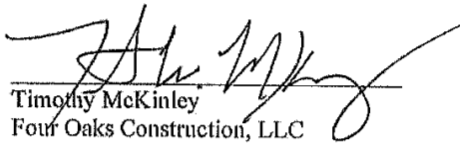
Mr. Brian Barnes, Director of Community Development
Essex County
202 South Church Lane
Tappahannock, Virginia 22560

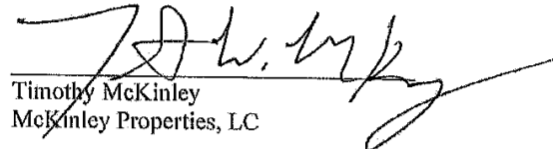
Dear Mr. Barnes:

On behalf of Mr. Timothy McKinley of Four Oaks Construction, LLC as Applicant and McKinley Properties, LC as Owner of Tax Map 36 ((10)), Parcels 9 and 10, we wish to offer the following proffers regarding the rezoning request of the above referenced property from B-1 to R-3:

1. The Applicant and Owner proffer that a maximum of five (5) parcels shall be created with this proposed rezoning.
2. The Applicant and Owner proffer that the only proposed use of the parcels shall be for single family residential development only.

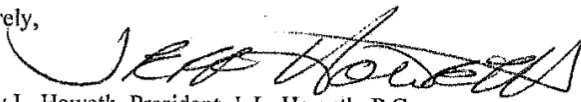
"Each proffer made in connection with this application for rezoning was made voluntarily and complies with applicable law. No agent of the County has suggested or demanded a proffer that is unreasonable under applicable law."


Timothy McKinley
Four Oaks Construction, LLC


Timothy McKinley
McKinley Properties, LC

We trust that the above information adequately addresses the proffer requirements as contained in Section 36.126 of the current Essex County Zoning and Subdivision Ordinance. As always, we remain available to provide further information as may be requested.

Sincerely,


Jeffrey L. Howeth, President, J. L. Howeth, P.C.
Virginia Licensed Professional Engineer
Virginia Licensed Land Surveyor
Nationally Certified Floodplain Manager
Virginia Dual Combined Administrator ES&C and SWM
Virginia Certified Zoning Administrator

Seconded by Commissioner Todd. AYES: 5 NAYES: 0 ABSENT: 1

2. A public hearing for the consideration of ordinance amendment to the **Essex County Zoning Ordinance**, Article VI, Division 7, Section 36.400, *Broadcasting or Communication Tower*, increasing the tower height limit currently at 125' to a maximum height of 200' or higher height if approved by Conditional Use Permit (Section 36.400(d)) a text amendment allowing the positioning of a tower between the primary structure and the street if approved by the Board of Supervisors in Conditional Use Permit process (Section 36.400(f)(3)) and a text amendment to amend the bond language requiring Board of Supervisors and county attorney approval (Section 36.400 (p)).

Commissioner Spencer made a motion to open the public hearing. Seconded by Commissioner Todd. AYES: 5 NAYES: 0 ABSENT: 1

No one from the public requested to speak.

Commissioner Spencer made a motion to come out of the public hearing. Seconded by Commissioner Todd. AYES: 5 NAYES: 0 ABSENT: 1

Commissioner Spencer made a motion that we adopt the ordinance amendment to the **Essex County Zoning Ordinance**, Article VI, Division 7, Section 36.400, *Broadcasting or Communication Tower*, increasing the tower height limit currently at 125' to a maximum height of 200' as indicated. Seconded by Commissioner Stevens. AYES: 5 NAYES: 0 ABSENT: 1

3. Edit and Update to Section Six of the **Essex County Comprehensive Plan, Transportation**, as required by § 15.2-2230, Code of Virginia. Consideration of a recommendation for approval and adoption of the edits into the Essex County Comprehensive Plan, which is found within the static text document together with the interpretive tool, *Story Map, Transportation*, featuring maps and links intended to take the reader into further resources for informational purposes.

Commissioner Spencer made a motion to go into public hearing. Seconded by Commissioner Todd. AYES: 5 NAYES: 0 ABSENT: 1

No comments made.

Commissioner Todd made a motion to come out of public hearing. Seconded by Commissioner Spencer. AYES: 5 NAYES: 0 ABSENT: 1

Commissioner Todd made a motion to adopt Edit and Update to Section Six of the **Essex County Comprehensive Plan, Transportation**, as required by § 15.2-2230, Code of Virginia. Consideration of a recommendation for approval and adoption of the edits into the Essex County Comprehensive Plan, which is found within the static text document together with the interpretive tool, *Story Map, Transportation*, featuring maps and links intended to take the reader into further resources for informational purposes. Seconded by Vice Chairman Stevens. AYES: 5 NAYES: 0 ABSENT: 1

PUBLIC MEETING

a. Review and discussion of possible edits to the Essex County Comprehensive Plan

Mr. Brian Barnes passed out the next section for the Planning Commission to review, which is the Economic Development Section. Carlos made a suggestions to have a meeting with the public on a Saturday to get the public’s input.

b. Continuing review of recommendation for Essex County Industrial Park Infrastructure

Did not discuss

c. Review of possible upcoming ordinance updates and edits

Did not discuss

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURN

Commissioner Spencer made a motion to adjourn the meeting, Seconded by Commissioner Todd. AYES : 5 NAYES: 0 ABSENT: 1 Meeting adjourned at 8:45 PM.

David Jones – Chairman

*This meeting has been recorded and is available for more in-depth details.