

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
June 14, 2016**

The Henrico County Board of Supervisors convened a special meeting on Tuesday, June 14, 2016, at 5:45 p.m., in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

Members of the Board Present:

Tyrone E. Nelson, Chairman, Varina District
Richard W. Glover, Vice Chairman, Brookland District
Thomas M. Branin, Three Chopt District
Patricia S. O'Bannon, Tuckahoe District

Member of the Board Absent:

Frank J. Thornton, Fairfield District

Other Officials Present:

John A. Vithoukias, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Joseph T. Tokarz, II, Deputy County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Tanya B. Harding, Administrative Assistant/Deputy Clerk to the Board
Joseph P. Casey, Ph.D., Deputy County Manager for Administration
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
Douglas A. Middleton, Deputy County Manager for Public Safety
Randall R. Silber, Deputy County Manager for Community Development
W. Brandon Hinton, Assistant Deputy County Manager for Community Services
C. Michael Schnurman, Jr., Legislative Liaison
Tamra R. McKinney, Director of Public Relations & Media Services
Benjamin A. Shepard, Television & Media Services Manager

Mr. Nelson called the meeting to order at 5:48 p.m.

The Board recessed for dinner at 5:48 p.m. and reconvened at 5:56 p.m.

Mr. Vithoukias briefly reviewed the items on the special meeting agenda and noted the Board and staff were operating under a tight timeframe.

2016 Legislation Requiring Designation of Freedom of Information Act (FOIA) Officer and Posting of FOIA Rights and Responsibilities

Mr. Vithoukas recognized Mr. Rapisarda, who explained the legislative history of House Bill 818. The Virginia General Assembly approved this legislation on April 16 and it will become effective on July 1. Mr. Rapisarda reviewed the requirements imposed by the legislation on localities, which include designation and public identification of a FOIA officer, posting a link to information on FOIA rights and responsibilities on the homepage of the locality's website, and making such information available to the public upon request. Mr. Rapisarda pointed out the County's website contained a link to FOIA rights and responsibilities prior to the General Assembly enacting HB 818. Staff will review the information that the County must post to make sure all of it is included on the County's website. In addition, the County Manager will designate the FOIA officer before July 1, as required by HB 818. Mr. Rapisarda and Mr. Vithoukas responded to questions from Mr. Nelson and Mr. Glover regarding the cost to citizens of obtaining information provided by the County pursuant to FOIA requests.

County Website update

Mr. Vithoukas recognized Jonathan Lumpkin, Information Technology Manager I for Web Development, who gave a demonstration of the redesigned website the County launched on May 17. Mr. Lumpkin noted the website currently has about 25,000 hits per day with approximately 40 percent of its users accessing the site from mobile devices. The Department of Information Technology began working with County agencies and researching other localities this past year to develop a more service-oriented approach to the website and a visual overhaul. Mr. Lumpkin reviewed the site's layout, new FOIA link, and other features, including mega menus and data organization. He responded to questions from Mr. Nelson concerning mobile access.

Proposed Ordinance Amendment Relating to Front Porches on Dwellings

Mr. Vithoukas recognized Ben Blankinship, Principal Planner, who narrated a slide presentation on this item. Mr. Blankinship explained that in many cases, especially in older subdivisions, adding a front porch to an existing dwelling could improve a neighborhood's appearance and increase property values. If a dwelling was built at or near the property setback line, however, a front porch might not be allowed under the County's zoning ordinance. Mr. Blankinship shared a recent example on Rockwood Road where the owner renovated his dwelling and added a new front porch. When the owner sold to new owners, the closing documents revealed a setback violation in the front yard. Mr. Blankinship provided background information on the property and why the Board of Zoning Appeals (BZA) denied a variance. He also reviewed the statutory and judicial standards for variances in cases where the applicant for the variance created the hardship and documented situations countywide where newly constructed front porches on existing homes violate the zoning ordinance's setback requirements.

Mr. Blankinship offered a proposed solution that would allow front porches by a conditional use permit similar to the way the Board amended the ordinance in 2006 for pools and

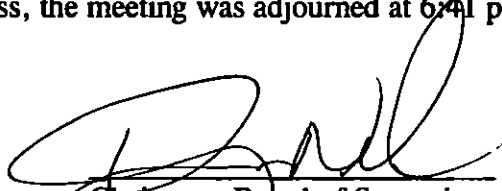
accessory structures. He suggested the appropriate steps for further consideration of this matter would include a resolution from the Planning Commission requesting that staff study the issue. Once staff has completed the study and prepared a draft amendment, the Planning Commission and Board would each discuss the proposal and hold a public hearing.

Following his presentation, Mr. Blankinship and Mr. Emerson responded to questions and comments by the Board pertaining to the status of the porch on the Rockwood Road house, the extent of the problem countywide, and the propriety of having conditional use permits for these types of uses considered by the BZA. In response to questions raised by members of the Board, Mr. Vithoukas suggested staff look at a proposed amendment that would place authority for granting conditional use permits for front porches with the Board of Supervisors rather than the BZA. The Planning Commission would review requests for conditional use permits and make recommendations to the Board.

Regular Meeting Agenda Items

Mr. Vithoukas briefly reviewed the agenda for the 7:00 p.m. regular meeting, including two comments by the Manager and two by members of the Board of Supervisors. He noted there were two zoning cases and one provisional use permit request on the agenda and the applicant for two of these items was requesting a deferral. Mr. Vithoukas and Mr. Rapisarda elaborated on the third of three additional public hearing items that would amend the County Code to loosen requirements for taxicab companies. Mr. Vithoukas advised the Board that a number of taxicab owners or operators would be in attendance for the discussion of and hearing on this item. He further advised that Assistant County Attorney Newby, Police Chief Humberto Cardounel, and Mr. Middleton would help answer any questions that might arise. Mr. Vithoukas mentioned that one individual wished to address the Board during the public comment period regarding a citation she received for a zoning violation. He then covered the four items listed on the general agenda and identified the five questions that would be contained in the proposed general obligation bond referendum should the Board approve the resolution to initiate it. He thanked Mr. Middleton and Mr. Tokarz for their efforts on the public safety land mobile radio system contract that the Board would be considering for award to Motorola Solutions, Inc.

There being no further business, the meeting was adjourned at 6:41 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia