

“Free speech” recommended by planning commission

By Greg Pearson
STAFF WRITER

By a narrow margin, the Chesterfield Planning Commission has recommended that the Board of Supervisors not amend a county sign ordinance that would limit non-commercial signs in agricultural and residential areas. The amendment, which has been requested by the county attorney's office, proposes limiting signs on private property to no larger than eight square feet and no taller than five feet. The amendment would apply to all signs regardless of whether they are educational in nature. The current ordinance only places size restrictions on those signs that are deemed educational.

At its Nov. 16 meeting, the planning commission voted 2-1 with one abstention to oppose the amendment. Commissioners Dan

Gecker and Wayne Bass voted against the amendment while Sherman Litton was for it. Dale Commissioner Jack Wilson abstained, and Clover Hill Commissioner Russ Gully was absent.

“Wayne and I were in favor of free speech,” said Gecker simply.

The proposed change is nicknamed the “Slugger amendment” after C.L. “Slugger” Morrisette, a persistent and outspoken critic of the board and county government, who has posted at least two different signs on his private property criticizing the county administrator and several supervisors by name. The county attorney's office acknowledged that the amendment, if approved, would make the sign currently on Morrisette's Beach Road property illegal.

The county attorney's office previously issued a summons to Morrisette for violat-

ing Chesterfield's sign ordinance, because his signs were 32 square feet, and the sign ordinance prohibited signs larger than eight square feet.

However, Chesterfield Circuit Court Judge Cleo E. Powell dismissed the summons and \$100 fine against Morrisette a few months ago, saying the signs “have not been proven to be educational and, therefore, do not fall within the prohibition of [the current] code.”

Powell's decision didn't address the issue of free speech. Morrisette continues to insist that the issue is freedom of speech, and he has a constitutional right to inform those who pass by his property.

Following Powell's decision, the county attorney's office began reviewing possible amendments to the ordinance. The county board may vote on the amendment as early as next month.

Procedures change

Following a public hearing, the commission changed its operating procedures and removed the self-imposed limit of hearing no more than 15 zoning cases per meeting. Planning Director Kirk Turner and other staff members had urged the action because they believe applicants are filing cases before they are ready “to reserve their place in line” on the commission's agenda.

The 15-case maximum was causing many cases to be deferred because some zoning details had not been ironed out. Nine zoning cases were deferred at the Nov. 16 meeting.

The change in procedures also increases the amount of time a leader of an organized group has to speak during a public hearing. The new limit is five minutes, an increase of two minutes.

More townhouses rejected for Midlothian Town Center

By Greg Pearson
STAFF WRITER

The Chesterfield Planning Commission is not recommending swapping commercial development for more townhouses at Midlothian Town Center, a New Urbanism project approved earlier this year in the northwest quadrant of Winterfield Road and Midlothian Turnpike in the village of Midlothian. Changes to the earlier rezoning require going through the county approval process. During the commission's Nov. 16 meeting, nearly everyone wanted the revised rezoning deferred except the applicant, Wintervest, LLC.

Even attorney Will Shewmake, who represents the applicant, was surprised to learn

the case would proceed and not be deferred. Amy Satterfield, executive director for the Village of Midlothian Volunteer Coalition, said there were unresolved issues, and asked for a deferral for “an opportunity to make it a better case.”

Midlothian Planning Commissioner Dan Gecker opposed the revision, saying that the retail section was being scaled back because the Watkins Centre was cornering the market on big box retailers. He and Matoaca Commissioner Wayne Bass voted against recommending the case to the county board for approval. Commissioners Jack Wilson and Sherman Litton abstained, saying there wasn't enough information to vote on the case.

The staff handout had only one page of

review and a map of the area, far less than usual.

The board could send the rezoning revision back to the commission.

Though a brief presentation was made by a new consultant, county planners want to know more about lot sizes, setbacks and the impacts on capital facilities and transportation. The new plan “better integrated retail, office and residential,” said the consultant, and a hotel site is possible. The additional residential would proffer the county's current maximum of \$15,600 per unit for county services.

“We shouldn't be swapping retail for more residential,” insisted Gecker. “If changes are permitted, it sends the wrong message.”

Gecker also opposed the rezoning because

a 23-acre parcel adjacent on the north side of Midlothian Town Center had been approved for 134 multifamily units as a “companion rezoning” last February.

Electronic sign recommended

Though the county planning department wanted to enforce Chesterfield's existing guidelines on electronic message boards, the commission voted 4-0 to recommend approval of a conditional use permit for Robious Sports & Fitness.

If approved by the board, the message center would be above the existing sign at Center View Drive and Koger Center Boulevard. The facility wants to run four lines of message copy in four colors. County policy limits copy to two lines using white or yellow lettering.

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