

## **TOWN OF WINDSOR**

P. O. Box 307

8 East Windsor Boulevard

Windsor, Virginia 23487

Phone 757-242-4288 E-Mail [Windsor@windsor-va.gov](mailto:Windsor@windsor-va.gov)

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### **PLANNING COMMISSION WORK SESSION**

**July 23, 2025 – 6:00 p.m. Town Hall**

#### **MEETING AGENDA**

- 1) Call to Order
    - a) Welcome
    - b) Roll Call and Determination of Quorum
  - 2) Work session to discuss a proposed zoning map amendment for the rezoning of property located on Old Suffolk Road, identified as Tax Parcel #54-01-073, from A-1 Agricultural to LDR Low Density Residential.
  - 3) Motion to Adjourn Work Session
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### **PLANNING COMMISSION REGULAR MEETING**

**July 23, 2025 – 7:00 p.m. Town Hall**

#### **MEETING AGENDA**

- 1) Call to Order
  - c) Welcome
  - d) Roll Call and Determination of Quorum
- 2) Approval of the Minutes of the May 28, 2025, Planning Commission meeting
- 3) Public Comments
- 4) Public Hearing
  - a) The Commission will hold a public hearing and consider a proposed chicken ordinance, which would allow chickens in residential zoning districts, subject to conditions.
    - Open Public Hearing
    - Close Public Hearing
    - Consideration/Recommendation
- 5) Unfinished Business - none
- 6) Town Attorney's Report
- 7) Economic Development Report
- 8) New Business - none
- 9) Next Regular Meeting Date: August 27, 2025
- 10) Motion to Adjourn





S. Grey Folkes, Jr., P.E.  
Stuart W. Bonnell, P.E.  
Lynn Evans, L.S.

T. Ray Hassell, III, L.S.  
(1932-1984)  
Stradford G. Folkes, P.E.  
(1927-2007)  
Leigh Anne Folkes, P.E.  
(retired)

May 13, 2025

Maxie Brown  
PLANNING AND ZONING DEPARTMENT  
Town of Windsor  
8 East Windsor Boulevard  
P.O. Box 307  
Windsor, VA 23487  
Via email at: [mbrown@windsor-va.gov](mailto:mbrown@windsor-va.gov)

Reference: Old Suffolk Road  
Proposed Zoning Map Amendment for the  
Rezoning of 11356 Old Suffolk Road

Dear Maxie Brown:

Please accept this **REVISED cover letter** on behalf of Mr. Joe Benton and the above-referenced proposed zoning map amendment to rezone the Town of Windsor portion of 11356 Old Suffolk Road, Parcel ID: 584-01-073 from A-1 to LDR.

Enclosed please find the rendered rezoning exhibit.

The following is proposed:

- 1.) 14 lots of 60,000 square feet (minimum)
- 2.) 25' Right-of-Way grant from center of line of road (during the detailed subdivision plan, legal research would be completed to determine if the roadway is a prescriptive easement or a fee right-of-way)
- 3.) 5' min. width Frontage sidewalk
- 4.) All residences would have architectural shingles and vertical and horizontal siding
- 5.) Stone and/or brick façade options would be available
- 6.) The community would consist of both one- and two-story dwellings
- 7.) All houses would be sized from 2,000 – 3,000 square feet of building area

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,  
HASSELL & FOLKES, P.C.

Stuart W. Bonnell, P.E.  
President  
Swb





Mr. Arnold Lapid, P.E.  
DEPARTMENT OF DEVELOPMENT AND PERMITS  
June 12, 2018

Page 2 of 2

Reference: Sumitomo Drive Technologies  
Construction Site Plan AC-184018-00

Enc.















# TOWN OF WINDSOR

Zoning Map Amendment



Planning and Zoning  
Administrator  
(757)242-4288

Established 1902

**East Coast Development Group, Inc**

**7576335864**

Property Owner(s) \_\_\_\_\_ Owners Ph.# \_\_\_\_\_

Owners Mailing Address **1409 Paul Eason Dr, Chesapeake, VA**  
**23322**

Applicant (if different from Owner) \_\_\_\_\_ Ph.# \_\_\_\_\_  
**eastcoastconstruction05@gmail.com**

E-Mail \_\_\_\_\_

Agent-Correspondence should be sent to \_\_\_\_\_

Address/location of Subject Property \_\_\_\_\_

Tax Map Number **54-01-073** Proposed Zoning District **LDR** Present Zoning District **A-1**  
**211.1**

Parcel Size **67,341; 72,828** Street Frontage \_\_\_\_\_

**78,535; 84,250; 90,074; 95,040; 96,549; 149,067**

Are there proffered conditions with this rezoning (if so please submit an original set of proffers signed by the owner). Yes \_\_\_\_\_ No **X**

Purpose of this Zoning Map Amendment **Rezone to 14 lots**  
\_\_\_\_\_  
(If more room is needed – refer to and write a narrative and attach to this application)

Is this request in general accord with the current Town of Windsor Comprehensive Plan? **Yes**

If no, is a Comprehensive Plan revision being submitted concurrently with this application?  
(Please submit a siteplan of the proposed rezoning including any new structures, streets, driveways and any other amenities that are present or to be constructed on the property, including structures or streets/driveways to be removed or moved. An application is not considered to be complete without such a siteplan). **N/a**

Are there structures on the property, and if yes, will they be re-used or removed? \_\_\_\_\_

If the property is vacant or if new structures are envisioned, what types (and sizes) of structures and how many such structures will be constructed if this property is rezoned (please provide what the proposed structures will look like? **Provided via email**

**N/a**

Number of Parking Spaces Required and how many are being provided? \_\_\_\_\_

**No**

Are there Chesapeake Bay Resource Protection Areas on the property? \_\_\_\_\_



Was a Traffic Impact Analysis (TIA) required for this Request? NO If yes, has the Virginia Department of Transportation (VDOT) approved it?

(If not, the application cannot proceed until this review is completed) (Please include a copy of the TIA and VDOT's response with this application and provide an explanation of how VDOT's comments are being addressed.)

Are there adequate water and sewer facilities to serve the proposed use that would follow this rezoning (if not, how will these facilities be provided)? Water is available. Septic systems will be installed

What are the properties zoned and what is the use of the properties on the property adjacent to the subject property?

NORTH- Zoning LDR + R1 + A1

Use(s) Residential + Vacant

SOUTH- Zoning LDR + Public

Use(s) Residential + vacant + Railroad

EAST- Zoning RAC

Use(s) Norfolk City

WEST- Zoning LDR + R1 + Public

Use(s) Residential

I/WE HAVE READ THIS COMPLETED APPLICATION, UNDERSTAND ITS INTENT AND FREELY CONSENT TO ITS FILING. THE INFORMATION PROVIDED IS ACCURATE TO THE BEST OF MY/OUR KNOWLEDGE. I UNDERSTAND THAT THE TOWN MAY APPROVE OR DENY THE REQUEST FOR WHICH I AM APPLYING. FURTHERMORE, I GRANT PERMISSION TO THE PERSONNEL OF THE TOWN AND OTHER AGENTS OF THE TOWN OF WINDSOR AND ANY OTHER AUTHORIZED GOVERNMENT AGENCY TO ENTER THE PROPERTY AND MAKE SUCH INVESTIGATIONS AS THEY DEEM NECESSARY TO EVALUATE THE REQUEST.

Name Joe Burton  
(Print)

J Burton  
Signature (Applicant)

(owner / contract purchaser / authorized agent - please circle one) Date

NOTARY: COUNTY OF Isle of Wight STATE OF Virginia  
Subscribed and sworn to me on the 22 day of April, of the year 2005.  
My Commission expires on 11/21/2006, Notary Public Signature: Mary J Lowe

STAFF USE ONLY - DO NOT WRITE IN THIS AREA

Fee Paid \_\_\_\_\_ Date \_\_\_\_\_ Accepted by \_\_\_\_\_ Signature \_\_\_\_\_

Comments \_\_\_\_\_







**MINUTES OF THE PLANNING COMMISSION – WINDSOR, VIRGINIA**

The Planning Commission met on Wednesday, May 28, 2025, at 7:00pm in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Chairman Marshall called the meeting to order and welcomed those in attendance. Kelly Kuhns, Town Clerk, recorded the minutes. Maxie Brown, Interim Planner, and Fred Taylor, Town Attorney were present.

Planning Commission members present:

Leonard L. Marshall, Chairman  
Devon Hewitt, Vice Chairman  
David Adams  
Dale Scott  
Ricky Vaughan  
Debra Hicks  
Latara Harris

**APPROVAL OF MINUTES OF APRIL 23, 2025, COMMISSION MEETING**

Chairman Marshall asked if there were any questions or concerns regarding the April 23, 2025, meeting minutes. No questions or concerns were presented.

Commissioner Scott made a motion to approve the minutes for the April 23, 2025, meeting. Commissioner Vaughan seconded, and the Commission unanimously passed the motion as recorded on the attached chart as motion #1.

**PUBLIC COMMENTS**

None

**UNFINISHED BUSINESS**

None

**TOWN ATTORNEY'S REPORT**

None

**ECONOMIC DEVELOPMENT AUTHORIT (EDA) REPORT**

Commissioner Adams shared that the upcoming EDA meeting will be on June 2, 2025, at 5:30pm.

**NEW BUSINESS****Chicken Ordinance – Continue discussion and review**

Ms. Brown stated that at its April 23, 2025, meeting, the Commission reviewed proposed ordinance amendments, including the 2017 ordinance, which would allow chickens in certain zoning districts. She noted that the Commission requested the following changes and/or additions be undertaken:

1. Sec. 106-G (2)(c) - add fencing requirements to prevent straying of chickens.
2. Sec. 106-G (2)(i) – change “may” to “shall.”



3. Sec 106-53 A-1 Zoning District – for the keeping of six (6) chickens or less, Section 160-36 G shall apply.

Ms. Brown provided the Commission with the 2017 Chicken Ordinance that contains a legend indicating the original ordinance as well as additional work and changes that have been undertaken since the April 23, 2025, Planning Commission meeting.

The Planning Commission reviewed the changes made by staff to the 2017 chicken ordinance.

Commissioner Hewitt asked if the adjacent property owners need to sign off on approval of a neighbor's request to have chickens.

Ms. Brown referred to Section 160-36G (2)(b) of the ordinance stating that the verbiage, "When permission is granted by the adjacent landowner, the setback may be reduced to not less than 5 feet," stating that this language was removed. She added that staff is concerned with enforcement issues associated with permissions granted by adjacent landowners and agrees with a minimum of 15 feet from all property lines without adjacent property owner language.

Commissioner Hewitt said that he believes the adjacent landowner should have to sign off on approval of neighboring property owners to have chickens.

Commissioner Adams stated that his opinion would be that what someone does on their property, so long as it does not infringe upon a neighboring landowner's property, should not require approval from the adjacent landowner.

Commissioner Hewitt agreed with Commissioner Adams' opinion, settling on the 15-foot minimum setback requirement.

The Commission came to consensus to strike the adjacent property owner language in Section 160-36G (2)(b) of the ordinance.

Commissioner Hewitt asked if town staff would be conducting on-site checks of a zoning applicant's property prior to approval.

Ms. Brown noted that administratively, town staff would require a blueprint or site plan of the applicant's chicken coop to accompany the zoning application to determine all setbacks and requirements will be met. She added that town staff would have to follow up to ensure that the structure was constructed in accordance with the permit.

Mr. Taylor clarified that the zoning application and site plan would constitute a conditional permit approval, whereas a site visit after construction would constitute full permit approval. He noted that if the applicant were to alter the coop after full permit approval, the permit could be revoked.

In reference to Chairman Marshall's question, Ms. Brown stated that she would need to confirm with the Isle of Wight County Building Official but believes a building permit would not be necessary if the structure is less than 156 square feet.

Commissioner Scott expressed his concern as to whether the town has the staff to conduct site visits for those residents who wish to apply for a zoning permit to own chickens.



In reference to Commissioner Vaughan's concern regarding fencing, Mr. Taylor explained Section 160-63 defines the term "suitable" as it pertains to fencing requirements. He then covered Section 160-63 – Fences, for the Planning Commissions consideration.

Ms. Brown added that fencing details such as height and type of materials will need to be included as part of the zoning permit application.

After further discussion, Ms. Brown stated that staff will make the suggested revisions and bring the ordinance back to the Planning Commission for final review prior to a public hearing on June 25<sup>th</sup>, 2025.

Commissioner Adams made a motion to authorize town staff to advertise for a public hearing regarding the chicken ordinance at the June 25, 2025, Planning Commission meeting. Commissioner Hewitt seconded, and the Commission unanimously passed the motion as recorded on the attached chart as motion #2.

### **Zoning Map Amendment – 11356 Old Suffolk Road**

Ms. Brown presented a Zoning Map Amendment for the rezoning of 11356 Old Suffolk Road for the Commission's review. She explained that the parcel is a total of 30 acres, with approximately 4.65 of those acres located in Isle of Wight County that would not be included in the rezoning.

Ms. Brown stated that the developer is requesting a rezoning to Low-Density Residential (LDR) zoning classification. She added that in addition to the rezoning application that is being distributed this evening, additional items, such as a proffer statement, may be submitted by the applicant. Ms. Brown noted that the developer also submitted the concept plan which meets the requirements for the LDR zoning district.

The consensus of the Commission is to hold a work session with the developer at 6:00pm prior to its 7:00pm meeting on June 25, 2025.

### **ADJOURNMENT**

Commissioner Scott made a motion to adjourn. Commissioner Vaughan seconded, and the Commission unanimously passed the motion as recorded on the attached chart as motion #3.

The meeting adjourned at 7:43pm.

**NEXT REGULAR MEETING DATE: June 25, 2025**

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Leonard L. Marshall, Chairman

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Kelly Kuhns, Town Clerk



# TOWN OF WINDSOR

P.O. Box 307  
8 E. Windsor Blvd.  
Windsor, VA 23487

Department of  
Planning & Zoning  
757-242-4288



Established 1902

## **Staff Report**

To: Planning Commission  
From: Maxie Brown, AICP/CZA, Interim Planner  
Date: July 23, 2025  
Subject: Proposed Chicken Ordinance – Planning Commission Public Hearing Draft

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Attached is the most recent draft ordinance, which reflects changes made by the Commission at its April 23<sup>rd</sup> and May 28<sup>th</sup> meetings. This ordinance provides a legend indicating the original 2017 ordinance and additional work and changes that have been undertaken.

In summary, this draft, final ordinance would allow chickens in the following zoning districts, subject to conditions: R1, R4 (Low Density Residential), R-1/MHP Manufactured Mobile Home Park, HDR, Agricultural A-1 and the Public (P) District.

A public hearing was authorized by the Planning Commission at its May 28<sup>th</sup> meeting for the June 25, 2025 Planning Commission Meeting. As there was no quorum at the June meeting, the public hearing was re-advertised as required by Virginia Code, Section 15.2-2204.

At the May 28<sup>th</sup> Planning Commission meeting, a question arose regarding whether a building permit would be required from the County for a chicken coop/enclosure. According to the County, a chicken coop/enclosure would require a building permit or a farm exemption if the area exceeds 256 sq. ft.

This information is for the Commission's discussion and recommendation.



Attachments:

- 2025 Compilation of Ordinance amendments and proposed changes by Town Council, Councilman Adams, staff comments (including discussion points) and the Planning Commission at its April 23<sup>rd</sup> and May 28<sup>th</sup> meetings.



# Town of Windsor Chicken Ordinance

## Legend and Chronology of Events:

- 2017 Ordinance as presented to the Town Council by the Planning Commission
- 2017 Ordinance Town Council proposed ordinance changes (shown in blue)
- 2025 Ordinance changes proposed by Councilman Adams (shown in green)
- 2025 Staff Comments and discussion points (shown in purple)
- April 23, 2025 & May 28, 2025 Planning Commission changes

## Chickens in Residential Districts

### 160-36 G. Chickens in Residential Districts

1. Residential districts where chickens are permitted
  - a. R-1, R-4 (Low Density Residential, LDR) Staff suggests that all residential zoning districts (R-1, R-1MHP Manufactured Mobile Home Park, HDR, LDR Low Density and A-1 Agricultural) be considered subject to the following standards. The standards provide adequate restrictions to ensure public health, safety and welfare. Staff notes that many residential neighborhoods, including but not limited to, Windsor Station and Holland Meadows, are not zoned R-1 or Low Density Residential LDR.
2. The following standards shall apply to all residential chickens:
  - a. All chickens shall be provided with a predator proof shelter that is thoroughly ventilated, provides adequate sun and shade and protection from the elements, and is designed to be easily accessed and cleaned. Pens shall provide a minimum of ten (10) square feet of space for each chicken.
  - b. All shelters and associated structures, including fencing, shall be located fully to the rear of the residential structure, and shall be located a minimum of fifteen (15) feet from all property lines. ~~When permission is granted by the adjacent landowner, the setback may be reduced to not less than 5 feet.~~ be located a minimum of fifteen (15) feet from all property lines. ~~When permission is granted by the adjacent landowner, the setback may be reduced to not less than 5 feet.~~ and shall comply with all setbacks for primary structures. *Staff is concerned with enforcement issues associated with permissions granted by adjacent landowners and agrees with a minimum of 15' from all property lines without adjacent property owner language.*
  - c. All chickens shall be kept in a shelter outlined in item a., shall have their wings clipped to prevent excessive ranging, and shall be prohibited from free ranging ~~(let loose from their pens)~~ unless under the supervision of the owner or his designee. Pursuant to Section 160-63 of this chapter, all chickens shall be kept in securely and suitably fenced areas so as to prevent from trespassing or straying.



- d. The maximum number of chickens permitted on a residential property shall be six (6). The keeping of other types of poultry or fowl are prohibited.
- e. No roosters shall be permitted to be kept on a residential property.
- f. All shelters and associated structures, including fencing, shall be always kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent odors outside the boundaries of the property. All feed for the chickens shall be kept in a secure container or location to prevent the attraction of rodents and other animals.
- g. No person shall store, stockpile, or permit any accumulation of chicken litter and waste in any manner whatsoever that, due to odor, attraction of flies, or other pests, or for any other reason which diminishes the rights of the adjacent property owners to enjoy reasonable use of their property.
- h. No commercial activity such as the selling of eggs or chickens for meat shall be permitted to occur from the residential property.
- i. A zoning permit shall be required to for the keeping of chickens on residentially zoned properties or the placement of any associated structures. Violation of any of the above requirements may shall result in the zoning permit being revoked. In accordance with Article I, Section 160-27 of the Land Development Ordinance of the Town of Windsor, fees may shall be collected by the Town of Windsor for said zoning permit on an annual basis. The fee for a zoning permit is established at \$25.00. A zoning permit is valid once issued unless revoked by the Town in accordance with established ordinances.
- j. The zoning permit is not transferable and does not run with the land. (This has been paraphrased from "property owners will own the chickens on the property, the permit must be renewed with a new landowner if the adjacent landowner moves and has given previous permission for the setback reduction, chickens shall not free range on property of other ownership." Staff agrees that the zoning permit should not be transferable.

**160-47. Residential District R-1.** The intent of the R-1 Residential District is to encourage residential neighborhoods and to stabilize and protect essential character of such neighborhoods. The regulations for the district tend to protect against encroachment of commercial, industrial, and other uses likely to generate noise, crowds, and concentrations of traffic, light, dust, odors, smoke, or other obnoxious influences. No abandoned vehicles are permitted. Farm animals are prohibited except as permitted in section 160-36. G – Chickens in Residential Districts with the exception of chickens in accordance with section 160-36 G.

- (a) *Permitted uses.* Within the Residential District R-1 the following uses are permitted by right:



(7) The keeping of chickens in accordance with Section 160-36 G.

**Sec. 160-48. - Low-Density Residential (LDR) (formerly the R-4 Low Density Residential District).** The intent of the LDR District is to provide a certain area of land with the necessary zoning to provide development opportunities for less dense residential housing. The primary use of the district is to provide a transition district from the more rural uses in the nearby areas of the County and the higher density uses in the core of the Town.

(a) *Permitted uses.* Within the Low-Density Residential District (LDR) the following uses are permitted by right:

(1) All uses permitted in the Residential R-1 District are permitted in the Low-Density Residential LDR District;

(2) The following agricultural activities are permitted by right in the LDR District:

a. The growing and cultivation of agricultural products such as cotton, peanuts, corn, soybeans, etc.;

b. The raising of horses and ponies either for profit or recreation is permitted provided that for the first such animal there shall be five acres of pasture. For each animal thereafter, an additional one acre of pasture is required. All stables shall be a minimum of 150 feet from any property line except where the lots are in common ownership, and then the stable must exceed 150 feet from the next parcel which is not under common ownership. All such properties shall be properly fenced; and

c. The keeping of chickens in accordance with Section 160-36 G.

**Sec. 160-49. - Manufactured Home Park District (MHP).** The intent of the MHP District is to allow for the use of manufactured homes within areas of the Town to provide affordable housing for the citizens of the Town. The manufactured home parks are to be compatible or must be made compatible with adjacent land uses.

(a) *Permitted uses.* The following are permitted uses within the MHP Manufactured Home Park District:

buildings and grounds, tennis courts, swimming pools and outdoor recreation activities, all of a noncommercial nature. No public swimming pool or structure shall be located closer than 100 feet to any residential lot; and

(7) The keeping of chickens in accordance with Section 160-36 G.



**Sec. 160-50. - High Density Residential District (HDR).** The intent of the HDR District is to allow the development of multifamily/townhouse housing alternatives within the Town boundaries.

(a) *Permitted uses.* Within the HDR District the following uses are permitted:

(10) The keeping of chickens in accordance with Section 160-36 G.

#### **160-53. A-1 Agricultural District.**

3. The raising of cattle, sheep, and other domesticated livestock including non-indigenous livestock such as alpaca and llamas but does not include intensive farms as defined under the Code of Virginia. For the raising of six (6) chickens or less, Section 160-36 G of this chapter shall apply. For the raising of seven (7) chickens or more and the The raising of poultry, is permitted provided the A-1 Agricultural parcel or tract exceeds five acres and that all pens and houses for poultry are at a minimum of fifty (50) feet from the property lines of the parcel or tract that are zoned A-I Agricultural. If the subject property meets all of the other requirements but adjoins non-agriculturally zoned property then any and all pens and houses for poultry must be at a minimum 100 feet from the adjacent non-agricultural property. No zoning permit will be required for the raising of poultry in the A-1 Agricultural District. Staff agrees with removing the five-acre requirement as the Agricultural District is deemed desirable for farming and/or the raising of certain types of livestock. Since farming and raising animals is permitted in this zoning district, a separate zoning permit should not be required for the raising of poultry.

The Planning Commission may also consider reducing the setbacks for six (6) or fewer chickens in the Agricultural District. If chickens are raised for commercial purposes, the larger setbacks seem appropriate; however, for a small amount of "backyard chickens", a lesser setback may be appropriate.

#### **160-54. Public District P.**

4. Keeping of chickens when in conjunction with some other permitted use within the Public District. All housing and fencing shall be completely within the setbacks for primary structures. All shelters and associated structures, including fencing, shall be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent odors outside the boundaries of the property. All feed for the chickens shall be kept in a secure container or location to prevent the attraction of rodents and other animals. Keeping of roosters is prohibited. No more than six (6) chickens are allowed. Failure to comply with these requirements shall result in a written warning and failure to comply with the written warning within ten (10) days will result in the zoning permit being revoked. Staff requests clarification on allowing chickens in the Public Zoning District Classification as the purpose of this district is to provide locations for public facilities, offices and schools.