

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS FOUNDATION

Washington
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

March 22, 2024

Mecklenburg County Planning Commission

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jerome.watson@mecklenburgva.com

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David A. Brankley
Board of Supervisors Member
david.brankley@mecklenburgva.com

Reginald Arrington – District 9
reginald.arrington@mecklenburgva.com

Re: Request to Deny Application by Lakeshore Wilderness Retreat for a Special Exception Permit.

Dear Commissioners:

I am writing on behalf of PETA to request that the Planning Commission deny the application by Molly Waller (Waller) and Nicholas Rich (Rich)—Lakeshore Wilderness Retreat (Lakeshore)—for a special exception permit to construct a roadside zoo in Mecklenburg County.

Lakeshore applied for a special exception permit to construct a roadside zoo at 13050 Highway 58, Clarksville, Virginia 23927.¹ The property is located in the Agricultural zone, which does not permit zoo facilities even with a special exception permit.² A roadside zoo is an unprovided-for use in this zone,³ and a special exception permit cannot lawfully be approved by the Planning Commission for Lakeshore to operate a zoo at the proposed location. Lakeshore’s application must be denied on that basis alone.

As an unprovided-for use, Lakeshore must *first* apply to the zoning administrator requesting an amendment to Mecklenburg County’s zoning laws to allow roadside zoos

PETA FOUNDATION IS AN OPERATING NAME OF THE FOUNDATION TO SUPPORT ANIMAL PROTECTION.

ENTITIES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

¹ Ex. 1 (Mar. 28, 2024, Mecklenburg County Planning Commission Meeting Agenda); Ex. 2 (Lakeshore’s Special Exception Permit Application).

² MECKLENBURG CNTY. CODE OF ORDINANCES § 3-1. A roadside zoo is not one of, nor akin to, any of the eighteen (18) uses allowed in the Agricultural zone with a special exception permit. *Id.* § 3-1(j)-(bb).

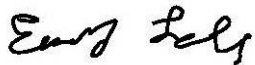
³ *Id.* § 11-4.

in the Agricultural zone as either a permitted use or permitted with a special exception permit.⁴ Only if an amendment is approved by both the Planning Commission and the Board of Supervisors could Lakeshore apply for a special exception permit.⁵ It does not appear that Lakeshore obtained the necessary zoning amendment to permit a roadside zoo in the Agricultural zone.⁶ To date, roadside zoos remain an unprovided-for use and thus, one cannot be operated at the proposed property even with a special exception permit.

Both Waller and Rich have a history of employment at roadside zoos that have racked up multiple egregious Animal Welfare Act (AWA) violations, including Metro Richmond Zoo, which has a long history of United States Department of Agriculture (USDA) citations. As just one example—during 2017 when Rich reportedly worked for Zoo World in Panama City Beach, Florida, the facility was cited five times by the USDA for AWA violations,⁷ including for the failure to obtain veterinary care for a lion with “clearly noticeable sores” on both sides of her face.⁸ Given that Lakeshore intends to acquire wolves and potentially other dangerous wild animals, these are not the type of individuals Mecklenburg County should welcome into the community by changing the zoning law. The zoning law is clear that roadside zoos are not allowed in this area, and PETA respectfully requests that the Planning Commission enforce the Mecklenburg County’s zoning code and deny Lakeshore’s application for a special exception permit at its meeting on March 28, 2024.

Thank you for your attention to this important matter.

Very truly yours,



Emily Lively
Counsel, Captive Animal Law Enforcement
202-839-2827 | emilyl@petaf.org

Attachments

Cc. Robert Hendrick
Zoning Administrator
robert.hendrick@mecklenburgva.com

⁴ *Id.* § 11-4(a).

⁵ *Id.*

⁶ Mecklenburg County’s Code of Ordinances continues to reflect that roadside zoos are not a permitted use in the Agricultural zone, and none of the publicly available Planning Commission meeting minutes for 2023-2024 reflect the Commission approved any such amendment.

⁷ Ex. 3 (May 2, 2017, USDA Inspection Report); Ex. 4 (Feb. 13, 2017, USDA Inspection Report).

⁸ Ex. 4 at 1.



Robert Hendrick
Zoning Administrator

Mecklenburg County Board of Supervisors
Post Office Box 307
Boydton, Virginia 23917



Telephone: (434)738-6191
(434) 447-7636
Fax (434)738-6430

EXHIBIT

1

MECKLENBURG COUNTY Planning Commission Agenda

MARCH 28, 2024

The Mecklenburg County Planning Commission meeting will be held Thursday, March 28, 2024, at 7:00 PM, in the Board of Supervisors meeting room in the Goode Bank Building, 350 Washington Street, Boydton, VA.

1. CALL MEETING TO ORDER
2. PLEDGE TO THE FLAG
3. ADDITIONS AND\ OR DELETION TO AGENDA

PUBLIC HEARINGS

4. APPLICATION BY FRED'S TOWING & TRANSPORT INC.
5. APPLICATION BY POPLAR POINTE LLC TO REZONE FROM AGRICULTURAL TO BUSINESS B-1.
6. APPLICATION BY POPLAR POINTE LLC TO REZONE FROM AGRICULTURAL TO BUSINESS B-1.
7. APPLICATION BY MOLLY WALLER & NICHOLAS RICH (LAKESHORE WILDERNESS RETREAT) FOR A SPECIAL EXEMPTION PERMIT.
8. APPLICATION BY THE MECKLENBURG COUNTY PLANNING COMMISSION TO AMEND ARTICLE 4-A, RESIDENTIAL R-1A, SECTION 4A-1 USE REGULATIONS, PARAGRAPH 1.
9. APPLICATION BY THE MECKLENBURG COUNTY COMMISSION TO ADOPT THE VIRGINIA EROSION AND SEDIMENT CONTROL ORDINANCE.

CLOSED PUBLIC HEARINGS

10. APPROVAL OF MINUTES FOR FEBRUARY 29, 2024, PLANNING COMMISSION MEETING.
11. ADMINISTRATOR'S REPORT
 - a. BUILDING PERMIT REPORTS
 - b. ZONING PERMIT REPORT



Mecklenburg County Board of Supervisors
Post Office Box 307
Boydton, Virginia 23917



Robert Hendrick
Zoning Administrator

Telephone: (434)738-6191
(434) 447-7636
Fax (434)738-6430

MECKLENBURG COUNTY
SPECIAL EXCEPTION PERMIT APPLICATION

Check # 1146 PD 325.00

FEE: \$325.00 (MADE PAYABLE TO MECKLENBURG COUNTY)
Mail to: Director of Planning and Zoning, P.O. Box 307, Boydton, Virginia 23917

1. APPLICANT: Molly Waller & Nick Rich

2. ADDRESS: 13050 Hwy 58 TELEPHONE: (503) 807 - 0740
Clarksville, Virginia 23927

3. PERMIT REQUESTED FOR: Lodging and Animal Exhibition

County Code Section: _____

4. LOCATION: Road Number: 13050

Side of Road: Right side heading East on Hwy 58

Nearest Intersection: New Liberty Church Road

Distance and Direction from Site: _____

5. SIZE OF PARCEL: 67.5 acres

6. SIZE OF PROPOSED USE: 67.5 acres

7. PROPERTY OWNER: (if other than applicant) Property under contract; owners acknowledge
contingency on Special Exception Permit in contract

District 8

8. DEED BOOK: 5 PAGE NUMBER: 526

9. WATER SUPPLY (type): Well Sewage Disposal (type): Septic

** Note any additional detail, comments or other information on a separate sheet.

02/28/2024
DATE

Macy Ween
SIGNATURE OF APPLICANT

02/28/2024
DATE

[Signature]
SIGNATURE OF APPLICANT

TO THE BOARD OF SUPERVISORS, MECKLENBURG COUNTY, VIRGINIA

The following is the recommendation of the Mecklenburg County Planning Commission on the special exception application at a public hearing held on: _____.

ACTION TAKEN BY THE BOARD OF SUPERVISORS

A public hearing was held on _____; the Board of Supervisors took the following action the special exception petition: _____.

8. DEED BOOK: 5 PAGE NUMBER: 526

9. WATER SUPPLY (type): Well Sewage Disposal (type): Septic

** Note any additional detail, comments or other information on a separate sheet.

02/28/2024
DATE

Melby Weiler
SIGNATURE OF APPLICANT

02/28/2024
DATE

[Signature]
SIGNATURE OF APPLICANT

TO THE BOARD OF SUPERVISORS, MECKLENBURG COUNTY, VIRGINIA

The following is the recommendation of the Mecklenburg County Planning Commission on the special exception application at a public hearing held on: _____.

ACTION TAKEN BY THE BOARD OF SUPERVISORS

A public hearing was held on _____; the Board of Supervisors took the following action the special exception petition: _____.

PROPERTY

Parcel Information

Parcel Record Number (PRN) **32036** District **BOYDTON DISTRICT**
 Account Name **HOLMAN, RICHARD E & SUSAN**
 CareOf
 Address1 **10462 GERA RD**
 Address2
 City, State Zip **KING GEORGE, VA 22485**
 Business Name
 Location Address(es) **13050 HIGHWAY FIFTY-EIGHT**

Map Number

Map Number	Sheet	Insert	DoubleCircle	Block	Lot	SubLot
128000-07--004A	128	000	07		004	A

Total Acres **67.5**
 Deed **LR-5-526**
 Will **NONE**
 Plat **PL-OLD DB-7-82**
 Route **58**
 Legal Desc 1 **TRACT 2 - JEFFRESS**
 Legal Desc 2 **HIGHWAY FIFTY-EIGHT**
 Zoning **AGRICULTURAL LAND DISTRICT**
 State Class **AGRICULTURAL (20-99 AC)**
 Topology **ROLLING**
 Utilities **ELECTRICITY, SEPTIC SYSTEM, WELL**

Assessed Values

Type	Assessed Value
Land	\$189,600
Main Structures	\$89,000
Other Structures	\$1,600
TOTALS	\$280,200

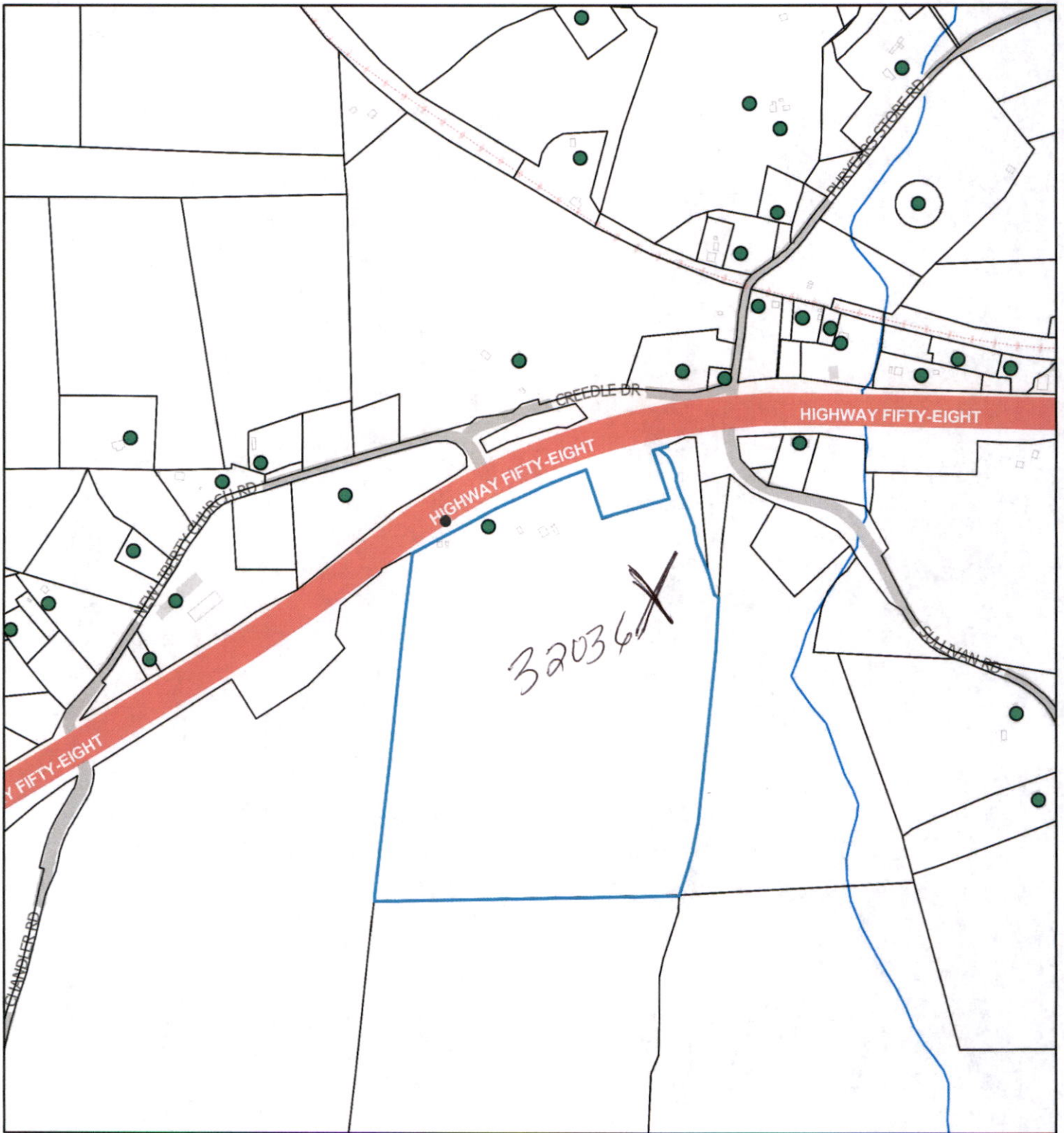
Sales History

Grantor	Sale Price	Instrument	Number of Tracts	Sale Date
TOLLERSON, HUBERT S & DONNA H	\$220,000	DEED-5-526	1	01/28/2005
JEFFRESS, J. CLIFTON & IDA W.	\$65,000	DEED BOOK AND DEED PAGE (OLD)-442-185	1	04/19/1993

Land Segments

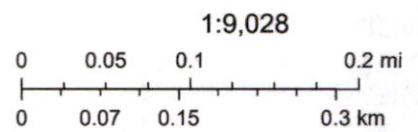
Seg	Description	Size	Value
1	BUILDING SITE	1.00	\$10,000

Mecklenburg County GIS



3/1/2024, 11:14:08 AM

- 911 Address Point
- Tax Parcels





Inspection Report

Zooworld Zoological & Botanical Conservatory
9008 Front Beach Road
Panama City Beach, FL 32407

Customer ID: **3021**
Certificate: **58-C-0460**
Site: 001

ZOO WORLD ZOOLOGICAL & BOTANICAL CONSERVATORY

Type: ROUTINE INSPECTION
Date: 02-MAY-2017

3.75(a)

HOUSING FACILITIES, GENERAL.

The enclosure housing the Diana monkeys had several base boards that were deteriorating and in poor condition which could pose a possible risk of injury or result in a gap in containment. Some boards had gaps in the structure and in some areas the bolts holding the boards were exposed. At the base of an access door the bottom board had become worn to the point of exposing sharp wire ends. The housing facilities for nonhuman primates must be sound , kept in good repair, protect the animals from injury, and contain the animals securely..

Correct by June 2, 2017

Records were not reviewed during this inspection.

All non-compliant items from the previous inspection were corrected.

This inspection and the exit interview were conducted with the Operations Manager.

Prepared By:

LOERZEL SUZAN

LOERZEL SUZAN USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER 6102

Date:
03-MAY-2017

Received By:

(b)(6), (b)(7)(c)

Title:

Date:
03-MAY-2017



Inspection Report

Zooworld Zoological & Botanical Conservatory
9008 Front Beach Road
Panama City Beach, FL 32407

Customer ID: **3021**
Certificate: **58-C-0460**
Site: 001

ZOOWORLD ZOOLOGICAL & BOTANICAL CONSERVATORY

Type: ROUTINE INSPECTION
Date: 13-FEB-2017

2.40(b)(3)

ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

A female lion had clearly noticeable sores on both sides of her face that appeared to be scrapes or abrasions. There were several wounds of variable sizes. One large sore on the right side, behind the eye, was roughly one to one and a half inches long and about an inch wide with exposed pink flesh. The facility director explained that this lion gave birth a couple of weeks ago and she scraped her face on the door of the exhibit while trying to get back into her den. She stated that the curator, who recently left her position there, had contacted the veterinarian but it did not get recorded. During the inspection there were no notes or other documentation available to verify if the attending veterinarian had been contacted, if he had examined the animal, and what if any treatment was recommended. A mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being are conveyed to the attending veterinarian. Information from the attending veterinarian was provided at the exit interview. Corrected by the exit interview.

3.75(c)(1)(ii)

HOUSING FACILITIES, GENERAL.

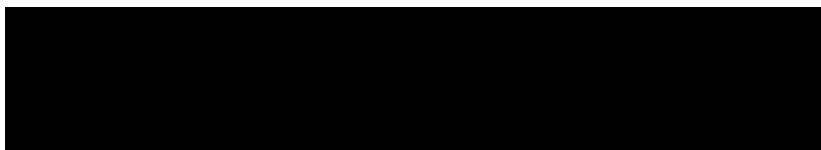
The island enclosure housing four ring-tailed lemurs had two shelter structures each with platforms at their entry. Along the edge of the platforms there were exposed nails which had worked their way out of the wood. The exposed nails could pose an injury hazard to the animals. Any surfaces that come into contact with nonhuman primates must be free of jagged edges or sharp points that might injure the animals. Corrected by the time of exit interview.

3.125(a) REPEAT

FACILITIES, GENERAL.

**In the enclosure housing two black bears a support post of one of the elevated resting platforms was damaged. Part of the wood at the base was deteriorating creating concern regarding the structural integrity of the support post. The post should be repaired or replaced.

Prepared By:



Title:

Date:
14-FEB-2017

Received By:



Title:

Date:
14-FEB-2017



Inspection Report

**In the enclosure housing two giraffes the metal roof of the barn has an exposed sharp edge with which the animals can potentially come into contact. A small piece of the corner was bent down but could still pose an injury risk as a sharp snag. The sharp edge and corner of the metal roof presents a potential injury hazard to the giraffes if they were to accidentally run into the metal or snag themselves on the sharp objects. The roof should be repaired so that there is no risk of injury to the animals from sharp edges or pointed objects.

The housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

This inspection and exit interview were conducted with the facility director.

Prepared By:

[Redacted]

Title:

Date:

14-FEB-2017

Received By:

[Redacted]

Title:

Date:

14-FEB-2017