



**BOARD OF ZONING APPEALS
REGULAR MEETING
Monday, June 7, 2021 – 7:00 PM**

**Board Meeting Room
39 Bank Street, SE,
Chatham, Virginia 24531**

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. HEARING OF CITIZENS**

Each person addressing the Board under Hearing of the Citizens shall be a resident or land owner of the County, or the registered agent of such resident or land owner. Each person shall step up, give his/her name and district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes. No person shall be permitted to address the Board more than once during Hearing of the Citizens. All remarks shall be addressed to the Board as a body and not to any individual member thereof. Hearing of the Citizens shall last for a maximum of forty-five (45) minutes. Any individual that is signed up to speak during said section who does not get the opportunity to do so because of the aforementioned time limit, shall be given speaking priority at the next Board meeting. Absent Chairman's approval, no person shall be able to speak who has not signed up.

- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF MINUTES**
 - 1. Minutes
- VI. CHAIRMAN'S REPORT**
- VII. PUBLIC HEARING**

Pursuant to Article V, Division 7 of the Pittsylvania County Zoning Ordinance, we the Board of Zoning Appeals have been empowered to hear and decide specific applications and appeals in support of said ordinance. In accomplishing this important task we are charged with promoting the health, safety, and general welfare of the citizens of

Pittsylvania County. We must insure that all our decisions and recommendations be directed to these goals and that each be consistent with the environment, the comprehensive plan and in the best interest of Pittsylvania County, its citizens and its posterity. Anyone here to speak to the board, other than the applicant, regarding zoning cases will be limited to (3) three minutes.

1. Case S-21-004 The Mill House at Motleys Mill, LLC; Special Use Permit for a Recreational Use, Event Venue

VIII. OLD BUSINESS

IX. NEW BUSINESS

X. ADJOURNMENT



Board of Zoning Appeals

STAFF SUMMARY

Case:	Minutes from May 10, 2021	District:	
Zoning Request:			
Agenda Date:	June 07, 2021		
Meeting History:			

May 10, 2021
Regular Meeting

Pittsylvania County Board of Zoning Appeals Regular Meeting May 10, 2021

VIRGINIA: The Regular Meeting of the Pittsylvania County Board of Zoning Appeals was held on May 10, 2021 in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia. Chairman R. Allan Easley, called the meeting to order at 7:00 PM. The following members were present:

Attendee Name	Title	Status	Arrived
R. Allan Easley	Chairman	Present	6:34 PM
Ronald E. Merricks	Vice-Chairman	Present	6:34 PM
Ryland Brumfield	Board Member	Present	6:35 PM
Joseph A. Craddock	Board Member	Present	6:33 PM
Ann Deering	Board Member	Present	6:35 PM
Hershel Stone	Board Member	Present	6:35 PM
Carroll Yeaman	Board Member	Present	6:33 PM

HEARING OF CITIZENS

No citizens came forward to speak.

APPROVAL OF AGENDA

Upon motion of Mr. Merricks, seconded by Mr. Yeaman, and by a unanimous vote, the agenda was approved as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald E. Merricks, Vice-Chairman
SECONDER:	Carroll Yeaman, Board Member
AYES:	Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

APPROVAL OF MINUTES

1. Minutes March 8, 2021

Upon motion of Mrs. Deering, seconded by Mr. Yeaman, and by a unanimous vote, the March 8, 2021 minutes were approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ann Deering, Board Member
SECONDER:	Carroll Yeaman, Board Member
AYES:	Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

CHAIRMAN'S REPORT

There was no Chairman's report.

May 10, 2021
Board of Zoning Appeals
May 10, 2021
Regular Meeting

PUBLIC HEARING

1. Case S-21-002 IPS Solar, LLC; Special Use Permit for a Utility Scale Solar Energy Facility.

The Zoning Precepts were ready by Mr. Easley to open the public hearing at approximately 7:02 p.m. Mrs. Ragsdale, Director of Community Development, reported that IPS Solar, LLC petitioned for a Special Use Permit for a utility scale solar energy facility. The property is one parcel of land that is 62 acres, located off Highway 40/East Gretna Road in the Callands-Gretna Election District and shown on the Pittsylvania County Tax Map as GPIN # 2530-46-8059. Scott Aaronson was in attendance for IPS Solar, LLC, to answer any questions regarding the Project. Mr. Brumfield stated that several adjacent property owners have contacted him with concerns about visibility of the entrance. Mr. Aaronson stated that IPS Solar, LLC, will be using the existing driveway with the gate for the entrance, this seemed to resolve any concerns that Mr. Brumfield addressed. The Public Hearing closed at 7:13 p.m. The Board discussed the petition as the Committee of the Whole. Mr. Easley read the seventeen (17) conditions recommended by staff. Upon motion of Mr. Merricks, seconded by Mr. Brumfield the following motion was adopted: Whereas, IPS Solar, LLC, has petitioned the Board of Zoning Appeals for a Special Use Permit for a utility-scale solar energy facility and, Whereas, we move the petition for a Special Use Permit be granted with the seventeen (17) conditions recommended by staff.

Motion passed by a unanimous vote, 7 ayes, 0 nays.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ronald E. Merricks, Vice-Chairman
SECONDER:	Ryland Brumfield, Board Member
AYES:	Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

OLD BUSINESS

There was no old business.

NEW BUSINESS

Mrs. Ragsdale stated that there will be one case heard by the Board in June. Case S-21-004 for The Mill House at Motley's Mill is on the agenda.

ADJOURNMENT

The meeting was adjourned at approximately 7:26 p.m.



Board of Zoning Appeals

STAFF SUMMARY

Case:	Case S-21-004 The Mill House at Motleys Mill, LLC	District:	Chatham-Blairs Election District
Zoning Request:	SUP		
Agenda Date:	June 07, 2021		
Meeting History:			

SUBJECT

Requested by The Mill House at Motleys Mill, LLC, for a Special Use Permit for a Recreational Use (Event Venue). The property is 14.70 acres, located on State Road 649/Motleys Mill Road in the Chatham-Blairs Election District and shown on the Tap Map as GPIN # 2445-59-2174.

BACKGROUND/DISCUSSION

The Mill House at Motleys Mill, LLC is requesting a Special Use Permit to operate an Event Venue on the subject property. A dwelling was constructed on the property in 2017 and a permit for the construction of a pavilion was issued. In 2021, The Building Official determined that the applicants would need to renew their permit due inactivity. It was then determined that the work that had been done on the property expanded beyond the original permit. Due to modifications made to the initial design of the building, the applicants were notified that a new building permit would be required. Before this could be issued, a Special Use Permit would need to be granted. The subject property is zoned A-1, Agricultural District. According to Pittsylvania County Code § 35-179, Recreational Uses require a Special Use Permit.

At this time, all construction that has been done has been inspected by the Pittsylvania County Building Inspections Office and has been approved. If a Special Use Permit is granted, additional inspections will be needed before a Certificate of Occupancy can be issued.

The majority of this property is located within the 100-year flood plain. The current construction is outside of the flood plain; however, any future construction activities will need to comply with the Pittsylvania County Floodplain Ordinance.

RELATIONSHIP TO THE SURROUNDING LAND USE AND NEIGHBORING AREAS

Mostly surrounded by residential uses.

ZONING OF SURROUNDING PROPERTIES

Mostly surrounded by A-1, Agricultural District, RC-1, Residential Combined Subdivision District, R-1, Residential Suburban Subdivision District, and C-1, Conservation District zoned properties.

SITE DEVELOPMENT PLAN

A site plan is enclosed in the board packet.

RECOMMENDATION

Staff recommends APPROVAL of the request with the following conditions:

1. Any outdoor events or outdoor music must end by 10:00 p.m. Monday-Thursday and by midnight (12:00 a.m.) Friday-Sunday.
2. Must remain in compliance with the Pittsylvania County Noise Ordinance.
3. Any future construction activities must comply with flood plain regulations.
4. Must remain in compliance with all applicable Virginia Department of Health regulations.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-21-004 as submitted.
2. Recommend approval of Case S-21-004 subject to conditions by staff.
3. Recommend approval of Case S-21-004 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-21-004 as submitted.

ATTACHMENTS:

- A. Application
- B. Maps and Directions
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners
- I. Site Plan

PLANNING COMMISSION RECOMMENDATION:

On May 4, 2021, the Planning Commission recommended by a 8 to 0 vote, with no opposition, that the petitioner's request be granted subject to conditions by staff.

STAFF SUMMARY

<u>CASE</u> S-21-004	<u>ZONING REQUEST</u> SUP	<u>CYCLE</u> May 2021/June 2021
<u>SUBJECT/PROPOSAL/REQUEST</u> The Mill House at Motleys Mill, LLC is requesting a Special Use Permit for a Recreational Use (Event Venue)		PLANNING COMMISSION: May 4, 2021 BOARD OF SUPERVISORS: June 15, 2021 ADVERTISED: April 21 & 28, 2021/May 19 & 26, 2021
DISTRICT: Chatham-Blairs		

SUBJECT

Requested by The Mill House at Motleys Mill, LLC, for a Special Use Permit for a Recreational Use (Event Venue). The property is 14.70 acres, located on State Road 649/Motleys Mill Road in the Chatham-Blairs Election District and shown on the Tap Map as GPIN # 2445-59-2174.

BACKGROUND/DISCUSSION

The Mill House at Motleys Mill, LLC is requesting a Special Use Permit to operate an Event Venue on the subject property. A dwelling was constructed on the property in 2017 and a permit for the construction of a pavilion was issued. In 2021, The Building Official determined that the applicants would need to renew their permit due inactivity. It was then determined that the work that had been done on the property expanded beyond the original permit. Due to modifications made to the initial design of the building, the applicants were notified that a new building permit would be required. Before this could be issued, a Special Use Permit would need to be granted. The subject property is zoned A-1, Agricultural District. According to Pittsylvania County Code § 35-179, Recreational Uses require a Special Use Permit.

At this time, all construction that has been done has been inspected by the Pittsylvania County Building Inspections Office and has been approved. If a Special Use Permit is granted, additional inspections will be needed before a Certificate of Occupancy can be issued.

The majority of this property is located within the 100-year flood plain. The current construction is outside of the flood plain; however, any future construction activities will need to comply with the Pittsylvania County Floodplain Ordinance.

RELATIONSHIP TO THE SURROUNDING LAND USE AND NEIGHBORING AREAS

Mostly surrounded by residential uses.

ZONING OF SURROUNDING PROPERTIES

Mostly surrounded by A-1, Agricultural District, RC-1, Residential Combined Subdivision District, R-1, Residential Suburban Subdivision District, and C-1, Conservation District zoned properties.

SITE DEVELOPMENT PLAN

A site plan is enclosed in the board packet.

RECOMMENDATION

Staff recommends APPROVAL of the request with the following conditions:

1. Any outdoor events or outdoor music must end by 10:00 p.m. Monday-Thursday and by midnight (12:00 a.m.) Friday-Sunday.

2. Must remain in compliance with the Pittsylvania County Noise Ordinance.
3. Any future construction activities must comply with flood plain regulations.
4. Must remain in compliance with all applicable Virginia Department of Health regulations.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-21-004 as submitted.
2. Recommend approval of Case S-21-004 subject to conditions by staff.
3. Recommend approval of Case S-21-004 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-21-004 as submitted.

ATTACHMENTS:

- A. Application
- B. Maps and Directions
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- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners
- I. Site Plan

March 19, 2021


Mrs. Emily Ragsdale
Director of Community Development
P. O. Drawer D
Chatham, VA 24531

Dear Mrs. Ragsdale:

We, The Mill House at Motleys Mill, LLC, as Owner, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 14.70 acres, located on Motleys Mill Rd, in the Chatham-Blairs Election District. The property is shown as GPIN # 2445-59-2174.

I would like a Special Use Permit for an Event Venue.

Sincerely,



Diane Miller

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

We, The Mill House at Motleys Mill, LLC, as owner of the below described property, hereby apply to the Pittsylvania County Board of Zoning Appeals to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Names: The Mill House at Motleys Mill, LLC

Address: 6300 Creedmore Suite 170 #363
Raleigh, NC 27612

Telephone: (919) 730-3195

2. Location of Property: 572 Motleys Mill Rd

3. Tax Map Number GPIN 2445-59-2174

4. Election District: Chatham-Blairs

Total Amt: \$350.00

Taken By: Cash

5. Size of Property: 14.70 acres

6. Existing Land Use: Single-family dwelling and an accessory building

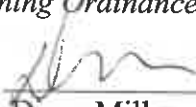
Existing Zoning: A-1, Agricultural District

7. Proposed Land Use: Recreational Use: Event Venue

8. Check completed items:

Letter of Application Site Development Plan Legal Forms
 11"x 17" Concept Plan Application Fee List of Adjoining
 Plat Map Properties

Through application for this permit, the owner authorizes a right-of-entry to the designated personnel of Pittsylvania County for the purpose of site evaluation and monitoring for compliance with the Pittsylvania County Zoning Ordinance.



Diane Miller

OFFICE USE ONLY

Application Deadline: 03-25-2021

Received By: ESR

B.Z.A. Meeting Date: 06-07-2021

Application No. S-21-004

P.C. Meeting Date: 05-04-2021

Date Received: 03-12-2021

Action: _____

Attachment: S-21-004 The Mill House App (2582 : Case S-21-004 The Mill House at Motleys Mill, LLC)

**VIRGINIA:
BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY**

A 14.70 acre parcel of land,)
generally located on Motleys Mill Rd)
within the Chatham-Blairs) **PETITION**
Election District, and recorded as)
parcel # 2445-59-2174)
in the Pittsylvania County tax records)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, The Mill House at Motleys Mill, LLC, respectfully files this petition pursuant to Sections 35-713 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioner is owner of the above-referenced parcel of land, or is filing with the owner's consent.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as A-1, Agricultural District.
- (3) Your petitioner now desires to have a Special Use Permit issued for Recreational Use: Event Venue

WHEREFORE, your Petitioner respectfully request that the above referenced parcel of land be issued a Special Use Permit as set out in Number 3.

FURTHER, your Petitioner respectfully request that this petition be referred by the Zoning Administrator to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,



Diane Miller

Attachment: S-21-004 The Mill House App (2582 : Case S-21-004 The Mill House at Motleys Mill, LLC)

PITTSYLVANIA COUNTY, VIRGINIA

OFFICE OF COMMUNITY DEVELOPMENT
P.O. DRAWER D
Chatham, Virginia 24531
(434) 432-1771

SIGN AFFIDAVIT

Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing. The sign shall be erected within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half (2 1/2) feet above the ground. If more than one (1) such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the same manner as above on at least two (2) boundaries of the property abutting land not owned by the applicant.

Sec. 35-818. POSTING OF PROPERTY - BOARD OF SUPERVISORS HEARING-


When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or signs shall be erected in the same manner as prescribed in Section 35-817 above.

Sec. 35-819. MAINTENANCE AND REMOVAL OF SIGNS.

Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant within fourteen (14) days following the public hearing for which it was erected.

I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819. If this sign is removed or destroyed, I understand it is my responsibility to obtain another sign from the Zoning office, post the property and maintain the sign(s), according to the above Sections of the Pittsylvania County Zoning Ordinance.

Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

Case _____ Applicant  Date 3-19-21

Attachment: S-21-004 The Mill House App (2582 : Case S-21-004 The Mill House at Motleys Mill, LLC)

Legend

- ▣ Assessed Parcels
- ▣ Parcels
- ▣ County Boundary



Feet



Title:

Date: 4/2/2007

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it is.

Attachment: S-21-004 The Mill House Map (2582 : Case S-21-004 The Mill House at Motleys Mill, LLC)