

BOARD OF ZONING APPEALS REGULAR MEETING Monday, February 7, 2022 – 6:00 PM

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

AGENDA

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- II. ROLL CALL
- III. MOMENT OF SILENCE
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - 1. BZA Minutes 01/10/2022
- VI. OLD BUSINESS
 - 1. Resolution to correct SUP S-21-012 Axton Solar, LLC
 - 1. Resolution to correct Axton Solar S-21-012
- VII. NEW BUSINESS
- VIII. CHAIRMAN'S REPORT
- IX. 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. Public Hearing: Case S-22-001; Cascade Holdings, LLC; Special Use Permit for Recreational Uses (Rental Cabins and Event Venue) and a Restaurant
- 2. Public Hearing: Case S-22-002; Michael and Wanda Roberts; Special Use Permit for a Singlewide Mobile Home

X. ADJOURNMENT



Board of Zoning Appeals STAFF SUMMARY

Case:	BZA Minutes 01/10/2022	District:	
Zoning Request:			
Agenda Date:	February 07, 2022		
Meeting History:			

January 10, 2022 Regular Meeting

Pittsylvania County Board of Zoning Appeals Regular Meeting January 10, 2022

VIRGINIA: The Regular Meeting of the Pittsylvania County Board of Zoning Appeals was held on January 10, 2022, 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	6:22 PM
Ronald E. Merricks	Vice-Chairman	Present	6:27 PM
Ryland Brumfield	Board Member	Present	6:34 PM
Joseph A. Craddock	Board Member	Present	6:26 PM
Ann Deering	Board Member	Present	6:34 PM
Hershel Stone	Board Member	Present	6:27 PM
Carroll Yeaman	Board Member	Present	6:28 PM

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. BZA Minutes 12_13_2021

Upon motion of Mr. Yeaman, seconded by Mr. Brumfield, and by a unanimous vote, the minutes were approved as presented.

RESULT: APPROVED [UNANIMOUS]
MOVER: Carroll Yeaman, Board Member
SECONDER: Ryland Brumfield, Board Member

AYES: Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

ELECTION OF CHAIRMAN

Mr. Merricks nominated Mr. Easley for the seat of the Chairman, seconded by Mrs. Deering. Mr. Easley was unanimously voted in as Chairman of the Board of Zoning Appeals.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Ronald E. Merricks, Vice-Chairman

SECONDER: Ann Deering, Board Member

AYES: Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

ELECTION OF VICE CHAIRMAN

Mr. Yeaman nominated Mr. Merricks for the seat of the Vice-Chairman, seconded by Mr. Stone. Mr. Merricks was unanimously voted in as Vice-Chairman of the Board of Zoning Appeals.

RESULT: ADOPTED [6 TO 0]

MOVER: Carroll Yeaman, Board Member SECONDER: Hershel Stone, Board Member

AYES: Easley, Brumfield, Craddock, Deering, Stone, Yeaman

ABSTAIN: Merricks

OLD BUSINESS

There was no old business.

NEW BUSINESS

Mrs. Ragsdale stated there will be two Special Use permits and a revision to the conditions attached to the Special Use Permit for Axton Solar, LLC at the February 7, 2022, meeting.

PUBLIC HEARING

1. Public Hearing: Case S-21-017 John Patrik Dalton; Special Use Permit for a Double-Wide Mobile Home

The zoning precepts were read by Mr. Easley to open the public hearing at 7:10 pm. Mrs. Ragsdale, Director of Community Development, reported that John Patrik Dalton petitioned for a Special Use permit for placement of a double-wide mobile home on 1.03 acres of land located on Banister Road in the Callands-Gretna Election District. John Patrik Dalton was present to represent the petition. There was no opposition to the petition. The Public Hearing closed at 7:10 pm. The Board discussed the petition as the Committee of the Whole. Whereas John Patrik Dalton, has petitioned the Board of Zoning Appeals for a Special Use Permit for a double-wide mobile home. A motion was made by Mr. Merricks, seconded by Mr. Yeaman, to recommend the Board of Zoning Appeals grant the Special Use Permit. Motion passed by a seven (7) to zero (0) vote.

RESULT: APPROVED [UNANIMOUS]

MOVER: Ronald E. Merricks, Vice-Chairman

SECONDER: Carroll Yeaman, Board Member

AYES: Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

2. Public Hearing: Case S-21-018 Richard Carter; Special Use Permit for a Single-Wide Mobile Home

The zoning precepts were read by Mr. Easley to open the public hearing at 7:12 pm. Mrs. Ragsdale, Director of Community Development, reported that Richard Carter petitioned for a Special Use permit for placement of a single-wide mobile home on 0.56 acres of land located on Dry Fork Road in the Tunstall Election District. Richard Carter was present to represent the petition. There was no opposition to the petition. The Public Hearing closed at 7:13 pm. The Board discussed the petition as the Committee of the Whole. Whereas, Richard Carter, has petitioned the Board of Zoning Appeals for a Special Use Permit for a single-wide mobile home. A motion was made by Mr. Craddock, seconded by Mr. Brumfield, to recommend the Board of Zoning Appeals grant the Special Use Permit. Motion passed by a seven (7) to zero (0) vote.

RESULT:APPROVED [UNANIMOUS]MOVER:Joseph A. Craddock, Board MemberSECONDER:Ryland Brumfield, Board Member

AYES: Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

3. Public Hearing: Case S-21-019 Queen Martin; Special Use Permit for a Double-Wide Mobile Home

The zoning precepts were read by Mr. Easley to open the public hearing at 7:16 pm. Mrs. Ragsdale, Director of Community Development, reported that Queen Martin petitioned for a Special Use permit for placement of a double-wide mobile home on 0.99 acres of land located at 2752 Martin Drive in the Tunstall Election District. Queen Martin was present to represent the petition. There was no opposition to the petition. The Public Hearing closed at 7:17 pm. The Board discussed the petition as the Committee of the Whole. Whereas, Queen Martin, has petitioned the Board of Zoning Appeals for a Special Use Permit for a double-wide mobile home. A motion was made by Mr. Yeaman, seconded by Mr. Merricks, to recommend the Board of Zoning Appeals grant the Special Use Permit. Motion passed by a seven (7) to zero (0) vote.

RESULT: APPROVED [UNANIMOUS]

MOVER: Carroll Yeaman, Board Member

SECONDER: Ronald E. Merricks, Vice-Chairman

AYES: Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

4. Public Hearing: Case S-21-020 James and Leighanna Dawson; Special Use Permit for a Double-Wide Mobile

The zoning precepts were read by Mr. Easley to open the public hearing at 7:19 pm. Mrs. Ragsdale, Director of Community Development, reported that James and Leighanna Dawson petitioned for a Special Use permit for placement of a double-wide mobile home on 5.3 acres of land located on Worley Court in the Staunton River Election District. Leighanna Dawson was present to represent the petition. There was no opposition to the petition. The Public Hearing closed at 7:19 pm. The Board discussed the petition as the Committee of the Whole. Mr. Merricks stated this was a beautiful part of the county. Whereas James and Leighanna Dawson, have petitioned the Board of Zoning Appeals for a Special Use Permit for a double-wide mobile home. A motion was made by Mr. Craddock, seconded by Mrs. Deering, to recommend the Board of Zoning Appeals grant the Special Use Permit. Motion passed by a seven (7) to zero (0) vote.

RESULT: APPROVED [UNANIMOUS]
MOVER: Joseph A. Craddock, Board Member
SECONDER: Ann Deering, Board Member

AYES: Easley, Merricks, Brumfield, Craddock, Deering, Stone, Yeaman

CHAIRMAN'S REPORT

Mr. Easley presented the board with the option of beginning the meetings at an earlier time of 6:00 pm. if at all possible. Mrs. Ragsdale stated there is no set time, they have just always convened at 7 pm. After discussion from the board, motion passed unanimously to start meetings at 6 pm. Mrs. Ragsdale stated this will be effective starting with the February 2022 meeting since the press has not been published.

ADJOURNMENT

The meeting was adjourned at 7: 22 pm.



Board of Zoning Appeals STAFF SUMMARY

Case:		District:	
Zoning Request:			
Agenda Date:	February 07, 2022		
Meeting History:			

PITTSYLVANIA COUNTY BOARD OF ZONING APPEALS RESOLUTION FIXING MISTAKE IN FINAL ORDER OF CASE \$21-012

Axton Solar, LLC Case S-21-012

WHEREAS, Axton Solar, LLC, did petition the Pittsylvania County Board of Zoning Appeals to issue a Special Use Permit for a Special Use Permit for a utility scale solar energy facility ("Solar Energy Facility") on properties totaling 225.58 acres, more or less, including parcels identified on the Pittsylvania County tax maps as parcel #s 1452-12-4768, 1452-00-7670, 1441-77-6885, 1430-77-3730, 1430-76-4322 and 1442-51-0809;

WHEREAS, after due legal notice as required by Section 15.2-2204 of Code of Virginia of 1950, as amended, the Planning Commission did hold a public hearing on November 4, 2021, at which time all parties in interest were given an opportunity to be heard; and

WHEREAS, after full consideration at the public hearing held on December 13, at which time all parties in interest were given an opportunity to be heard; and the Pittsylvania County Board of Zoning Appeals determined that the Special Use Permit be granted with conditions. The approval was memorialized in a Final Order attached as Exhibit A.

WHEREAS, the Final Order in its third condition mistakenly specified a setback of 100 feet instead of 150 feet from any property line or 200 feet from the property line of any residential use located outside of the project area and the Pittsylvania County Board of Zoning Appeals, with agreement by Axton, Solar, LLC, now wishes to correct the mistake.

NOW, THEREFORE, IT IS RESOLVED by the Pittsylvania County Board of Zoning Appeals that the Final Order is corrected to specify a setback of 150 feet from any property line or 200 feet from the property line of any residential use located outside of the project area in the third condition.

BE IT FURTHER ORDERED that a copy of this resolution be transmitted to the Director of Community Development and that she be directed to reflect that change on the official Zoning Map of Pittsylvania County.

ADOPTED on the motion of BZA Member Mr. and upon the following recorded vote:

AYES: NAYS: ABSENT: ABSTAIN:

Pittsylvania County Board of Zoning Appeals R. Allan Easley

02-07-22
Date

BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A total of 225.58 acres, six (6) parcels of land,)	·
located on Medical Center Road, Sugar Barbour Road,) '	
and Mosco Road, within the Tunstall Election District)	FINAL ORDER
and recorded as parcel #s 1452-12-4768, 1452-00-7670,)	(S-21-012)
1441-77-6885, 1430-77-3730, 1430-76-4322, and)	,
1442-51-0809 in the Pittsylvania County tax records)	

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

WHEREAS, your Petitioner Axton Solar, LLC, did petition the Pittsylvania County Board of Zoning Appeals to issue a Special Use Permit for the above-referenced parcels of land for a utility-scale solar energy facility.

WHEREAS, after due legal notice as required by Section 15.2-2204 of Code of Virginia of 1950, as amended, the Planning Commission did hold a public hearing on November 4, 2021, at which time all parties in interest were given an opportunity to be heard; and

WHEREAS, after full consideration at the public hearing held on December 13, at which time all parties in interest were given an opportunity to be heard; and the Pittsylvania County Board of Zoning Appeals determined that the Special Use Permit be granted with conditions.

NOW, THEREFORE BE IT ORDERED that the aforementioned parcel of land, which is contained in the Pittsylvania County tax maps as parcel #s 1452-12-4768, 1452-00-7670, 1441-77-6885, 1430-77-3730, 1430-76-4322 and 1442-51-0809, and legally described below, be granted the Special Use Permit request with conditions.

DESCRIPTION OF PROPERTY: A total of 225.58 acres, six (6) parcels of land, generally located within the Tunstall Election District, and recorded as parcel #s 1452-12-4768, 1452-00-7670, 1441-77-6885, 1430-77-3730, 1430-76-4322 and 1442-51-0809 in the Pittsylvania County tax records.

CONDITIONS ATTACHED TO THE SPECIAL USE PERMIT:

- 1. **Site Development Plan**; **Location**. All solar panels and other above-ground equipment will be located within the "Project Area" shown on the Conceptual Site Plan included with the SUP application. All Site Plan requirements of Section 35-141 must be met before permits are issued.
- 2. **Height**. Except for the collection yard and substation or otherwise as required by applicable building code, the maximum height of the solar panels and other above-ground equipment will be 15 feet.

- 3. **Setbacks**. Except for fencing and any pole mounted electronic lines, consistent with the County ordinance, all above-ground equipment shall meet a 100-foot setback requirement. No setbacks are required between the parcels lines of parcels that are part of a single Project. No setbacks are required between the parcels lines of parcels that are part of a single Project.
- 4. Fencing. Fencing for the Project will be standard chain-link and at least 6 feet high. The Applicant shall maintain the fence for the life of the Project.
- 5. Landscaping. Applicant will comply with Section 35-121 Fencing Screening. At the perimeter locations, the setback will include a minimum 15-foot-wide landscaped area comprised of any existing vegetation supplemented as needed with a staggered row of planted trees or large shrubs. The vegetation shall be evergreen and designed to be at least 15 feet in height at maturity of any new plantings and shall be a minimum of 6 feet in height at time of planting. Existing vegetation shall be maintained and supplemented with new plantings as needed to maintain required screening. Prior to construction and site plan approval, a landscaping maintenance plan will be submitted to the Zoning Administrator for approval, which shall provide for the posting of a bond or other surety in an amount sufficient to ensure that the plantings are successfully established, and the landscaping is maintained or replaced during the life of the Project.
- 6. Construction Management and Mitigation. Prior to construction, the Applicant shall prepare and submit to the Zoning Administrator a construction management plan to address traffic control methods, site access, fencing, lighting, mitigation of construction operations, and hours of construction activity.
- 7. Road Repairs. All public and private roads must remain open during construction. Any damage to roads caused by construction will be promptly repaired to preconstruction conditions and/or VDOT standards where deemed necessary.
- 8. Erosion and Sediment Control. Prior to construction, an approved erosion and sediment control plan will be implemented for the entire Project, and an erosion and sediment control bond will be provided.
- 9. Stormwater Management. Prior to construction, a Virginia Stormwater Management Program Permit from the Virginia DEQ will be obtained for the Project, including an approved Stormwater Pollution Prevention Plan.
- 10. Operational Noise and Electrical Interference. The Project will comply with all applicable County requirements for noise and shall not generate or create electrical interruptions or interference with existing electrical or electronic uses.
- 11. Operational Light. Fixed lighting at the perimeter of the Project will be limited to gates and will be shielded/downward facing to minimize light spillage and shall be motionactivated.
- **12. Compliance.** The project shall be designed, constructed, and tested to meet all applicable local, state, and federal standards.

- 13. Decommissioning. In accordance with Section 35-141(E), the applicant shall completely decommission the facility within 12 months, if the facility ceases to generate electricity for a continuous period of 12 months, including all solar collectors, cabling, electrical components, fencing and any other associated equipment, facilities and structures. Prior to construction and approval of the entire site plan, a decommissioning plan will be submitted to the Zoning Administrator, which shall provide for the posting of a bond or other surety acceptable to the County in the amount of the decommissioning costs, not including salvage value, for the Project.
- 14. Start of construction. The SUP will expire unless construction of the entire Project is commenced within 3 years of the date of issuance of the SUP.
- 15. Survival. So long as the Project is operated in conformance with these conditions, the SUP shall continue for the life of the Project.
- 16. Comply with all DEQ regulations regarding nonpoint source pollutants. Chemical sprays used in weed control shall comply with DEQ regulations.
- 17. Fire and Rescue Training. The applicant shall provide annual training to the local fire department regarding battery storage.

BE IT FURTHER ORDERED that a copy of this order be transmitted to the Director of Community Development and that she be directed to reflect that change on the official Zoning Map of Pittsylvania County.

ADOPTED on the motion of BZA Member Mr. Yeaman and upon the following recorded vote:

AYES: 6 NAYS: 0 ABSENT: 1 ABSTAIN: 0

Pittsylvania County Board of Zoning

Appeals

R. Allan Easley

12-13-21

Date



Board of Zoning Appeals STAFF SUMMARY

Case:	Public Hearing: Case S-	District:	Tunstall District Election District
	22-001; Cascade		
	Holdings, LLC		
Zoning Request:	SUP		
Agenda Date:	February 07, 2022		
Meeting History:			

SUBJECT

Requested by Cascade Holdings, LLC, for a Special Use Permit for a Recreational Use and a Restaurant. The property is 88.02 acres, located on Worley Court, in the Tunstall Election District and shown on the Tap Maps as GPIN # 1336-85-1205.

BACKGROUND/DISCUSSION

Cascade Holdings, LLC is requesting a Special Use Permit to allow for Recreational Use (Event Venue) and a Restaurant. PCC § 35-178 requires a Special Use Permit for Recreational Uses and Restaurants under the A-1 zoning classification. The applicant is in the process of renovating a farmhouse located on the property that will be used for the restaurant if the Special Use Permit application is approved. Additionally, the applicant is requesting to add twenty (20) rental cabins and an event venue on the property. According to the applicant, future plans for the property include a winery in addition to the restaurant, rental cabins, and event venue. If a Special Use Permit for recreational uses (rental cabins and event venue) and a restaurant is granted, all applicable Zoning and Building Code regulations would govern the development of the property. A concept plan is included in the packet.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Agricultural and Rural Residential.

ZONING OF SURROUNDING PROPERTIES

Mostly surrounded by A-1, Agricultural District, B-2, Business District, General, and R-1, Residential Suburban Subdivision District

SITE DEVELOPMENT PLAN

Concept Plan included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-001 with the following conditions:

- 1. Any outdoor events with amplified sound 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. Must remain in compliance with all applicable Virginia Department of Health regulations.

PLANNING COMMISSION MOTIONS:

- 1. Recommend approval of Case S-22-001 as submitted.
- 2. Recommend approval of Case S-22-001 subject to conditions by Staff.
- 3. Recommend approval of Case S-22-001 subject to conditions by the Planning Commission.
- 4. Recommend denial of Case S-22-001 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

PLANNING COMMISSION MOTIONS

On January 4, 2022, the Planning Commission recommended by a 7 to 0 vote, with no opposition, that the petitioner's request be granted with the conditions by Staff.

STAFF SUMMARY

CASE S-22-001	ZONING REQUEST SUP	CYCLE January 2022/February 2022
	C is requesting a Special Use	PLANNING COMMISSION: January 4, 2022
Permit for a Single-W		BOARD OF ZONING APPEALS: February 7, 2022
DISTRICT: Tunsta	11	ADVERTISED : December 22 & 29, 2021; January 19 & 26, 2022

SUBJECT

Requested by Cascade Holdings, LLC, for a Special Use Permit for a Recreational Use and a Restaurant. The property is 88.02 acres, located on Cascade Road, in the Tunstall Election District and shown on the Tap Maps as GPIN # 1336-85-1205.

BACKGROUND/DISCUSSION

Cascade Holdings, LLC is requesting a Special Use Permit to allow for Recreational Use (Event Venue) and a Restaurant. PCC § 35-178 requires a Special Use Permit for Recreational Uses and Restaurants under the A-1 zoning classification. The applicant is in the process of renovating a farmhouse located on the property that will be used for the restaurant if the Special Use Permit application is approved. Additionally, the applicant is requesting to add twenty (20) rental cabins and an event venue on the property. According to the applicant, future plans for the property include a winery in addition to the restaurant, rental cabins, and event venue. If a Special Use Permit for recreational uses (rental cabins and event venue) and a restaurant is granted, all applicable Zoning and Building Code regulations would govern the development of the property. A concept plan is included in the packet.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Agricultural and Rural Residential.

ZONING OF SURROUNDING PROPERTIES

Mostly surrounded by A-1, Agricultural District, B-2, Business District, General, and R-1, Residential Suburban Subdivision District

SITE DEVELOPMENT PLAN

Concept Plan included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-001 with the following conditions:

- 1. Any outdoor events with amplified sound 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. Must remain in compliance with all applicable Virginia Department of Health regulations.

PLANNING COMMISSION MOTIONS:

- 1. Recommend approval of Case S-22-001 as submitted.
- 2. Recommend approval of Case S-22-001 subject to conditions by Staff.

- 3. Recommend approval of Case S-22-001 subject to conditions by the Planning Commission.
- 4. Recommend denial of Case S-22-001 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

PITTSYLVANIA COUNTY APPLICATION FOR SPECIAL USE PERMIT

We, <u>Cascade Holdings</u>, <u>LLC</u>, 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:

 Property Owner's Name: <u>Cascade Holding</u> Address: <u>P.O.Box 90 Cascade</u>, <u>VA 24069</u> 	Telephone: (434)203-3795
2. Location of Property: State Road 622/Case	cade Road Total Amt: \$350.00 Taken By
3. Tax Map Number <u>GPIN 1336-85-1205</u>	Taken By SS 19 21/21 Check # 10865
4. Election District: Tunstall	
5. Size of Property: 88.02 acres	
6. Existing Land Use: Agricultural Use	
Existing Zoning: A-1, Agricultural Distric	<u>t</u> .
7. Proposed Land Use: Recreational Use: Ev	ent Venue
8. Check completed items: X Letter of Application X 11"x 17" Concept Plan X Appl Plat Map	
Through application for this permit, the owner personnel of Pittsylvania County for the purp compliance with the Pittsylvania County Zon	
=	13EG
	Bert Lewis
OFFICE USE ONLY	Application No. S-22-001
Application Deadline: 12-30-2021	P.C. Meeting Date: <u>01-04-2022</u>
Received By: ESR	Date Received: 11-29-2021

Action:

B.Z.A. Meeting Date: 02-07-2022

VIRGINIA: BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A 88.02 acre parcel of land,)	
generally located on State Road 622/)	
Cascade Road within the Tunstall)	
Election District, and recorded as	-)	PETITION
parcel # 1336-85-1205)	
in the Pittsylvania County tax records)	

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, <u>Cascade Holdings</u>, <u>LLC</u>, respectfully files this petition pursuant to Sections 35-713 of the Pittsylvania County Zoning Ordinance and in accordance with the <u>Code of Virginia</u>, 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, Agricutural 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,

Bert Lewis

December 13, 2021

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

Dear Mrs. Ragsdale:

We, Cascade Holdings, LLC, as Owner, would like to apply to the Planning Commission/Board of Zoning Appeals for a Special Use Permit on 88.02 acres, located on State Road 622/Cascade Rd, in the Chatham-Blairs Election District. The property is shown as GPIN # 1336-85-1205.

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

Sincerely,

Bert Lewis



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.

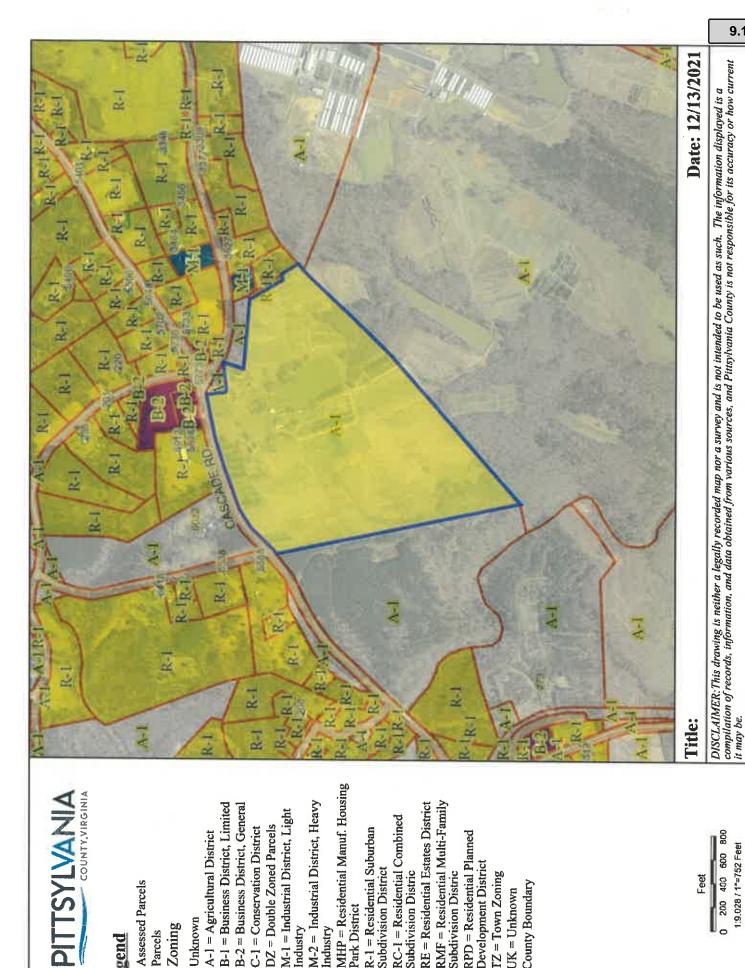
Should the property not be post	ted and the sign(s) maintained	d as required above, I understand the board may defer
the case. Case S-22-001	2	
Case 3-22-00	Applicant // In	Date 12-21-21

GPIN	ACCOUNT NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
97-4176	CASCADE BAPTIST CHURCH	P O BOX 39	CASCADE, VA 24069
	DATON CORP INC	3855 LIBERTY RD	DOLPHIN, VA 23843
	HAIRSTON, JOSEPH B	263 TENDER LN	CASCADE, VA 24069
	FITTS, BENJAMIN WATKINS	217 ELIZABETH ST	DANVILLE, VA 24541
	CASCADE RURITAN CLUB	3527 HUNTINGTON TRL	CASCADE, VA 24069
	THOMAS, RAYMOND C	2037 E STADIUM DRIVE	EDEN, NC 27288
	STRANGE, ADELAIDE H	3563 HUNTINGTON TRAIL	CASCADE, VA 24069
	CASCADE HOLDINGS LLC	PO BOX 90	CASCADE, VA 24069
	MEDFORD, HAROLD D	P O BOX 77	CASCADE, VA 24069
	WALKER, KELLY WADE	2052 HILL CREEK RD	DRY FORK, VA 24549
	MILLNER, ANNA	1837 SHOREWOOD DR	ROCK HILL, SC 29732
	CASCADE SCHOOL COMMUNITY CTR IN	3860 CASCADE RD	CASCADE, VA 24069









RC-1 = Residential Combined

Subdivision Distric

RPD = Residential Planned

Subdivision Distric

Development District

FZ = Town Zoning

County Boundary UK = Unknown

R-1 = Residential Suburban Subdivision District

Park District

DZ = Double Zoned Parcels C-1 = Conservation District

Industry

Industry

A-1 = Agricultural District

Unknown Zoning

Assessed Parcels

Legend

Parcels

Feet

200 400 600 800 1:9.028 / 1*=752 Feet Attachment: S-22-001 Cascade Holdings Map (2997 : Public Hearing: Case S-22-001; Cascade Holdings, LLC)



SITE ADDRESS:

CASCADE RD.
(NEAR INTERSECTION OF HUNTINGTON TRAIL)
CASCADE VIRGINIA 24069

PARCEL INFORMATION

OWNER OF PARCELS: CASCADE HOLDINGS LLC PARCEL ID: 1336-85-1205 - 88.02 AC.

ZONING:

A-1 AGRICULTURAL DISTRICT

PROPOSED SCOPE OF WORK:

- RENOVATION AND ADDITION OF EXISTING BUILDING TO BE USED AS A WINERY AND RESTAURANT.
- CONSTRUCTION OF A 30'X60' BUILDING TO BE USED AS A CHAPEL.
- CONSTRUCTION OF (20) 16'X32' RENTAL CABINS.

CONCEPT PLAN

NOT TO SCALE

NOTE: AERIAL IMAGE PROVIDED BY THE PITTSYLVANIA COUNTY GIS WEBSITE.

Wendy Bryant-Cook
DRAFTING BY DESIGN

PHONE: 434-489-4781 wendy.draftingbydesign@gmail.com

PROPOSED CONCEPT PLAN FOR:

CASCADE CREEK WINERY

BERT LEWIS

CASCADE RD.

CASCADE VIRGINIA 24069

1 OF 1

DATE 11/13/2021

FILE 2021-37

SCALE N.T.S.

Packet Pg. 26



Board of Zoning Appeals STAFF SUMMARY

Case:	Public Hearing: Case S-	District:	Staunton River Election District
	22-002; Michael and		
	Wanda Roberts		
Zoning Request:	SUP		
Agenda Date:	February 07, 2022		
Meeting History:			

SUBJECT

Requested by Michael and Wanda Roberts, for a Special Use Permit for a singlewide mobile home. The property is 9.68 acres, located on State Road 754/Gallows Road, in the Staunton River Election District and shown on the Tap Maps as GPIN # 2525-73-3571.

BACKGROUND/DISCUSSION

Michael and Wanda Roberts are requesting a Special Use Permit to allow for the placement of a single-wide mobile home on the property to be used as a personal residence. PCC § 35-223 requires a Special Use Permit for mobile homes under the R-1 zoning classification. The property is currently vacant. There are other single-wide mobile homes and double-wide mobile homes in the general area. If a Special Use Permit is granted, all applicable setback requirements and Building Code regulations would have to be met before the mobile home could be placed on the property.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Agricultural and Rural Residential.

ZONING OF SURROUNDING PROPERTIES

Mostly surrounded by A-1, Agricultural District, and R-1, Residential Suburban Subdivision District

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-002 as submitted.

PLANNING COMMISSION MOTIONS:

- 1. Recommend approval of Case S-22-002 as submitted.
- 2. Recommend approval of Case S-22-002 subject to conditions by the Planning Commission.

3. Recommend denial of Case S-22-002 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

PLANNING COMMISSION MOTIONS

On January 4, 2022, the Planning Commission recommended by a 7 to 0 vote, with no opposition, that the petitioner's request be granted.

STAFF SUMMARY

CASE
S-22-002
SUBJECT/PROPOSAL/REQUEST
Michael & Wanda Roberts are requesting a Special
Use Permit for a Single-Wide Mobile Home
DISTRICT: Staunton River

ADVERTISED: December 22 & 29, 2021;
January 19 & 26, 2022

SUBJECT

Requested by Michael and Wanda Roberts, for a Special Use Permit for a singlewide mobile home. The property is 9.68 acres, located on State Road 754/Gallows Road, in the Staunton River Election District and shown on the Tap Maps as GPIN # 2525-73-3571.

BACKGROUND/DISCUSSION

Michael and Wanda Roberts are requesting a Special Use Permit to allow for the placement of a single-wide mobile home on the property to be used as a personal residence. PCC § 35-223 requires a Special Use Permit for mobile homes under the R-1 zoning classification. The property is currently vacant. There are other single-wide mobile homes and double-wide mobile homes in the general area. If a Special Use Permit is granted, all applicable setback requirements and Building Code regulations would have to be met before the mobile home could be placed on the property.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Agricultural and Rural Residential.

ZONING OF SURROUNDING PROPERTIES

Mostly surrounded by A-1, Agricultural District, and R-1, Residential Suburban Subdivision District

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-002 as submitted.

PLANNING COMMISSION MOTIONS:

- 1. Recommend approval of Case S-22-002 as submitted.
- 2. Recommend approval of Case S-22-002 subject to conditions by the Planning Commission.
- 3. Recommend denial of Case S-22-002 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

PITTSYLVANIA COUNTY APPLICATION FOR SPECIAL USE PERMIT

We, Michael & Wanda Roberts, as Owners 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:

 Property Owner's Name: <u>Michael &</u> Address: <u>2306 Tabor Road</u>, <u>Gladys</u>. 		Telephone: (434) 238-6016
2. Location of Property: Gallows Road		Total Amt: \$350.00 Taken By:
3. Tax Map Number <u>2525-73-3571</u>		Taken By: Cash
4. Election District: Staunton River		133 231
5. Size of Property: 9.68 Acres		
6. Existing Land Use: Vacant		
Existing Zoning: R-1, Residential Su	uburban Subdivision	District
7. Proposed Land Use: Placement of a S	Single-Wide Mobile	Home
8. Check completed items: _X_ Letter of Application11"x 17" Concept Plan X Copy of Plat	Site Development F Application Fee Copy of Deed	Plan X Legal Forms X List of Adjoining Properties Copy of Deed Restrictions Or Covenants
Through application for this permit, the personnel of Pittsylvania County for the compliance with the Pittsylvania Count	e purpose of site eva	luation and monitoring for
	Michael Rober	
OFFICE USE ONLY Application Deadline: 11/24/21 Received By: ESR B.Z.A. Meeting Date: 02/07/22	Application No.C. Meeting I Date Received Action:	Date: 0 <u>1/04/22</u>

VIRGINIA: BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A 9.68 acre parcel of land)	
generally located on Gallows Road)	
within the Staunton River)	PETITION
Election District, and recorded as)	
parcel # <u>2525-73-3571</u>)	
in the Pittsylvania County tax records.)	

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioners, <u>Michael & Wanda Roberts</u> respectfully file this petition pursuant to Sections 35-713 of the Pittsylvania County Zoning Ordinance and in accordance with the <u>Code of Virginia</u>, 1950, as amended, and would respectfully show the following:

- (1) The Petitioners are the owners of the above-referenced parcel of land, or are filing with the owner's consent.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District.
- (3) Your petitioner now desires to have a Special Use Permit issued to allow for placement of a single-wide mobile home.

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

FURTHER, your Petitioners respectfully request that this petition be referred by the Director of Community Development to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,

Michael Roberts

October 28, 2021

Mrs. Emily Ragsdale Director of Community Development P. O. Box 426 Chatham, VA 24531

Dear Mrs. Ragsdale:

We, Michael & Wanda Roberts, would like to apply to the Planning Commission/Board of Zoning Appeals for a Special Use Permit on 9.68 acres, located on Gallows Road, in the Staunton River Election District. The property is shown on the Tax Maps as GPIN # 2525-73-3571.

We would like a Special Use Permit to allow for placement of single-wide mobile home.

Sincerely,

Michael Roberts



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 about	ove, I understand the board may defer
Case S- 21-022 Applicant Mila Robert	
Case S- al- Odd Applicant // Inhal Notation	Date 11-23-2021

ACCOUNT_CSZ UPPER MARLBORO, MD 20772	RICHMOND, VA 23223	GRETNA, VA 24557	HUDDLESTON, VA 24104	AMHERST, VA 24521	HUDDLESTON, VA 24104
ACCOUNT_ADDR1 10803 THIMBLE BERRY CT	1132 CAROLEE DR	1340 MARINA DR	14957 WYATTS WAY	1812 THRASHER'S CREEK RD	14957 WYATTS WAY
GPIN ACCOUNT_NAME1 2525-73-1994 HUNT, MILDRED	2525-84-0699 ANDERSON, LARRY B	2525-52-7881 SCHULTZ, ROGER D	2525-73-3571 EAST, DARRYL G	2525-83-0905 INSCOE, DENNIS L JR	2525-73-5210 EAST, DARRYL G



RE = Residential Estates District

RPD = Residential Planned

Development District TZ = Town Zoning

County Boundary UK = Unknown

RC-1 = Residential Combined Subdivision Distric

R-1 = Residential Suburban Subdivision District

Park District

Industry

B-1 = Business District, Limited

A-1 = Agricultural District

Unknown Zoning

Assessed Parcels

Legend

Parcels

B-2 = Business District, General

C-1 = Conservation District DZ = Double Zoned Parcels M-1 = Industrial District, Light

Industry

1:4,514 / 1"=376 Feet

Attachment: S-22-002 Roberts Map (2996: Public Hearing: Case S-22-002; Michael and Wanda Roberts)

