



**PLANNING COMMISSION
REGULAR MEETING
Tuesday, August 2, 2022 – 7:00 PM**

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

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. MOMENT OF SILENCE**
- IV. PLEDGE OF ALLEGIANCE**
- V. 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.

- VI. APPROVAL OF AGENDA**
- VII. APPROVAL OF MINUTES**
 - 1. PC Minutes 07052022
- VIII. CHAIRMAN'S REPORT**
- IX. PUBLIC HEARING**

Pursuant to Article V, Division 7 of the Pittsylvania County Zoning Ordinance, we the Planning Commission have been empowered to hear and decide specific applications in support of said ordinance and to make recommendations to the Board of Supervisors or the Board of Zoning Appeals. 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 regarding zoning cases will be limited to (3) three minutes.

Case Public Hearing: Case R-22-026 Charles Thomas: Public Hearing: Case R-22-026 Charles Thomas; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Oakes)

Case Public Hearing: Case R-22-027 Ceasar Investment, LLC: Public Hearing: Case R-22-027 Ceasar Investment, LLC; Rezoning from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District (Henderson)

Case Public Hearing: Case S-22-011 New Testament Baptist Church: Public Hearing: Case S-22-011 New Testament Baptist Church; Special Use Permit for a School (Haymore)

Case Public Hearing: Case S-22-013 Larry Oakes: Public Hearing: Case S-22-013 Larry Oakes; Special Use Permit for the Sales, Service, and Repair of Automobiles (Horne)

Case Public Hearing: Case S-22-018 Darryl and Debra Burd: Public Hearing: Case S-22-018 Darryl and Debra Burd; Special Use Permit for a Public Garage (Oakes)

Case Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC: Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC; Special Use Permit for a Recreational Use (ATV Trails) (Henderson)

X. OLD BUSINESS

XI. NEW BUSINESS

XII. ADJOURNMENT



Planning Commission

STAFF SUMMARY

Case:	PC Minutes 07_05_2022	District:	
Zoning Request:			
Agenda Date:	August 02, 2022		
Meeting History:			

July 5, 2022
Regular Meeting

**Pittsylvania County Planning Commission
Regular Meeting
July 5, 2022**

VIRGINIA: The Regular Meeting of the Pittsylvania County Planning Commission was held on July 5, 2022 in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia. Chairman - Westover District H.F. Haymore, called the meeting to order at 7:15 PM. The following members were present:

Attendee Name	Title	Status	Arrived
H.F. Haymore	Chairman - Westover District	Present	6:56 PM
Nathan Harker	Vice Chairman - Staunton River District	Present	6:53 PM
Colette Henderson	Member - Banister District	Present	6:43 PM
Janet Mease	Member - Callands-Gretna District	Present	6:44 PM
Brian K. Horne	Member - Dan River District	Present	6:52 PM
Gary Oakes	Member - Tunstall District	Present	7:08 PM
Richard Waters	Member - Chatham-Blairs District	Present	7:11 PM
Darrell Dalton	Board of Supervisors Rep	Present	6:57 PM

HEARING OF CITIZENS

No citizens came forward to speak.

APPROVAL OF AGENDA

A motion was made by Mr. Dalton, seconded by Mrs. Mease, and by a eight (8) to zero (0) vote, the agenda was approved as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Darrell Dalton, Board of Supervisors Rep
SECONDER:	Janet Mease, Member - Callands-Gretna District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

APPROVAL OF MINUTES

1. PC Minutes 06_07_2022

A motion was made by Mr. Waters, seconded by Mr. Harker, and by a eight (8) to zero (0) vote, the minutes were approved as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Waters, Member - Chatham-Blairs District
SECONDER:	Nathan Harker, Vice Chairman - Staunton River District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

CHAIRMAN'S REPORT

Mr. Haymore reported that on June 21, 2022, Mr. Harker was named Logger of the Year at the VFA Conference in Blacksburg.

PUBLIC HEARING

- 1. Public Hearing: Case R-22-020 Lisa Wilkinson; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Horne)

Mr. Haymore opened the public hearing at 7:16 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Lisa Wilkinson had petitioned to rezone 0.617 acres, located on State Road 968/Sandy Creek Church Road, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District to allow for the property to be consolidated with adjacent property zoned A-1. Mrs. Hayes represented the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:17 p.m. A motion was made by Mr. Horne, seconded by Mr. Harker, to recommend the Board of Supervisors grant the zoning request. Motion passed by an eight (8) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brian K. Horne, Member - Dan River District
SECONDER:	Nathan Harker, Vice Chairman - Staunton River District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

- 2. Public Hearing: Case R-22-022 Donnie Devall, Jr.; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Haymore)

Mr. Haymore opened the public hearing at 7:17 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Donnie Devall, Jr. had petitioned to rezone 4.6 acres, located on State Road 870/Vandola Road, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District to allow for the property to be consolidated with adjacent property zoned A-1. Mrs. Hayes represented the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:19 p.m. A motion was made by Mr. Horne, seconded by Mr. Waters, to recommend the Board of Supervisors grant the zoning request. Motion passed by an eight (8) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Oakes, Member - Tunstall District
SECONDER:	Richard Waters, Member - Chatham-Blairs District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

- 3. Public Hearing: Case R-22-024 William and Kristy Astin; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Horne)

Mr. Haymore opened the public hearing at 7:20 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that William & Kristy Astin had petitioned to rezone 3.65 acres, located on State Road 989/Airport Road, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District to allow for the property to be consolidated with adjacent property zoned A-1. William Astin represented the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:21 p.m. A motion was made by Mr. Horne, seconded by Mr. Harker, to recommend the Board of Supervisors grant the zoning request. Motion passed by an eight (8) to zero (0) vote.

Attachment: PC Minutes 07_05_2022 (3298 : PC Minutes 07_05_2022)

RESULT: APPROVED [UNANIMOUS]
MOVER: Brian K. Horne, Member - Dan River District
SECONDER: Nathan Harker, Vice Chairman - Staunton River District
AYES: Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

- 4. Public Hearing: Case R-22-025 Charles Turner and Michael Turner; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Oakes)

Mr. Haymore opened the public hearing at 7:21 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Charles Turner had petitioned to rezone 1.0 acre, located on State Road 851/Sugartree Church Road, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District to allow for the property to be consolidated with adjacent property zoned A-1. Charles Turner represented the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:23 p.m. A motion was made by Mr. Oakes, seconded by Mrs. Henderson, to recommend the Board of Supervisors grant the zoning request. Motion passed by an eight (8) to zero (0) vote.

RESULT: APPROVED [UNANIMOUS]
MOVER: Gary Oakes, Member - Tunstall District
SECONDER: Colette Henderson, Member - Banister District
AYES: Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

- 5. Public Hearing: Case S-22-014 Joshua and Amy Jennings; Special Use Permit for an Indoor Gun Range (Oakes)

Mr. Haymore opened the public hearing at 7:24 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Joshua & Amy Jennings had petitioned for a Special Use Permit for an indoor gun range on 9.83 acres, located on State Road 58/Martinsville Hwy. Joshua Jennings represented the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:27 p.m. A motion was made by Mr. Oakes, seconded by Mrs. Mease, to recommend the Board of Zoning Appeals grant the Special Use Permit request with the three conditions listed.

1. All shooting lanes must be contained within an enclosed structure.
2. Lanes must be constructed to contain bullets within its walls, ceiling, and floor and must be properly vented.
3. The facility must meet Department of Energy standards and Uniform Statewide Building Code requirements where applicable.

Motion passed by an eight (8) to zero (0) vote.

RESULT: APPROVED [UNANIMOUS]
MOVER: Gary Oakes, Member - Tunstall District
SECONDER: Janet Mease, Member - Callands-Gretna District
AYES: Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

5. 3248 has been moved to Public Hearing

- 6. Public Hearing: Case S-22-015 Bradley Boswell; Special Use Permit for a Double-wide Mobile Home (Mease)

Attachment: PC Minutes 07_05_2022 (3298 : PC Minutes 07_05_2022)

Mr. Haymore opened the public hearing at 7:28 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Bradley Boswell had petitioned for a Special Use Permit for a Double-Wide Mobile Home on 1.0 acre, located on Hwy 40/E Gretna Road. Bradley Boswell represented the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:29 p.m. A motion was made by Mrs. Mease, seconded by Mr. Waters, to recommend the Board of Zoning Appeals grant the Special Use Permit request. Motion passed by an eight (8) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janet Mease, Member - Callands-Gretna District
SECONDER:	Richard Waters, Member - Chatham-Blairs District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

7. Public Hearing: Case S-22-016 Pittsylvania CSG LLC; Special Use Permit for a Utility Scale Solar Energy Facility (Henderson)

Mr. Haymore opened the public hearing at 7:30 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Pittsylvania CSG, LLC, had petitioned for a Special Use Permit for a utility scale solar energy facility on 52.01 acres, located on State Road 724/Mill Creek Road. Kieran Siao represented the petition and presented a power point slide show to the board. Mr. Horne asked if this was a community scale solar facility rather than a utility scale solar energy facility and Mr. Siao stated that it was. Mr. Horne stated that only Dominion customers would be able to benefit from this project. Mrs. Henderson asked about Mill Creek being the main benefactor or if any Dominion customer could benefit, Mr Siao stated that this project will only be able to accommodate 750 households maximum. Willie Fitzgerald spoke and said that he did not know of any opposition from any neighbors in the area. There was no opposition to the petition. Mr. Haymore closed the public hearing at 8:03 pm. A motion was made by Mrs. Henderson, seconded by Mrs. Mease, to recommend the Board of Zoning Appeals grant the Special Use Permit request with the 20 conditions listed.

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 the setback requirements set forth in Section 35-141 (D). 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.

Attachment: PC Minutes 07_05_2022 (3298 : PC Minutes 07_05_2022)

5. **Landscaping.** Applicant will comply with Section 35-121 Fencing - Screening. At the perimeter locations, the setback will include a minimum 100-foot-wide landscaped area comprised of any existing vegetation supplemented as needed with a staggered row of planted trees and large shrubs. All rows of planted vegetation shall be evergreen plantings of varieties native or adaptable to the region, with one (1) row consisting of a variety expected to reach a minimum height of twenty-five (25) feet and the remaining rows of varieties designed to reach at least fifteen (15) feet in height at maturity. All evergreens shall be a minimum of six (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. Landscape renderings or simulations shall be sealed by a registered landscape architect.
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. **Viewshed Protection.** A Viewshed Protection Plan shall be submitted to and approved by the Director of Community Development prior to the issuance of permits, identifying appropriate measures that will be taken to protect the viewshed surrounding the project during construction.
8. **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.
9. **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.
10. **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.
11. **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.
12. **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 motion-activated.
13. **Compliance.** The project shall be designed, constructed, and tested to meet all applicable local, state, and federal standards.

- 14. 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.
- 15. 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.
- 16. Survival.** So long as the Project is operated in conformance with these conditions, the SUP shall continue for the life of the Project.
- 17. Comply with all DEQ regulations regarding nonpoint source pollutants.** Chemical sprays used in weed control shall comply with DEQ regulations.
- 18. Fire and Rescue Training.** The applicant shall provide annual training to the local fire department regarding battery storage.
- 19. Ordinance Compliance.** The project shall remain in compliance with all other applicable requirements of the Pittsylvania County Code § 35-141(D), § 35-141(E), and § 35-141(F) not specifically stated in the conditions of this Special Use Permit.
- 20. Revenue Share.** The Applicant, and if different than the Applicant, the facility owner and/or operator, shall provide annual cash payments in accordance with the provisions of Virginia Code § 58.1-2636. The amount of such annual cash payment shall be equal to \$1,400 per megawatt as measured in alternating current (AC) generation capacity of the nameplate capacity of the facility based on submissions by the Applicant, and if different than the Applicant, the facility owner and/or operator, to the interconnecting utility, with a 2% annual compounding escalator beginning on July 1, 2026. The Applicant and the county acknowledge and agree that the county may identify in future budget years qualifying public improvements that may be funded by the annual cash payments to be provided by the facility owner and/or operator.

The first payment will be due on or before the date that is 90 days following the commencement of commercial operation of the community solar facility. Subsequent payments will be due on each anniversary of the commercial operation date until the earlier of (i) the 35th anniversary of the commercial operation date, with a final payment being made on such anniversary, or (ii) the commencement of decommissioning the community solar facility. The Applicant, facility owner and/or operator shall provide written notice to the Director of Community Development within ten (10) business days of when the community solar facility commences commercial operation. The payment by the Applicant, facility owner, and/or operator of all annual cash payments shall be a condition of this permit. The permit holder and/or owner shall be jointly and severally responsible for the payment of all annual cash payments required by this condition.

Motion passed by an eight (8) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Colette Henderson, Member - Banister District
SECONDER:	Janet Mease, Member - Callands-Gretna District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

8. Public Hearing: Case S-22-017 Dry Fork Solar 1, LLC; Special Use Permit for a Utility Scale Solar Energy Facility (Waters)

Mr. Haymore opened the public hearing at 8:04 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that, Dry Fork Solar 1, LLC, had petitioned for a Special Use Permit for a utility scale solar energy facility on 47.36 acres, located on US Highway 29. Claire Habel & Andrew Cavanaugh were there to represent the petition and presented a power point slide show to the board. Mr. Horne asked if Borrego would own the project or if it would be sold. Ms. Habel stated that Borrego develops the project and then ownership and maintenance will be taken over by another company. Mr. Waters thanked them for providing such detailed information for the agenda packet. Mrs. Mease says she is happy that it will not be visible from US Highway 29. There was no opposition to the petition. Mr. Haymore closed the public hearing at 8:28 pm. A motion was made by Mr. Waters, seconded by Mrs. Mease, to recommend the Board of Zoning Appeals grant the Special Use Permit request with the 19 conditions listed.

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 the setback requirements set forth in Section 35-141 (D). 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 100-foot-wide landscaped area comprised of any existing vegetation supplemented as needed with a staggered row of planted trees and large shrubs. All rows of planted vegetation shall be evergreen plantings of varieties native or adaptable to the region, with one (1) row consisting of a variety expected to reach a minimum height of twenty-five (25) feet and the remaining rows of varieties designed to reach at least fifteen (15) feet in height at maturity. All evergreens

shall be a minimum of six (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. Landscape renderings or simulations shall be sealed by a registered landscape architect.

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. **Viewshed Protection.** A Viewshed Protection Plan shall be submitted to and approved by the Director of Community Development prior to the issuance of permits, identifying appropriate measures that will be taken to protect the viewshed surrounding the project during construction.
8. **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.
9. **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.
10. **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.
11. **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.
12. **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 motion-activated.
13. **Compliance.** The project shall be designed, constructed, and tested to meet all applicable local, state, and federal standards.
14. **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.

15. 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.

16. Survival. So long as the Project is operated in conformance with these conditions, the SUP shall continue for the life of the Project.

17. Comply with all DEQ regulations regarding nonpoint source pollutants. Chemical sprays used in weed control shall comply with DEQ regulations.

18. Fire and Rescue Training. The applicant shall provide annual training to the local fire department regarding battery storage.

19. Ordinance Compliance. The project shall remain in compliance with all other applicable requirements of the Pittsylvania County Code § 35-141(D), § 35-141(E), and § 35-141(F) not specifically stated in the conditions of this Special Use Permit.

Motion passed by an eight (8) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Waters, Member - Chatham-Blairs District
SECONDER:	Janet Mease, Member - Callands-Gretna District
AYES:	Haymore, Harker, Henderson, Mease, Horne, Oakes, Waters, Dalton

OLD BUSINESS

There was no old business.

NEW BUSINESS

Mrs. Hayes reported that there will be six cases next month, two (2) Rezoning cases and four (4) Special Use Permits.

ADJOURNMENT

The meeting was adjourned at 8:32



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case R-22-026 Charles Thomas	District:	Tunstall District Election District
Zoning Request:	R-1 to A-1		
Agenda Date:	August 02, 2022		
Meeting History:			

SUBJECT

Requested by Charles Thomas, to rezone property located on State Road 722/Oakwood Drive, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1368-28-8195. The applicant is requesting to rezone 13.4 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for a Class B Home Occupation.

BACKGROUND/DISCUSSION

Charles Thomas is requesting to rezone 13.4 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow grooming and boarding business to operate on the property. The applicant is requesting to operate this business out of an accessory structure that will be placed on the property. While Pittsylvania County Code exempts commercial kennels that are operating as an accessory to a single-family dwelling from the definition of a Commercial Kennel, therefore, treating that use as a Home Occupation, a Class B Home Occupation is not a permitted use within the R-1, Residential Suburban Subdivision District. If the property is rezoned to A-1, Agricultural District, PCC § 35-178 would permit a Class B Home Occupation by right. The Zoning Ordinance defines a Class B Home Occupation as “an occupation conducted in a dwelling unity for profit, with or without the use of one or more accessory structures.” If rezoned, any structures placed on the property would be subject to the Uniform Statewide Building Code and would have to meet all applicable Zoning Ordinance requirements.

Once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Medium to High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, and R-1, Residential Suburban Subdivision District, properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-026, submitted by Charles Thomas, requesting to rezone 13.4 acres located on State Road 722/Oakwood Drive, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1368-28-8195. The subject property is adjacent to properties currently zoned A-1, Agricultural District, and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-026 as submitted.
2. Recommend denial of Case R-22-026 as submitted.

ATTACHMENTS:

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

STAFF SUMMARY

<p><u>CASE</u> R-22-026</p>	<p><u>ZONING REQUEST</u> R-1 to A-1</p>	<p><u>CYCLE</u> August 2022/September 2022</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Charles Thomas is requesting to rezone the property from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District.</p> <p>DISTRICT: Tunstall</p>	<p>PLANNING COMMISSION: August 2, 2022</p> <p>BOARD OF SUPERVISORS: September 20, 2022</p> <p>ADVERTISED: July 20 & 27, 2022/August 24 & 31, 2022</p>	

SUBJECT

Requested by Charles Thomas, to rezone property located on State Road 722/Oakwood Drive, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1368-28-8195. The applicant is requesting to rezone 13.4 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for a Class B Home Occupation.

BACKGROUND/DISCUSSION

Charles Thomas is requesting to rezone 13.4 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow grooming and boarding business to operate on the property. The applicant is requesting to operate this business out of an accessory structure that will be placed on the property. While Pittsylvania County Code exempts commercial kennels that are operating as an accessory to a single-family dwelling from the definition of a Commercial Kennel, therefore, treating that use as a Home Occupation, a Class B Home Occupation is not a permitted use within the R-1, Residential Suburban Subdivision District. If the property is rezoned to A-1, Agricultural District, PCC § 35-178 would permit a Class B Home Occupation by right. The Zoning Ordinance defines a Class B Home Occupation as “an occupation conducted in a dwelling unity for profit, with or without the use of one or more accessory structures.” If rezoned, any structures placed on the property would be subject to the Uniform Statewide Building Code and would have to meet all applicable Zoning Ordinance requirements.

Once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Medium to High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, and R-1, Residential Suburban Subdivision District, properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-026, submitted by Charles Thomas, requesting to rezone 13.4 acres located on State Road 722/Oakwood Drive, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1368-28-8195. The subject property is adjacent to properties currently zoned A-1, Agricultural District, and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-026 as submitted.

Attachment: R-22-026 Charles Thomas App (3292 : Public Hearing: Case R-22-026 Charles Thomas)

2. Recommend denial of Case R-22-026 as submitted.

ATTACHMENTS:

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

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

I, Charles Thomas, as owner of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Name: Charles Thomas
Address: 1009 Oakwood Drive, Danville, VA 24541

2. Location of Property: 1009 Oakwood Drive

Telephone: 434-250-8641

3. Tax Map Numbers: 1368-28-8195

4. Election District: Tunstall

Total Amount: \$387.96
Taken By: ESA cash

5. Size of Property: 13.4 acres

6. Existing Land Use: Single Family Dwelling

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Kennel for boarding/grooming dogs

Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan or Waiver | <input checked="" type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input checked="" type="checkbox"/> Plat Map | <input type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Deed Restrictions
Or Covenants |

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.



Charles Thomas

OFFICE USE ONLY
Application Deadline: 05/26/22
Received By: ESR
B.O.S. Meeting Date: 09/20/22

Application No. R-22-026
P.C. Meeting Date: 08/02/22
Date Received: 6/09/22
Action: _____

Attachment: R-22-026 Charles Thomas App (3292 : Public Hearing: Case R-22-026 Charles Thomas)

**VIRGINIA:
BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY**

13.4 acres of land, generally located)
at State Road 1058/1009 Oakwood Drive)
within the Tunstall Election District and)
Recorded as parcel ID # 1368-28-8195)
on the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Charles Thomas, respectfully files this petition pursuant to Sections 35-806 and 35-807 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 the Owner of the above-referenced parcel.
- (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 the property rezoned to A-1, Agricultural District.

WHEREFORE, your Petitioner respectfully requests that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcel of land be rezoned as set out in Number 3.

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

Respectfully submitted,



Charles Thomas

Attachment: R-22-026 Charles Thomas App (3292 : Public Hearing: Case R-22-026 Charles Thomas)

July 5, 2022

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

Dear Mrs. Ragsdale:

I, Charles Thomas, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 13.4 acres, GPIN # 1368-28-8195 located at 1009 Oakwood Drive in the Tunstall Election District.

I am requesting to rezone this parcel from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for a kennel for boarding/grooming dogs.

Sincerely,



Charles Thomas



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 R-22-026 Applicant *Charles Thomas* Date July 22, 2022

Attachment: R-22-026 Charles Thomas App (3292 : Public Hearing: Case R-22-026 Charles Thomas)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1368-28-8195	THOMAS, CHARLES A	1009 OAKWOOD DRIVE	DANVILLE, VA 24541
1368-27-2905	BROWN, DEWEY L	7184 LEETON RIDGE RD	WARRENTON, VA 20186
1368-38-3289	BARKER, REUBEN W	817 OAKWOOD DR	DANVILLE, VA 24541
1368-38-4040	ERB, ROGER FREDERICK 2ND	781 OAKWOOD DRIVE	DANVILLE, VA 24541-8561
1368-27-4055	BROWN, PHYLLIS J	11250 MARTINSVILLE HWY	DANVILLE, VA 24541
1368-39-1275	JORDAN, ERNEST W	1025 OAKWOOD DRIVE	DANVILLE, VA 24541
1368-37-1556	MOORE, MARK L	645 OAKWOOD DR	DANVILLE, VA 24541
1368-48-5242	ADAMS, HOWARD GLEN	40 RADER ST #303	NORFOLK, VA 23510
1368-38-1493	JORDAN, BERNIE DWAYNE	941 OAKWOOD DR	DANVILLE, VA 24541
1368-38-5751	SWIGER, JEFFREY ALLEN	1013 OAKWOOD DR	DANVILLE, VA 24541
1368-38-5510	JORDAN, BOBBIE J	937 OAKWOOD DRIVE	DANVILLE, VA 24541
1368-38-4490	JOYNER, THOMAS WILLIAM	901 OAKWOOD DR	DANVILLE, VA 24541

R-22-026 CHARLES THOMAS



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case R-22-027 Ceasar Investment, LLC	District:	Banister Election District
Zoning Request:	R-1 to RPD		
Agenda Date:	August 02, 2022		
Meeting History:			

SUBJECT

Requested by Ceasar Investments LLC, to rezone property located on State Road 792/Millstream Drive, in the Banister Election District and shown on the Tax Maps as GPIN # 2530-49-4191. The applicant is requesting to rezone 11.21 acres, from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District, to allow for multiple dwellings to be constructed on the property.

BACKGROUND/DISCUSSION

Ceasar Investments, LLC, is requesting to rezone 11.21 acres from R-1, Residential Suburban Subdivision District, to RPD-Residential Suburban Subdivision District, to allow for multiple dwellings on the property. The applicant is proposing to construct five (5) attached, one-story dwellings that will be used as rental properties. A conceptual plan has been included in the packet. If the rezoning is approved, a site plan will be required to be submitted and approved before building permits can be issued. All development would be governed by the Uniform Statewide Building Code and the Zoning Ordinance.

As with all rezoning cases, VDOT reviewed the request and determined that the entrance would need to meet the requirements for a moderate volume commercial entrance. A field review of the existing entrance determined that it does not have adequate sight distance for a moderate volume commercial entrance as required in the VDOT Access Management Regulations.

Once the property is rezoned to RPD, all uses listed under Section 35-294 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Medium to High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, and R-1, Residential Suburban Subdivision District, properties.

RECOMMENDATION

Staff recommends DENIAL of Case R-22-027, submitted by Ceasar Investments, LLC, requesting to rezone 11.21 acres located on State Road 792/Millstream Drive, in the Banister Election District and shown on the Tax Map as GPIN# 2530-49-4191. The subject property is not adjacent to any other properties currently zoned RPD, Residential Planned Unit Development District, and while the rezoning would be consistent with the Comprehensive Plan, Staff can not recommend approval unless VDOT feels that an appropriate entrance can be installed to accommodate the increased traffic.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-027 as submitted.
2. Recommend denial of Case R-22-027 as submitted.

ATTACHMENTS:

- A. Application
- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners
- H. Concept Plan

STAFF SUMMARY

<p>CASE R-22-027</p>	<p>ZONING REQUEST R-1 to RPD</p>	<p>CYCLE August 2022/September 2022</p>
<p>SUBJECT/PROPOSAL/REQUEST Ceasar Investments, LLC, requesting to rezone the property from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District.</p> <p>DISTRICT: Banister</p>	<p>PLANNING COMMISSION: August 2, 2022</p> <p>BOARD OF SUPERVISORS: September 20, 2022</p> <p>ADVERTISED: July 20 & 27, 2022/August 24 & 31, 2022</p>	

SUBJECT

Requested by Ceasar Investments LLC, to rezone property located on State Road 792/Millstream Drive, in the Banister Election District and shown on the Tax Maps as GPIN # 2530-49-4191. The applicant is requesting to rezone 11.21 acres, from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District, to allow for multiple dwellings to be constructed on the property.

BACKGROUND/DISCUSSION

Ceasar Investments, LLC, is requesting to rezone 11.21 acres from R-1, Residential Suburban Subdivision District, to RPD-Residential Suburban Subdivision District, to allow for multiple dwellings on the property. The applicant is proposing to construct five (5) attached, one-story dwellings that will be used as rental properties. A conceptual plan has been included in the packet. If the rezoning is approved, a site plan will be required to be submitted and approved before building permits can be issued. All development would be governed by the Uniform Statewide Building Code and the Zoning Ordinance.

As with all rezoning cases, VDOT reviewed the request and determined that the entrance would need to meet the requirements for a moderate volume commercial entrance. A field review of the existing entrance determined that it does not have adequate sight distance for a moderate volume commercial entrance as required in the VDOT Access Management Regulations.

Once the property is rezoned to RPD, all uses listed under Section 35-294 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Medium to High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, and R-1, Residential Suburban Subdivision District, properties.

RECOMMENDATION

Staff recommends DENIAL of Case R-22-027, submitted by Ceasar Investments, LLC, requesting to rezone 11.21 acres located on State Road 792/Millstream Drive, in the Banister Election District and shown on the Tax Map as GPIN# 2530-49-4191. The subject property is not adjacent to any other properties currently zoned RPD, Residential Planned Unit Development District, and while the rezoning would be consistent with the Comprehensive Plan, Staff can not recommend approval unless VDOT feels that an appropriate entrance can be installed to accommodate the increased traffic.

Attachment: R-22-027 Ceasar Inv App (3297 : Public Hearing: Case R-22-027 Ceasar Investment, LLC)

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-027 as submitted.
2. Recommend denial of Case R-22-027 as submitted.

ATTACHMENTS:

- A. Application
- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners
- H. Concept Plan

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

Cesar Investments, LLC, as owner of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Name: Cesar Investmenrs, LLC.
Address: 401 Piney Forest Road, Danville, VA 24540

2. Location of Property: State Road 792/Millstream Drive

Telephone: 336-587-1299

3. Tax Map Numbers: 2530-49-4191

4. Election District: Banister

Total Amount: \$395.29

Taken By: ESR check # 854

5. Size of Property: 11.21 acres

6. Existing Land Use: Vacant

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Multiple single-family dwellings

Proposed Zoning: RPD-Residential Planned Unit Development District

8. Are conditions being proffered: Yes X No

9. Check completed items:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan or Waiver | <input checked="" type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input checked="" type="checkbox"/> Plat Map | <input type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Deed Restrictions
Or Covenants |

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.



Yolanda Cesar

OFFICE USE ONLY
Application Deadline: 06/30/22
Received By: ESR
B.O.S. Meeting Date: 09/20/22

Application No. R-22-027
P.C. Meeting Date: 08/02/22
Date Received: 6/08/22
Action: _____

Attachment: R-22-027 Cesar Inv App (3297 : Public Hearing: Case R-22-027 Cesar Investment, LLC)

**VIRGINIA:
BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY**

11.21 acres of land, generally located)
on State Road 792/Millstream Drive)
within the Banister Election District and)
Recorded as parcel ID # 2530-49-4191)
on the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Ceasar Investments, LLC, respectfully files this petition pursuant to Sections 35-806 and 35-807 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 the Owner of the above-referenced parcel.
- (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 the property rezoned to RPD, Residential Planned Unit Development District.

WHEREFORE, your Petitioner respectfully requests that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcel of land be rezoned as set out in Number 3.

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

Respectfully submitted,



Yolanda Ceasar

Attachment: R-22-027 Ceasar Inv App (3297 : Public Hearing: Case R-22-027 Ceasar Investment, LLC)

July 15, 2022

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

Dear Mrs. Ragsdale:

Cesar Investments, LLC, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 11.21 acres, GPIN # 2530-49-4191 located on State Road 792/Millstream Drive in the Banister Election District.

We are requesting to rezone this parcel from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District, to allow for multiple single-family dwellings.

Sincerely,



Yolanda Ceasar



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 R-22-027 Applicant [Signature] Date 07/15/2022

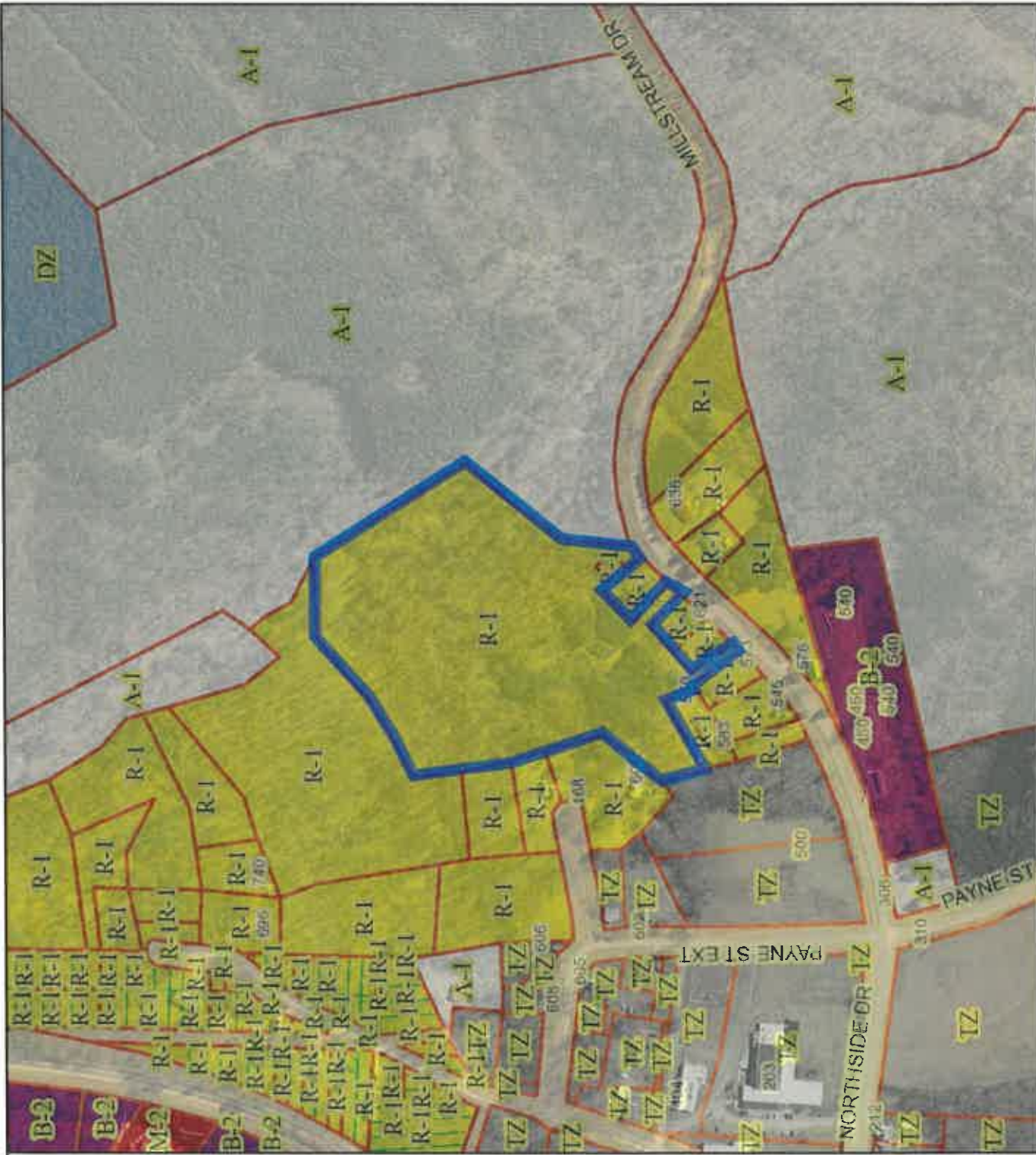
Attachment: R-22-027 Ceasar Inv App (3297 : Public Hearing: Case R-22-027 Ceasar Investment, LLC)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2530-48-0934	TRIVERS, JOSEPH ADDISON	P O BOX 1185	GRETNA, VA 24557
2530-48-7489	JONES, BEVERLY	PO BOX 296	GRETNA VA 24557
2530-48-2437	MEASE, LYDIA VELLA	2512 HENSON VALLEY WAY	FORT WASHINGTON, MD 20744
2530-48-1319	MEASE, JAMES	581 MILLSTREAM DR	GRETNA, VA 24557
2530-48-6850	MUSGROVE, HOWARD C	P O BOX 238	GRETNA, VA 24557
2530-48-0788	CLARK, RUBY ANN	4618 DR BEANS LEGACY CIRCLE	BOWIE, MD 20720
2530-48-7543	JONES, JANICE W	P O BOX 172	GRETNA, VA 24557
2530-59-2602	GIBSON LIVING TRUST DTD 10/19/2018 ET ALS	1220 E GRETNA RD	GRETNA, VA 24557
2530-49-1554	S & M PROPERTIES	118 COUNTRY CLUB DR	LYNCHBURG, VA 24503
2530-49-4191	CEASAR INVESTMENTS LLC	401 PINEY FOREST RD	DANVILLE, VA 24540
2530-48-3533	GILBERT, ELIZABETH W	16166 TACONIC CIRCLE	DUMFRIES, VA 22025
2530-48-4630	YOUNGER, BERNICE L	P O BOX 873	GRETNA, VA 24557
2530-49-0039	TRAVERS, WILLIAM	PO BOX 261	GRETNA, VA 24557
2530-48-1692	MEASE, LYDIA V	2512 HENSON VALLEY WAY	FORT WASHINGTON, MD 20744

R-22-027 CEASAR INVESTMENTS, LLC

Legend

- Assessed Parcels
- Parcels
- Zoning
 - Unknown
 - A-1 = Agricultural District
 - B-1 = Business District, Limited
 - B-2 = Business District, General
 - C-1 = Conservation District
 - DZ = Double Zoned Parcels
 - M-1 = Industrial District, Light
 - Industry
 - M-2 = Industrial District, Heavy
 - Industry
 - MHP = Residential Manuf. Housing
 - Park District
 - R-1 = Residential Suburban
 - Subdivision District
 - RC-1 = Residential Combined
 - Subdivision District
 - RE = Residential Estates District
 - RMF = Residential Multi-Family
 - Subdivision District
 - RPD = Residential Planned
 - Development District
 - TZ = Town Zoning
 - UK = Unknown
 - County Boundary



Title:

Date: 6/14/2022

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.



CONCEPT PLAN

NOT TO SCALE

PARCEL INFORMATION

OWNER OF PARCEL: CEASAR INVESTMENTS LLC

① PARCEL ID: 2530-49-4191 - 11.21 AC.

SITE ADDRESS: MILLSTREAM DR. (ST. RD. 792)
 APPROX. .2MI FROM PAYNE ST.
 GRETNVA VIRGINIA 24557
 CALLANDS-GRETNVA MAGISTERIAL DISTRICT

PROPOSED SCOPE OF WORK:

DEVELOPMENT OF APPROX. .96 AC.
 FOR CONSTRUCTION OF (5) 1000 SF DWELLINGS
 IN ADDITION TO 12 PARKING SPACES AND
 DRIVEWAY FROM MILLSTREAM DR. ENTRANCE

ZONING

ZONE CODE-EXISTING:
 (R-1) RESIDENTIAL SUBURBAN

ZONE CODE-CHANGE REQUEST:
 (RMF) RESIDENTIAL MULTI-FAMILY

TRACT SIZE: 11.21 ACRES (71 UNITS MAX.) - DOES NOT EXCEED 50% OF ALLOWABLE UNITS.

ZONING DESIGNATION: RESIDENTIAL MULTI-FAMILY
 PITTSYLVANIA COUNTY ZONING CODE DIVISION 6
 RESIDENTIAL MULTI-FAMILY DISTRICT SEC. 35-289
 STATES "THE MAXIMUM NUMBER OF UNITS PER GROSS ACRE IS (13)."

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:
CEASAR INVESTMENTS LLC
MILLSTREAM DR.
GRETNVA VIRGINIA 24557
YOLANDA CEASAR 336-681-3545

SHEET
 SK-1 of 1
 DATE
 JULY 20, 2022
 FILE
 2022-34
 SCALE
 AS NOTED



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case S-22-011 New Testament Baptist Church	District:	Westover District Election District
Zoning Request:	SUP		
Agenda Date:	August 02, 2022		
Meeting History:			

SUBJECT

Requested by New Testament Baptist Church, for a Special Use Permit for a School (Preschool and Afterschool Program) in accordance with Pittsylvania County Code § 35-223 and § 35-347. The property is a total of 6.75 acres, located on State Road 740/Iris Lane, in the Westover Election District and shown on the Tax Maps as GPIN #s 2319-62-6381 and 2319-62-8017.

BACKGROUND/DISCUSSION

New Testament Baptist Church is requesting a Special Use Permit to operate a preschool and afterschool program on the subject properties in accordance with Pittsylvania County Code § 35-223 and § 35-347. The properties are currently occupied by a church and gymnasium. The property occupied by the church is currently zoned R-1, Residential Suburban Subdivision District, and the property occupied by the church B-1, Business District, Limited. Both zoning classifications allow schools by Special Use Permit only. The applicants are currently requesting to open an afterschool program but will be adding a preschool at a later date. If the Special Use Permit is issued, the buildings will have to have Change of Use Surveys conducted to ensure that all requirements of the Uniform Statewide Building Code are met. Any required changes will require a building permit.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Medium to High Density Residential.

ZONING OF SURROUNDING PROPERTIES

Mostly surrounded by R-1, Residential Suburban Subdivision District, and B-1, Business District Limited, zoned properties

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-011 as submitted.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-011 as submitted.
2. Recommend approval of Case S-22-011 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-22-011 as submitted.

ATTACHMENTS:

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

STAFF SUMMARY

<p><u>CASE</u> S-22-011</p>	<p><u>ZONING REQUEST</u> SUP</p>	<p><u>CYCLE</u> August 2022/September 2022</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> New Testament Baptist Church is requesting a Special Use Permit for an after-school program and future preschool</p> <p>DISTRICT: Westover</p>	<p>PLANNING COMMISSION: August 2, 2022</p> <p>BOARD OF ZONING APPEALS: September 12, 2022</p> <p>ADVERTISED: July 20 & 27, 2022/August 24 & 31, 2022</p>	

SUBJECT

Requested by New Testament Baptist Church, for a Special Use Permit for a School (Preschool and Afterschool Program) in accordance with Pittsylvania County Code § 35-223 and § 35-347. The property is a total of 6.75 acres, located on State Road 740/Iris Lane, in the Westover Election District and shown on the Tax Maps as GPIN #s 2319-62-6381 and 2319-62-8017.

BACKGROUND/DISCUSSION

New Testament Baptist Church is requesting a Special Use Permit to operate a preschool and afterschool program on the subject properties in accordance with Pittsylvania County Code § 35-223 and § 35-347. The properties are currently occupied by a church and gymnasium. The property occupied by the church is currently zoned R-1, Residential Suburban Subdivision District, and the property occupied by the church B-1, Business District, Limited. Both zoning classifications allow schools by Special Use Permit only. The applicants are currently requesting to open an afterschool program but will be adding a preschool at a later date. If the Special Use Permit is issued, the buildings will have to have Change of Use Surveys conducted to ensure that all requirements of the Uniform Statewide Building Code are met. Any required changes will require a building permit.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Medium to High Density Residential.

ZONING OF SURROUNDING PROPERTIES

Mostly surrounded by R-1, Residential Suburban Subdivision District, and B-1, Business District Limited, zoned properties

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-011 as submitted.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-011 as submitted.
2. Recommend approval of Case S-22-011 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-22-011 as submitted.

ATTACHMENTS:

- A. Application

Attachment: S-22-011 New Testament App (3293 : Public Hearing: Case S-22-011 New Testament Baptist Church)

- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

We, New Testament Baptist Church, 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:

1. Property Owner's Name: New Testament Baptist Church
Address: 1721 Mount View Road, Danville VA 24540

Telephone: (434) 548-3361

2. Location of Property: 691 Iris Lane

Total Amt: \$ 350.00

Taken By: check# 12565
og

3. Tax Map Number 2319-62-6381 & 2319-62-8017

4. Election District: Westover

5. Size of Property: 6.75 Acres

6. Existing Land Use: Church

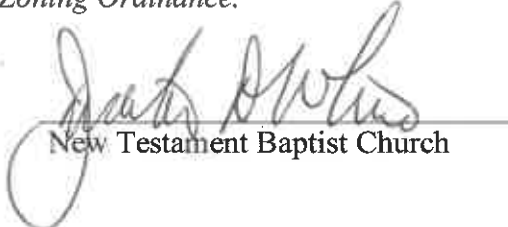
Existing Zoning: R-1, Residential Suburban Subdivision District & B-1 Business District, Limited

7. Proposed Land Use: After school program/future Preschool

8. Check completed items:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan | <input checked="" type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input type="checkbox"/> Copy of Plat | <input checked="" type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Deed Restrictions
Or Covenants |

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.


New Testament Baptist Church

OFFICE USE ONLY

Application Deadline: 06/30/22
Received By: ESR
B.Z.A. Meeting Date: 09/12/22

Application No. S-22-11
P.C. Meeting Date: 08/02/22
Date Received: 06/21/2022
Action: _____

Attachment: S-22-011 New Testament App (3293 : Public Hearing: Case S-22-011 New Testament Baptist Church)

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

6.75 acres two parcels of land)
generally located at 691 Iris Lane)
within the Westover) **PETITION**
Election District, and recorded as)
parcel #s 2319-62-6381 & 2319-62-8017)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

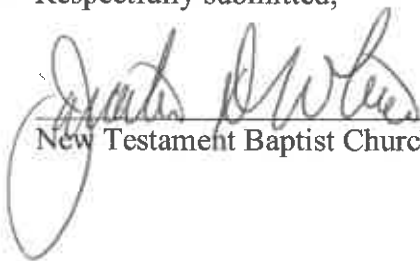
WHEREAS, your Petitioner, New Testament Baptist Church, respectfully file this petition pursuant to Sections 35-713 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioner is the owner of the above-referenced parcels of land or are filing with the owner's consent.
- (2) The properties are presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District & B-1 Business District, Limited.
- (3) Your petitioner now desires to have a Special Use Permit issued to allow for an after-school program and a future Preschool.

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

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

Respectfully submitted,



New Testament Baptist Church

Attachment: S-22-011 New Testament App (3293 : Public Hearing: Case S-22-011 New Testament Baptist Church)

July 14, 2022

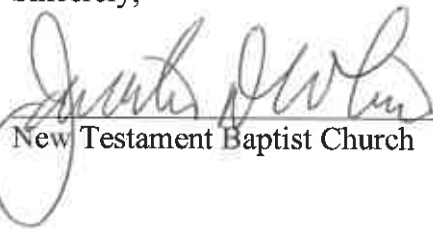
Mrs. Emily Ragsdale
Director of Community Development
P. O. Box 426
Chatham, VA 24531

Dear Mrs. Ragsdale:

We, New Testament Baptist Church, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 6.75 acres, located at 691 Iris Lane, in the Westover Election District. The property is shown on the Tax Maps as GPIN #s 2319-62-6381 & 2319-62-8017.

We would like a Special Use Permit to allow for an after-school program and a future Preschool.

Sincerely,



New Testament Baptist Church



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-

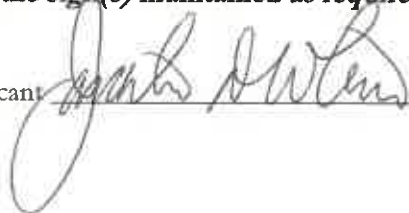
When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or 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 S-22-001 Applicant  Date _____

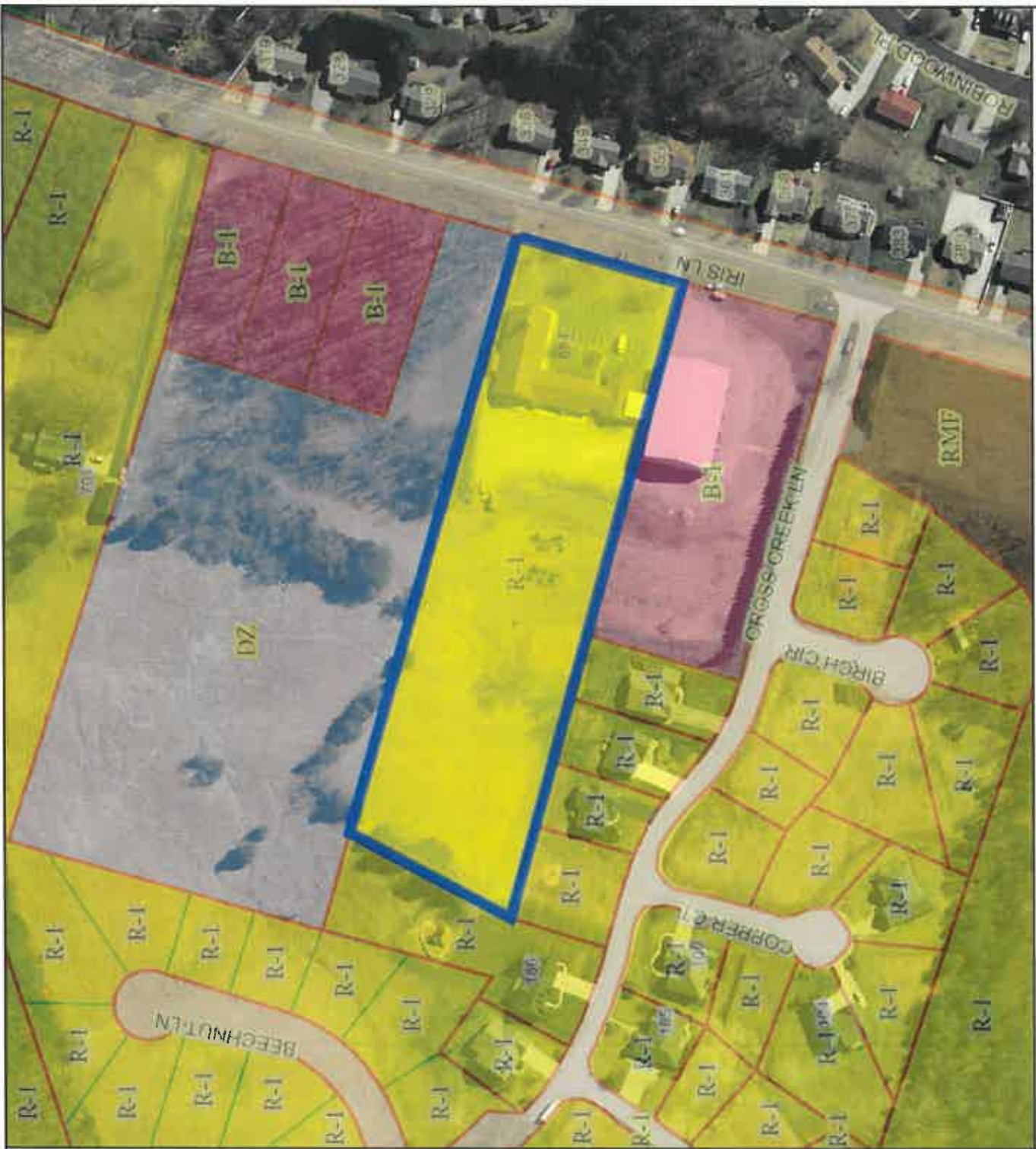
Attachment: S-22-011 New Testament App (3293 : Public Hearing: Case S-22-011 New Testament Baptist Church)

GPIIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2319-62-5764	DISHMAN, WAYNE J	156 CROSS CREEK LANE	DANVILLE, VA 24540
2319-62-4260	OAKES, CHRISTI W	160 CROSS CREEK LN	DANVILLE, VA 24540
2319-62-8017	NEW TESTAMENT BAPTIST CHURCH	1721 MOUNT VIEW RD	DANVILLE, VA 24540
2319-62-3283	GEORGE, RUSSELL E	164 CROSS CREEK LN	DANVILLE, VA 24540
2319-62-2433	MCDOWELL, JOSHUA R	186 CROSS CREEK LN	DANVILLE, VA 24540
2319-72-0420	SAUNDERS DIANNE RUSSELL DECLARATION OF TRUST	701 IRIS LANE	DANVILLE, VA 24540

S-22-011 NEW TESTAMENT BAPTIST CHURCH

Legend

- Assessed Parcels
- Parcels
- Zoning**
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = Residential Manuf. Housing Park District
- R-1 = Residential Suburban Subdivision District
- RC-1 = Residential Combined Subdivision District
- RE = Residential Estates District
- RMF = Residential Multi-Family Subdivision District
- RPD = Residential Planned Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary



Title:

Date: 6/23/2022

9.3.b

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 curve it may be.

Attachment: S-22-011 New Testament Map (3293 : Public Hearing: Case S-22-011 New Testament Baptist Church)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case S-22-013 Larry Oakes	District:	Dan River Election District
Zoning Request:	SUP		
Agenda Date:	August 02, 2022		
Meeting History:			

SUBJECT

Requested by Larry Oakes, for a Special Use Permit for the Sales, Service, and Repair of Automobiles in accordance with Pittsylvania County Code § 35-179. The property 158.67 acres, located on State Road 968/Sandy Creek Church Road, in the Dan River Election District and shown on the Tap Map as GPIN # 2367-29-8147.

BACKGROUND/DISCUSSION

The applicant is requesting to operate an automobile sales facility on the property. Mr. Oakes currently operates a used car dealership in the City of Danville. He has stated that he is retiring but wishes to retain his dealer license. In order for the Department of Motor Vehicles to issue a dealer license at a location, the location must be zoned appropriately for that use. Pittsylvania County Code § 35-179 requires a Special Use Permit for the sales, service, and repair of automobiles. Mr. Oakes has stated that cars will be stored on the property and that he plans to construct a new building. If a Special Use Permit is granted, the construction of the building will be governed by the Uniform Statewide Building Code and all applicable zoning regulations.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

Included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-013.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-013 as submitted.
2. Recommend approval of Case S-22-013 subject to conditions by Staff.

3. Recommend approval of Case S-22-013 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-013 as submitted.

ATTACHMENTS:

- A. Application
- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners
- H. Concept Plan

STAFF SUMMARY

<u>CASE</u>	<u>ZONING REQUEST</u>	<u>CYCLE</u>
S-22-013	SUP	June 2022/July 2022
<u>SUBJECT/PROPOSAL/REQUEST</u>		PLANNING COMMISSION: June 7, 2022
Larry Oakes is requesting a Special Use Permit for an Auto sales lot, on and off-site, open to the public		BOARD OF ZONING APPEALS: July 11, 2022
DISTRICT: Dan River		ADVERTISED: May 18 & 25, 2022/June 22 & 29, 2022

SUBJECT

Requested by Larry Oakes, for a Special Use Permit for the Sales, Service, and Repair of Automobiles in accordance with Pittsylvania County Code § 35-179. The property 158.67 acres, located on State Road 968/Sandy Creek Church Road, in the Dan River Election District and shown on the Tap Map as GPIN # 2367-29-8147.

BACKGROUND/DISCUSSION

The applicant is requesting to operate an automobile sales facility on the property. Mr. Oakes currently operates a used car dealership in the City of Danville. He has stated that he is retiring but wishes to retain his dealer license. In order for the Department of Motor Vehicles to issue a dealer license at a location, the location must be zoned appropriately for that use. Pittsylvania County Code § 35-179 requires a Special Use Permit for the sales, service, and repair of automobiles. Mr. Oakes has stated that cars will be stored on the property and that he plans to construct a new building. If a Special Use Permit is granted, the construction of the building will be governed by the Uniform Statewide Building Code and all applicable zoning regulations.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

Included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-013.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-013 as submitted.
2. Recommend approval of Case S-22-013 subject to conditions by Staff.
3. Recommend approval of Case S-22-013 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-013 as submitted.

ATTACHMENTS:

- A. Application
- B. Maps
- C. Letter of Intent

- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners
- H. Concept Plan

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

I, Larry Oakes, 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 Name: Larry Oakes
Address: 687 Sandy Creek Church Road, Ringgold VA 24586 Telephone: (434) 429-0515
- 2. Location of Property: 687 Sandy Creek Church Road Total Amt: \$ 350.00
Taken By: check # 1727
- 3. Tax Map Number 2367-29-8147
- 4. Election District: Dan River
- 5. Size of Property: 158.67 Acres
- 6. Existing Land Use: Single-family residence
Existing Zoning: A-1, Agricultural District
- 7. Proposed Land Use: Auto Sales, on and off site, open to public
- 8. Check completed items:
 Letter of Application Site Development Plan Legal Forms
 11"x 17" Concept Plan Application Fee List of Adjoining Properties
 Copy of Plat Copy of Deed Copy of Deed Restrictions
Or Covenants

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.



Larry Oakes

OFFICE USE ONLY
Application Deadline: 06/30/22
Received By: ESR
B.Z.A. Meeting Date: 09/12/22

Application No. S-22-13
P.C. Meeting Date: 08/02/22
Date Received: 06/22/2022
Action: _____

Attachment: S-22-013 Larry Oakes App (3295 : Public Hearing: Case S-22-013 Larry Oakes)

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

A 158.67 acre parcel of land)
generally located at 687 Sandy Creek)
Church Road within the Dan River) **PETITION**
Election District, and recorded as)
parcel # 2367-29-8147)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Larry Oakes, 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 the owner 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 A-1, Agricultural District.
- (3) Your petitioner now desires to have a Special Use Permit issued to allow for auto sales, on and off site, open to public.

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

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

Respectfully submitted,



Larry Oakes

Attachment: S-22-013 Larry Oakes App (3295 : Public Hearing: Case S-22-013 Larry Oakes)

July 5, 2022

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

Dear Mrs. Ragsdale:

I, Larry Oakes, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 158.67 acres, located at 687 Sandy Creek Church Road, in the Dan River Election District. The property is shown on the Tax Maps as GPIN # 2367-29-8147.

I would like a Special Use Permit to allow for auto sales, on and off site, open to public.

Sincerely,



Larry Oakes

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 8-22-013 Applicant [Signature] Date 7.18.22

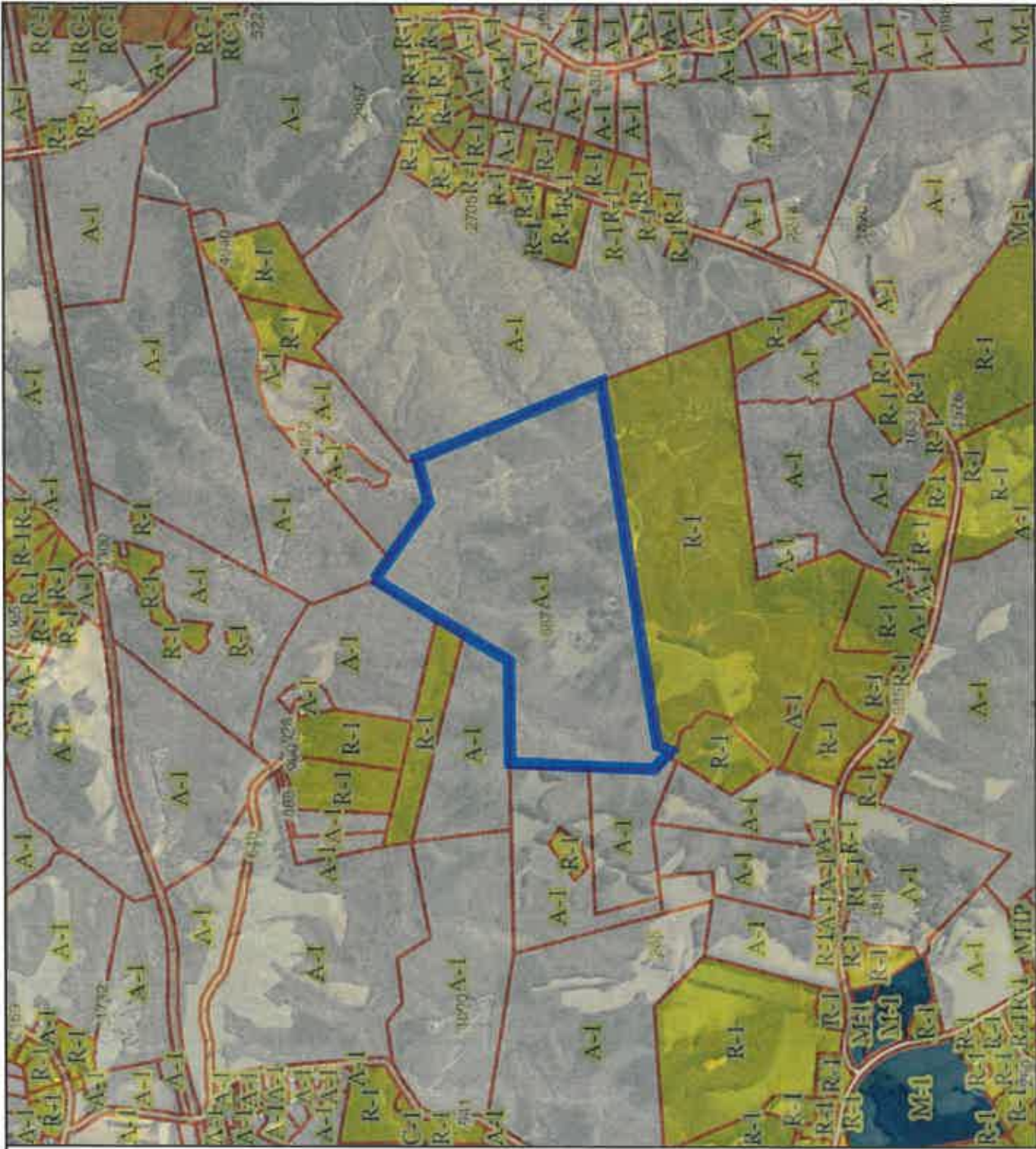
Attachment: S-22-013 Larry Oakes App (3295 : Public Hearing: Case S-22-013 Larry Oakes)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2357-96-3441	BASS, KENNETH W	661 SANDY CREEK CHURCH RD	RINGGOLD, VA 24586
2357-98-3402	WILKINSON, PHILLIP V	1840 RAINBOW CIRCLE	DANVILLE VA 24540
2368-42-4333	HUDGINS, LINDA REYNOLDS	725 APPLGROVE RD.	SLIVER SPRINGS, MD 20904
2357-98-3455	WILKINSON, RONALD STEPHEN	493 MOORES DAIRY FARM RD	RINGGOLD, VA 24586
2367-09-7814	LINDSEY, LAFE JEFFRIES	1000 SHAWNEE RD	RINGGOLD, VA 24586
2367-27-5279	THOMPSON, SHIRLEY ANN ET ALS	2061 RINGGOLD RD	RINGGOLD, VA 24586
2368-11-5198	RACE, KIPP SHANNON	1041 SANDY BOTTOM ROAD	RINGGOLD, VA 24586
2367-29-8147	OAKES, LARRY FRANKLIN	687 SANDY CREEK CHURCH RD	RINGGOLD, VA 24586
2368-41-1231	MOTLEY, MARVIN RAY	4952 ROCKSPRINGS RD.	RINGGOLD, VA 24586
2368-50-1039	ANDERSON, CHAMP B	5863 SOUTH BOSTON HWY	SUTHERLIN, VA 24594

S-22-013 LARRY OAKES

Legend

- Assessed Parcels
- Parcels
- Zoning
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light
- Industry
- M-2 = Industrial District, Heavy
- Industry
- MHP = Residential Manuf. Housing
- Park District
- R-1 = Residential Suburban
- Subdivision District
- RC-1 = Residential Combined
- Subdivision District
- RE = Residential Estates District
- RMF = Residential Multi-Family
- Subdivision District
- RPD = Residential Planned
- Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary



Title:

Date: 6/23/2022

9.4.b

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.



CONCEPT PLAN

NOT TO SCALE

PARCEL INFORMATION

OWNER OF PARCEL: LARRY OAKES

① PARCEL ID: 2367-29-8147 - 158.67 AC.

SITE ADDRESS: 687 SANDY CREEK CHURCH RD.
RINGGOLD VIRGINIA 24586
DAN RIVER MAGISTERIAL DISTRICT

PROPOSED SCOPE OF WORK:

DEVELOPMENT OF APPROX. .25 AC. SITE
TO BE USED FOR:
WHOLESALE AUTOMOTIVE SALES
NEW BUILDING TO BE 40' X 50'

ZONE CODE: EXISTING
(A-1) AGRICULTURAL DISTRICT

ZONE CODE CHANGE REQUEST:
(A-1) AGRICULTURAL DISTRICT
SPECIAL USE PERMIT: WHOLESALE AUTO SALES

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:
LARRY OAKES
687 SANDY CREEK CHURCH RD.
RINGGOLD VA 24586
434-429-0515

SHEET	SK-1 of 1
DATE	JULY 5, 2022
FILE	2022-32
SCALE	AS NOTED

Attachment: S-22-013 Larry Oakes Concept (3295 : Public Hearing: Case S-22-013 Larry Oakes)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case S-22-018 Darryl and Debra Burd	District:	Tunstall District Election District
Zoning Request:	SUP		
Agenda Date:	August 02, 2022		
Meeting History:			

SUBJECT

Requested by Darryl & Debra Burd, for a Special Use Permit for a public garage in accordance with Pittsylvania County Code § 35-268. The property is 0.66 acres, located on Highway 58/Martinsville Highway in the Tunstall Election District and shown on the Tap Maps as GPIN # 1339-57-2716.

BACKGROUND/DISCUSSION

The subject property is currently zoned RC-1, Residential Combined Subdivision District. Under Pittsylvania County Code § 35-268, a Special Use Permit is required for public garages under the RC-1 zoning classification. The applicants received a grant from the Danville Pittsylvania County Chamber of Commerce's Rev Up program to start a public garage on the subject property. The applicants are proposing to use an existing building on the property. In order to use the accessory structure for a commercial use, it must meet all requirements of the Uniform Statewide Building Code. Plans must be submitted to the Code Official, a building permit issued, and any necessary changes made prior to the building being used. If a Special Use Permit is granted, the storage of inoperable vehicles would be governed by the Pittsylvania County Code- Commercial, Chapter 9. The property is currently occupied by a single-family dwelling and an accessory structure.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-018 with the following conditions:

1. Repair activities shall be contained within an enclosed structure.
2. Inoperable vehicles shall comply with Chapter 9 of the Pittsylvania County Code and must be stored in an area screened in accordance with PCC § 35-121.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-018 as submitted.
2. Recommend approval of Case S-22-018 subject to conditions by Staff.
3. Recommend approval of Case S-22-018 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-018 as submitted.

ATTACHMENTS:

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

STAFF SUMMARY

<u>CASE</u>	<u>ZONING REQUEST</u>	<u>CYCLE</u>
S-22-018	SUP	August 2022/September 2022
<u>SUBJECT/PROPOSAL/REQUEST</u>		PLANNING COMMISSION: August 2, 2022
Darryl & Debra Burd is requesting a Special Use Permit for a Public Garage		BOARD OF ZONING APPEALS: September 12, 2022
DISTRICT: Tunstall		ADVERTISED: July 20 & 27, 2022/August 24 & 31, 2022

SUBJECT

Requested by Darryl & Debra Burd, for a Special Use Permit for a public garage in accordance with Pittsylvania County Code § 35-268. The property is 0.66 acres, located on Highway 58/Martinsville Highway in the Tunstall Election District and shown on the Tap Maps as GPIN # 1339-57-2716.

BACKGROUND/DISCUSSION

The subject property is currently zoned RC-1, Residential Combined Subdivision District. Under Pittsylvania County Code § 35-268, a Special Use Permit is required for public garages under the RC-1 zoning classification. The applicants received a grant from the Danville Pittsylvania County Chamber of Commerce's Rev Up program to start a public garage on the subject property. The applicants are proposing to use an existing building on the property. In order to use the accessory structure for a commercial use, it must meet all requirements of the Uniform Statewide Building Code. Plans must be submitted to the Code Official, a building permit issued, and any necessary changes made prior to the building being used. If a Special Use Permit is granted, the storage of inoperable vehicles would be governed by the Pittsylvania County Code- Commercial, Chapter 9. The property is currently occupied by a single-family dwelling and an accessory structure.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-018 with the following conditions:

1. Repair activities shall be contained within an enclosed structure.
2. Inoperable vehicles shall comply with Chapter 9 of the Pittsylvania County Code and must be stored in an area screened in accordance with PCC § 35-121.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-018 as submitted.
2. Recommend approval of Case S-22-018 subject to conditions by Staff.

3. Recommend approval of Case S-22-018 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-018 as submitted.

ATTACHMENTS:

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

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

We, Darryl & Debra Burd, 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:

1. Property Owner's Name: Darryl & Debra Burd
Address: 17372 Martinsville Hwy, Axton, VA 24054

Telephone: (803) 242-8768

2. Location of Property: 17372 Martinsville Hwy

Total Amt: \$ 350.00

Taken By: Cash 6/24/22
DB

3. Tax Map Number 1339-57-2716

4. Election District: Tunstall

5. Size of Property: 0.66 Acres

6. Existing Land Use: Single Family Dwelling

Existing Zoning: RC-1, Residential Combined Subdivision District

7. Proposed Land Use: Public Garage

8. Check completed items:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan | <input checked="" type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input type="checkbox"/> Copy of Plat | <input checked="" type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Deed Restrictions
Or Covenants |

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.

Debra Burd
Debra Burd

OFFICE USE ONLY
Application Deadline: 06/30/22
Received By: ESR
B.Z.A. Meeting Date: 09/12/22

Application No. S-22-018
P.C. Meeting Date: 08/02/22
Date Received: 06/24/2022
Action: _____

Attachment: S-22-018 Darryl Burd App (3294 : Public Hearing: Case S-22-018 Darryl and Debra Burd)

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

A 0.66acre parcel of land)
generally located at 17372 Martinsville Hwy)
within the Tunstall) **PETITION**
Election District, and recorded as)
parcel # 1339-57-2716)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

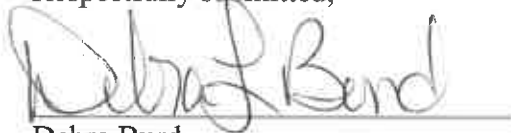
WHEREAS, your Petitioners, Darryl & Debra Burd, respectfully files this petition pursuant to Sections 35-713 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The 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 RC-1, Residential Combined Subdivision District.
- (3) Your petitioners now desire to have a Special Use Permit issued to allow for a public garage.

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,


Debra Burd

Attachment: S-22-018 Darryl Burd App (3294 : Public Hearing: Case S-22-018 Darryl and Debra Burd)

June 24, 2022

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

Dear Mrs. Ragsdale:

We, Darryl & Debra Burd, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 0.66 acres, located at 17372 Martinsville Hwy, in the Tunstall Election District. The property is shown on the Tax Maps as GPIN # 1339-57-2716.

We would like a Special Use Permit to allow for a public garage.

Sincerely,



Darryl & Debra Burd



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 9-22-018 Applicant Debra Burd Date 6-24-22

Attachment: S-22-018 Darryl Burd App (3294 : Public Hearing: Case S-22-018 Darryl and Debra Burd)

Legend

- Assessed Parcels
- Parcels
- Zoning
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = Residential Manuf. Housing Park District
- R-1 = Residential Suburban Subdivision District
- RC-1 = Residential Combined Subdivision Distric
- RE = Residential Estates District
- RMF = Residential Multi-Family Subdivision Distric
- RPD = Residential Planned Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary



Title:

Date: 6/14/2022

9.5.b

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-22-018 Darryl Burd Map (3294 : Public Hearing: Case S-22-018 Darryl and Debra Burd)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC	District:	Banister Election District
Zoning Request:	SUP		
Agenda Date:	August 02, 2022		
Meeting History:			

SUBJECT

Requested by Elkhorn Lake ATV Trails, LLC for a Special Use Permit for a Recreational Use (ATV Trails). The property is 149.1 acres, located on State Road 729/Red Road, in the Banister Election District and shown on the Tap Map as GPIN # 2486-03-9536.

BACKGROUND/DISCUSSION

Elkhorn Lake ATV Trails, LLC, is requesting a Special Use Permit to operate ATV Trails on the subject property. The subject property is zoned A-1, Agricultural District. According to Pittsylvania County Code § 35-179, Recreational Uses require a Special Use Permit.

Special Use Permits were granted on July 12, 2021 and June 13, 2022 for ATV Trails on adjacent properties owned by Green Genie, LLC. The subject property is being leased by the applicant. If approved, the Special Use Permit would allow the current ATV operation to expand onto the subject 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, R-1, Residential Suburban Subdivision District, and B-2, Business District, General zoned properties.

RECOMMENDATION

Staff recommends APPROVAL of the SUP request for ATV Trails with the following conditions:

1. Days of operation shall be limited to Thursday-Sunday.
2. Hours of operation shall be limited to 10:00 a.m. to 8:00 p.m. Thursday through Saturday and 1:00 p.m. to 8:00 p.m. on Sunday.
3. No alcohol permitted on premises.

4. Must maintain a 100-foot vegetative buffer along all exterior property lines. This does not apply to interior property lines within the total project area.
5. Must maintain a natural buffer along all waterways.
6. Must remain in compliance with all applicable Erosion and Sediment Control and Stormwater regulations
7. Must remain in compliance with all applicable Health Department regulations
8. Night rides are permitted once per calendar year until 2:00 a.m.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-019 as submitted.
2. Recommend approval of Case S-22-019 subject to conditions by staff.
3. Recommend approval of Case S-22-019 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-019 as submitted.

ATTACHMENTS:

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

STAFF SUMMARY

<u>CASE</u>	<u>ZONING REQUEST</u>	<u>CYCLE</u>
S-22-019	SUP	August 2022/September 2022
<u>SUBJECT/PROPOSAL/REQUEST</u>		PLANNING COMMISSION: August 2, 2022
Elkhorn Lake ATV Trails, LLC, is requesting a Special Use Permit for a Recreational Use (ATV Trails)		BOARD OF ZONING APPEALS: September 12, 2022
DISTRICT: Banister		ADVERTISED: July 20 & 27, 2022/August 24 & 31, 2022

SUBJECT

Requested by Elkhorn Lake ATV Trails, LLC for a Special Use Permit for a Recreational Use (ATV Trails). The property is 149.1 acres, located on State Road 729/Red Road, in the Banister Election District and shown on the Tap Map as GPIN # 2486-03-9536.

BACKGROUND/DISCUSSION

Elkhorn Lake ATV Trails, LLC, is requesting a Special Use Permit to operate ATV Trails on the subject property. The subject property is zoned A-1, Agricultural District. According to Pittsylvania County Code § 35-179, Recreational Uses require a Special Use Permit.

Special Use Permits were granted on July 12, 2021 and June 13, 2022 for ATV Trails on adjacent properties owned by Green Genie, LLC. The subject property is being leased by the applicant. If approved, the Special Use Permit would allow the current ATV operation to expand onto the subject 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, R-1, Residential Suburban Subdivision District, and B-2, Business District, General zoned properties.

RECOMMENDATION

Staff recommends APPROVAL of the SUP request for ATV Trails with the following conditions:

1. Days of operation shall be limited to Thursday-Sunday.
2. Hours of operation shall be limited to 10:00 a.m. to 8:00 p.m. Thursday through Saturday and 1:00 p.m. to 8:00 p.m. on Sunday.
3. No alcohol permitted on premises.
4. Must maintain a 100-foot vegetative buffer along all exterior property lines. This does not apply to interior property lines within the total project area.
5. Must maintain a natural buffer along all waterways.
6. Must remain in compliance with all applicable Erosion and Sediment Control and Stormwater regulations
7. Must remain in compliance with all applicable Health Department regulations
8. Night rides are permitted once per calendar year until 2:00 a.m.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-019 as submitted.
2. Recommend approval of Case S-22-019 subject to conditions by staff.
3. Recommend approval of Case S-22-019 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-019 as submitted.

ATTACHMENTS:

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

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

I/We, Quercus Inc., 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 Name: Quercus Inc. Phone: 336-414-8116
Address: 150 Deer Run Road
Lewisville, NC ZIP 27032

pd. ch#
8231
[Signature]

2. Location of Property: ST RD 729 TR A 149.10 AC DB860-252 MAP DB380-99

3. Tax Map Parcel Number: 2486-03-9536

4. Election District: Blairs Magisterial District

5. Size of Property: 149.1 Acres +/- acres/square feet
Size of Proposed Special Use: 149.1 Acres acres/square feet

6. Existing Land Use: Forestry

Existing Zoning: A-1

7. Proposed Land Use: ATV trails expansion to add to ATV trails on 2486-34-5505 (334 +/- acres)

8. Check completed items:
 Letter of Application Site Development Plan Legal Forms
 11" x 17" Concept Plan Application Fee Plat Map
 List of Adjoining Properties

9. Any materials relating to a particular case, including a staff recommendation or report furnished to a
member of the board, shall be made available without cost to such applicant, appellant or other
person aggrieved. Such materials will be sent to the following email address, unless otherwise
requested.

admin@elkhornatv.com Copy: lewistree@triad.rr.com (Email)

*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.*

[Signature]
Elkhorn Lake ATV Trails, LLC
Agent

Applicant

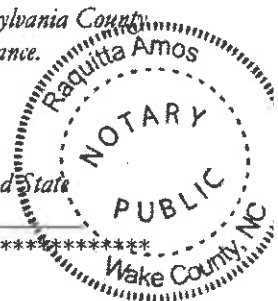
Sworn to and subscribed before me in my presence this 22nd day of June, 2022 in my City and State
aforesaid, by [Signature] Notary Public. My commission Expires: 04/27/2027

OFFICE USE ONLY: Application No.: _____

Application Deadline: _____ P. C. Hearing Date: _____

Received By: _____ Date Received: _____

B.Z.A. Hearing Date: _____ Action: _____



Attachment: S-22-019 Elkhorn Lake ATV App (3296 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

VIRGINIA

:
BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A 149.1+- acre parcel of land,)
generally located. ST RD 729)
within the Blairs) PETITION
Election District, and recorded as)
parcel # 2486-03-9536 in the)
Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

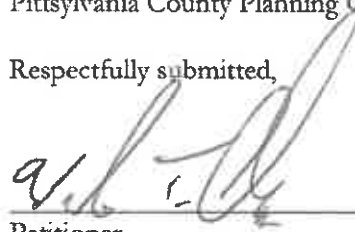
WHEREAS, your Petitioner Quercus Inc. and Agent Elkhorn Lake ATV Trails, LLC respectfully files this petition pursuant to Section 35-713 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia 1950, as amended, and would respectfully show the following:

- 1) The Petitioner is the 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 Agricultural District.
- 3) Your petitioner now desires to have a Special Use Permit issued for the purpose of expanding existing ATV trails

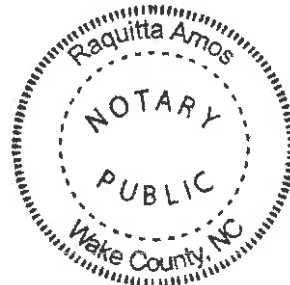
WHEREFORE, your petitioner respectfully requests that the above-referenced parcel of land be issued a Special Use Permit as set out in Number 3.

Further, your Petitioner respectfully requests that this petition be referred by the Secretary to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,


 Elkhorn Lake ATV Trails, LLC.
 Agent
 Petitioner

Sworn to and subscribed before me in my presence this 22nd day of June, 2022 in my City and State aforesaid, by [Signature] Notary Public. My commission Expires: 04/27/2023



Attachment: S-22-019 Elkhorn Lake ATV App (3296 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, 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. 25-819. MAINTENANCE AND REMOVAL OF SIGNS.

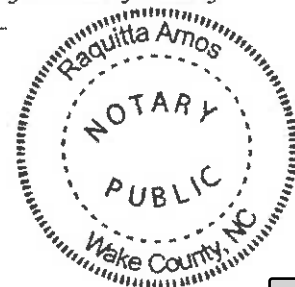
Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during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

Applicant Quercus Inc
Elkhorn Lake ATV Trails, LLC Date 6/22/2022

Sworn to and subscribed before me in my presence this 22nd day of June, 2022 in my City and State aforesaid, by
[Signature] Notary Public. My commission Expires: 06/27/2022



Attachment: S-22-019 Elkhorn Lake ATV App (3296 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

ADJACENT PROPERTY OWNERS

Adjacent property owners are mailed a notice of the request. Please provide each owner's name and mailing address plus zip code for every Property adjacent to the site and directly across from any public right-of-way adjoining the site. Names and addresses are available in the County Tax Commissioners office in the Courthouse.

Petition Parcel # 2486-03-9536

Name: Green Genie, Inc GPIN: 2486-34-5505
Address: PO Box 90758, Raleigh, NC 27675

Name: Coleman-Fuller, Lee Andrew 1st GPIN: 2486-26-8213
Address: 3613 Kelox Rd., Baltimore, MD 21207

Name: Green Genie, Inc GPIN: 2486-26-0293
Address: 2000 S Arlington Ridge Rd, Arlington, VA 22202

Name: Green Genie, Inc GPIN: 2486-05-3039
Address: 2000 S Arlington Ridge Rd, Arlington, VA 22202

Name: Cloverdale Lumber Co Inc. GPIN: 2476-72-3853
Address: 5863 S Boston Hwy, Sutherlin, VA 24594

Name: Cloverdale Lumber Co Inc. GPIN: 2486-00-1594
Address: 5863 S Boston Hwy, Sutherlin, VA 24594

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

Attachment: S-22-019 Elkhorn Lake ATV App (3296 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

SPECIAL POWER OF ATTORNEY

Property Description (Tax Map Number, Street Address or Common Description, Borough):

ST RD 729 TR A 149.10 AC DB860-252 MAP DB380-99

BLAIRS MAGISTERIAL DISTRICT

Tax Map # 2486-03-9536

I/we QUERCUS INC, am/are:

 the applicant for the above-referenced application

 X the owner(s) of the property described above

I/we do hereby make, constitute, and appoint William Todd Chamberlain, authorized agent of Elkhorn Lake ATV Trails, LLC, my/our true and lawful attorney-in-fact, and grant unto my/our attorney-in-fact full power and authority to make any and all applications and execute any related documents required in connection with all zoning and/or permitting matters related to expanding existing ATV trails, on the above described property (the "Property"), and to perform all acts and make all agreements as such person shall deem necessary or appropriate in regard to said zoning and/or permitting matters, including but not limited to the following authority: the authority to negotiate with localities; to sign and submit proffers that would constitute binding conditions on the Property; to agree to conditions and bind the Property with conditions, whether through proffers or other agreements; to sign and submit applications, agreements and/or other documents in connection with rezoning, conditional rezoning, special use permits, conditional use permits, special exceptions, zoning variances, building permits and/or any other permits related to expanding existing ATV trails, on the Property; and to modify or amend any documents in whole or in part relating to such applications, agreements and related documents.

I/we ratify all actions taken to date in connection with the zoning and/or permitting of the Property related to expanding existing ATV trails, on the Property.

Quercus Inc.
BY: [Signature] (PRESIDENT)

Owner:

Print Name Clifford Lewis QUERCUS INC

STATE OF NORTH CAROLINA
~~CITY OF WAKE FOREST~~ / County of **FORSYTH**, to-wit:
Subscribed and sworn to before me this 22nd day of June, 2022, in my City and State aforesaid, by [Signature] Notary Public.
My Commission Expires: April 1, 2023

Brandi T. Phillip
Notary Public
Yadkin County, NC
My Commission Expires: April 1, 2023

Attachment: S-22-019 Elkhorn Lake ATV App (3296 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

June 24, 2022

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

Dear Mrs. Ragsdale:

On behalf of Quercus Inc, Elkhorn Lake ATV Trails, LLC. would like to apply to the Planning Commission/Board of Supervisors for a Special Use to operate the Elkhorn Lake ATV Trails on parcel 2486-03-9536 owned by Quercus Inc along or near Red Road, Java, VA in the Blairs Magisterial District.

Operation of the Elkhorn Lake ATV Trails will comply with:

1. Have days of operation limited to Thursday-Sunday.
2. Have limited hours of operation limited to 10:00 a.m. to 8:00 p.m. Thursday through Saturday and 1:00 p.m. to 8:00 p.m. on Sunday.
3. Not permit alcohol beverage consumption on the trails.
4. Maintain a 100-foot vegetative buffer along all exterior property lines. This does not apply to interior property lines within the total project area.
5. Maintain a natural buffer along all waterways.
6. Remain in compliance with all applicable Erosion and Sediment Control and Stormwater regulations
7. Establish and remain in compliance with all applicable Health Department regulations
8. Conduct night rides no more than once per calendar year no longer than up to 2:00 a.m.
9. Maintain compliance with applicable floodplain regulations.

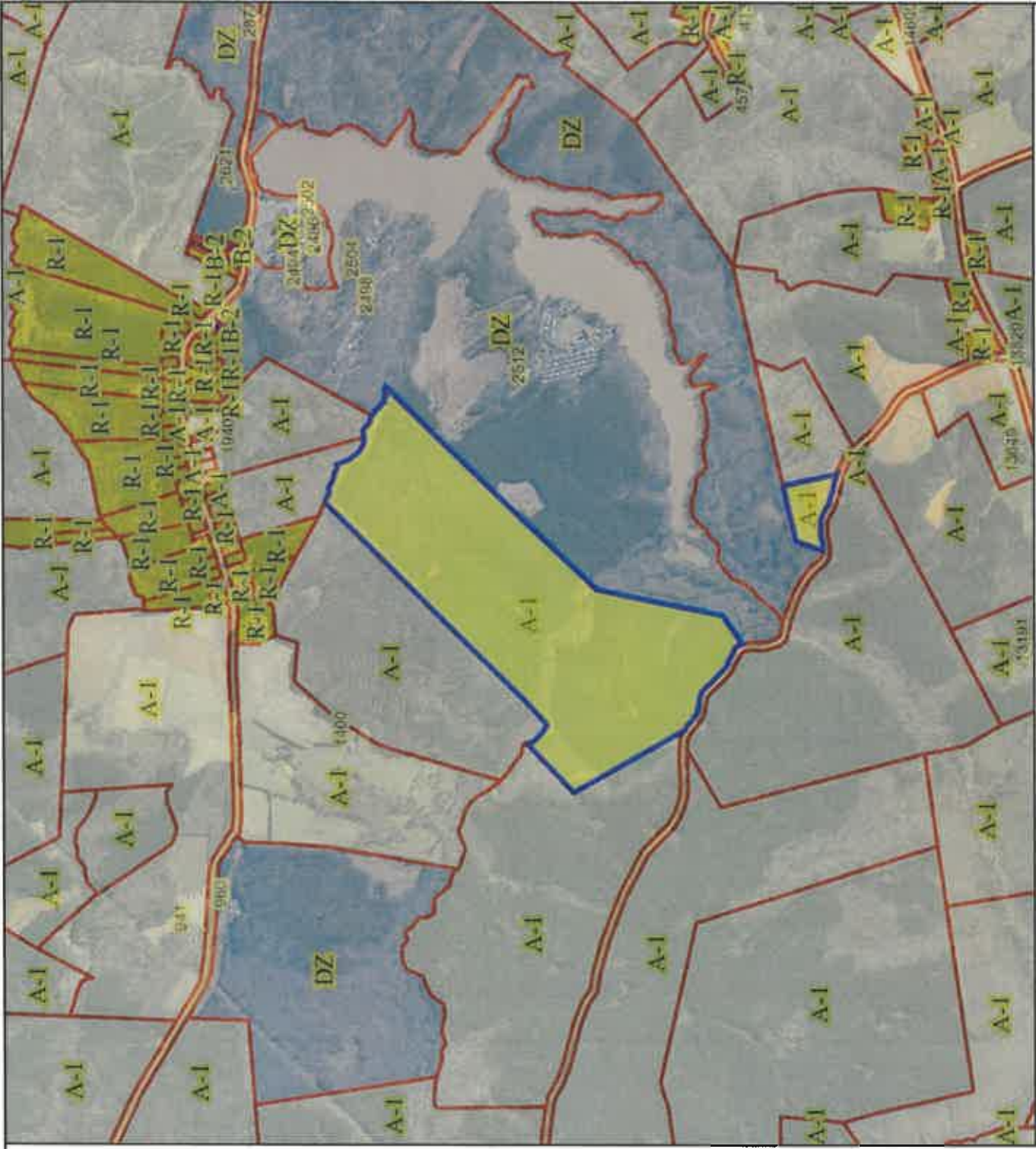
Sincerely,

William Chamberlain

William Todd Chamberlain (Agent)
Elkhorn Lake ATV Trails, LLC

Legend

- Assessed Parcels
- Parcels
- Zoning**
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = Residential Manuf. Housing
- Park District
- R-1 = Residential Suburban
- RC-1 = Residential Combined
- Subdivision Distric
- RE = Residential Estates District
- RMF = Residential Multi-Family
- Subdivision Distric
- RPD = Residential Planned
- Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary



Title:

Date: 6/24/2022

9.6.b

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 may be.

Attachment: S-22-019 Elkhorn Lake ATV Map (3296 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)