



**PLANNING COMMISSION
REGULAR MEETING
Tuesday, June 7, 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 05_03_2022
- 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-22-013 Nguyen Properties, LLC: Public Hearing: Case R-22-013 Nguyen Properties, LLC; Rezoning from RC-1, Residential Combined Subdivision District, to MHP, Residential Manufactured Housing Park District (Oakes)

Case Public Hearing: Case R-22-016 Jasmin Ruiz: Public Hearing: Case R-22-016 Jasmin Ruiz; Rezoning from B-2, Business District, General, to R-1, Residential Suburban Subdivision District (Mease)

Case Public Hearing: Case R-22-017 Bradley and Heather Barron: Public Hearing: Case R-22-017 Bradley and Heather Barron; Rezoning from RE, Residential Estates District, to A-1, Agricultural District (Mease)

Case Public Hearing: Case R-22-018 Robert and Angela Carlberg: 3180 : Public Hearing: Case R-22-018 Robert and Angela Carlberg

Case Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia: Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia; Rezoning from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry (Oakes)

Case Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia: Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia; Rezoning from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry (Horne)

Case Public Hearing: Case S-22-009 Mark Blanchet: Public Hearing: Case S-22-009 Mark Blanchet; Special Use Permit for a Campground (Oakes)

Case Public Hearing: Case S-22-010 Debra Goodwin: Public Hearing: Case S-22-010 Debra Goodwin; Special Use Permit for the Placement of a Double-wide Mobile Home (Oakes)

Case Public Hearing: Case S-22-012 Donna Clay: Public Hearing: Case S-22-012 Donna Clay; Special Use Permit for a Public Garage (Horne)

X. OLD BUSINESS

XI. NEW BUSINESS

1. Public Hearing: Case V-22-001 Tynesha Breedlove; Requesting a Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (A.) Front Setbacks (Haymore)

XII. ADJOURNMENT



Planning Commission

STAFF SUMMARY

Case:	PC Minutes 05_03_2022	District:	
Zoning Request:			
Agenda Date:	June 07, 2022		
Meeting History:			

May 3, 2022
Regular Meeting

**Pittsylvania County Planning Commission
Regular Meeting
May 3, 2022**

VIRGINIA: The Regular Meeting of the Pittsylvania County Planning Commission was held on May 3, 2022, in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia. Chairman - Westover District H.F. Haymore, called the meeting to order at 7:00 PM. The following members were present:

Attendee Name	Title	Status	Arrived
H.F. Haymore	Chairman - Westover District	Present	6:36 PM
Nathan Harker	Vice Chairman - Staunton River District	Absent	
Colette Henderson	Member - Banister District	Present	6:34 PM
Janet Mease	Member - Callands-Gretna District	Present	6:33 PM
Brian K. Horne	Member - Dan River District	Present	6:35 PM
Gary Oakes	Member - Tunstall District	Present	6:36 PM
Richard Waters	Member - Chatham-Blairs District	Present	6:33 PM
Darrell Dalton	Board of Supervisors Rep	Present	6:37 PM

HEARING OF CITIZENS

No citizens came forward to speak.

APPROVAL OF AGENDA

A motion was made by Mrs. Mease, seconded by Mr. Horne, and by a seven (7) to zero (0) vote , the agenda was approved as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Janet Mease, Member - Callands-Gretna District
SECONDER:	Brian K. Horne, Member - Dan River District
AYES:	Haymore, Henderson, Mease, Horne, Oakes, Waters, Dalton
ABSENT:	Harker

APPROVAL OF MINUTES

1. PC Minutes 04_05_2022

A motion was made by Mr. Waters, seconded by Mr. Dalton, and by a seven (7) to zero (0) vote, the minutes were approved as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Waters, Member - Chatham-Blairs District
SECONDER:	Darrell Dalton, Board of Supervisors Rep
AYES:	Haymore, Henderson, Mease, Horne, Oakes, Waters, Dalton
ABSENT:	Harker

CHAIRMAN'S REPORT

Mr. Haymore reported that former Chairman Mr. Richard Motley's wife passed away recently and asked for him to be remembered prayers and thoughts.

PUBLIC HEARING

1. Public Hearing: Case R-22-008; Robert and Barbie Eanes; Rezoning from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District (Waters)

Mr. Haymore opened the public hearing at 7:03 p.m. Mrs. Ragsdale, Director of Community Development, reported that Robert & Barbie Eanes petitioned to rezone 7.41 acres located on State Road 718/Snakepath Road in the Chatham-Blairs Election District from RC-1, Residential Combined Subdivision District to A-1, Agricultural District to allow for two dwellings to be placed on the property. Barbie Eanes was present to represent the petition. Mrs. Eanes stated that they were not rezoning for a mobile home park, they were rezoning to A-1 to allow for two residences on the property. She also stated they had originally planned to build their personal home there but have since purchased another home, so they are looking at other alternatives for this property. The Board did not have any questions for Mrs. Eanes. First up to speak was Brian Loeb. He stated that he was opposed to anything that will allow a mobile home now or in the future to be allowed in the neighborhood. He suggested dividing the land into two properties rather than rezoning. Mr. Waters asked if there were currently any mobile homes in the area. Mr. Loeb stated there is one down the road that has been there for several years. Mr. Waters asked if there were any doublewides in the area. Mr. Loeb said there is one about three quarters of a mile from the property. Mr. Waters asked Mrs. Ragsdale if the property could be subdivided. Mrs. Ragsdale informed the Board that the property does not have enough road frontage to be subdivided into two lots. Mr. Horne asked if under A-1 if there is a limit to mobile homes that can be placed on the property. Mrs. Ragsdale stated that A-1 allows for two dwellings - they can be stick built homes, modular homes, single-wide and double wide homes. She stated the property is currently zoned RC-1 which allows for one dwelling that can be stick-built, modular, single-wide or double-wide manufactured homes. Mr. Horne asked if under A-1 if it could ever be more than two. Mrs. Ragsdale stated that there can only be two. Mr. Waters asked if since it is currently zoned RC-1, could put a manufactured home there now with no rezoning or special use permit. Mrs. Ragsdale said that is correct, they would only need a building permit. Next to speak was Robin Loeb. She stated that she was told by the applicants that they intended to put a mobile home park on the property and that being the case since the property is 7 acres that she thinks it can handle more than two dwellings. Mr. Waters stated that Mrs. Ragsdale has already said that no more than two dwellings can be placed on the property under A-1 zoning. Mrs. Ragsdale stated that A-1 and C-1 are the only two zoning districts that allow for two single family dwellings on the property. She also said that the only zoning designation that allows for more than two dwelling would be Residential Multi Family District or Residential Manufactured Housing Park. Mrs. Ragsdale stated that either of these zoning designations would not be consistent with the comprehensive plan, which designates this property as Agricultural and Rural residential, so she would not recommend that the property ever be rezoned to Residential Manufactured Housing Park as it would be considered illegal spot zoning. Denise Williams was next to speak. She is responsible for two parcels of land adjacent to this property. She stated that she is concerned with uses listed under A-1 zoning, what is allowed and what is not. She stated that one concern is the multi dwelling because there are neighbors just in front of them. She also stated that the land had mobile homes on it prior and the dwellings were allowed to significantly depreciate and lower property values. She stated that they were eyesores

for the neighborhood, so something like that is a huge concern for her. Next to speak was Ted Kessler, stating that he has one of the largest frontages to this property and is concerned about what or may not happen, He stated that he has learned that if you own a piece of property that you can only put one dwelling on, you can come up here and ask for it to be changed and to him, this does not seem exactly right, but he is not making a decision, he is just disputing the case that concerns him since it is in his backyard. He also stated that he did not get a letter regarding the case, he heard it from neighbors. Mr. Waters asked Mrs. Ragsdale if there was any issue because he did not receive his letter before the meeting. Mrs. Ragsdale said that she had the receipt where the letter was sent out and suggested that he should follow up with the post office about not receiving it. Mrs. Mease asked the certified letter had to be signed for by the recipient to show it has been received. Mrs. Ragsdale said that all rezoning notifications are sent out certified as required by state law. Mr. Haymore closed the public hearing at 7:18 p.m. Mr. Waters thanked everyone for coming out to speak on behalf of this case. He has spoken with Mrs. Eanes and Mrs. Ragsdale to get clarification on what is planned. He stated that nothing was immediately planned but that they were just seeking to rezone at this time. He said that Mrs. Ragsdale had assured him that there will not be a mobile home park on this property. A motion was made by Mr. Waters, seconded by Mrs. Mease, to recommend the Board of Supervisors grant the rezoning request. Motion passed by seven (7) to zero (0) vote.

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

- 2. Public Hearing: Case R-22-009 Ronnie Warren; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Oakes)

Mr. Haymore opened the public hearing at 7:20 p.m. Mrs. Ragsdale, Director of Community Development, reported that Ronnie Warren, had petitioned to rezone 2.91 acres, in the Tunstall Election District from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for an accessory building to be placed on the property for his personal use. Ronnie Warren was present to represent the petition. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:22 p.m. A motion was made by Mr. Oakes, seconded by Mr. Dalton, to recommend the Board of Supervisors grant the rezoning request. Motion passed by a seven (7) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Oakes, Member - Tunstall District
SECONDER:	Darrell Dalton, Board of Supervisors Rep
AYES:	Haymore, Henderson, Mease, Horne, Oakes, Waters, Dalton
ABSENT:	Harker

- 3. Public Hearing: Case R-22-015 Bradley and Shannon Mceowen ; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Henderson)

Mr. Haymore opened the public hearing at 7:23 p.m. Mrs. Ragsdale, Director of Community Development, reported that Bradley & Shannon Mceowen, had petitioned to rezone 34.9 acres,

Attachment: 05_03_2022 Minutes nw (3187 : PC Minutes 05_03_2022)

located on Halifax Road in the Banister Election District from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for agricultural uses. Bradley Mceowen was present to represent the petition. Mr. Horne asked what agricultural uses it would be used for. Mr. Mceowen said they would like to fence in some of the property to have the appropriate horse acreage ratio to keep their land in good shape. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:25 p.m. A motion was made by Mrs. Henderson, seconded by Mr. Horne, to recommend the Board of Supervisors grant the rezoning request. Motion passed by a seven (7) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Colette Henderson, Member - Banister District
SECONDER:	Brian K. Horne, Member - Dan River District
AYES:	Haymore, Henderson, Mease, Horne, Oakes, Waters, Dalton
ABSENT:	Harker

4. Case S-22-005 Louise Morrison; Special Use Permit for a Doublewide Mobile Home (Henderson)

Mr. Haymore opened the public hearing at 7:26 p.m. Mrs. Ragsdale, Director of Community Development, reported that Joseph & Louise Morrison, petitioned for a Special Use Permit for placement of a Double-Wide home on 1.0 acres, located at 705 Telegraph Road in the Banister Election District. Julisha Murphy was present to represent the petition. Mr. Horne asked what was currently on the property. Ms. Murphy said there had been a stick-built home on the property, but it was destroyed by fire in January of this year. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:27 p.m. A motion was made by Mrs. Henderson, seconded by Mrs. Mease, to recommend the Board of Zoning Appeals grant the Special use Permit. Motion passed by a seven (7) to zero (0) vote.

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

5. Case S-22-007 Sally Norcutt; Special Use Permit for a Singlewide Mobile Home

Mr. Haymore opened the public hearing at 7:28 p.m. Mrs. Ragsdale, Director of Community Development, reported that Sally Norcutt, petitioned for a Special Use Permit for placement of a Single-Wide home on 3.28 acres, located on Motley Road in the Banister Election District. Sally Norcutt was present to represent 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. Henderson, seconded by Mr. Dalton, to recommend the Board of Zoning Appeals grant the Special use Permit. Motion passed by a seven (7) to zero (0) vote.

Attachment: 05_03_2022 Minutes nw (3187 : PC Minutes 05_03_2022)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Colette Henderson, Member - Banister District
SECONDER:	Darrell Dalton, Board of Supervisors Rep
AYES:	Haymore, Henderson, Mease, Horne, Oakes, Waters, Dalton
ABSENT:	Harker

6. Case S-22-008 Green Genie LLC; Special Use Permit for a Recreational Use (ATV Trails) (Henderson)

Mr. Haymore opened the public hearing at 7:32 p.m. Mrs. Ragsdale, Director of Community Development, reported that Green Genie, LLC, petitioned for a Special Use Permit for recreational use (ATV Trails), located on Elkhorn Road in the Banister Election District. A representative from Green Genie, LLC, was present to represent the petition. He stated that they were adding to existing ATV trails on property they have just acquired. Mr. Oakes asked how far the trails would be from homes that were on adjacent properties. The representative stated that the trails would be kept at least 100 feet from all adjacent property lines. Mr. Waters stated that the conditions state 100-foot vegetative buffer. Mrs. Ragsdale said that it would have to meet the ordinance regulation for a vegetative buffer, if there is existing vegetation there, it would be left. There was no opposition to the petition. Mr. Haymore closed the public hearing at 7:38 p.m. A motion was made by Mrs. Henderson, seconded by Mr. Dalton, to recommend the Board of Zoning Appeals that the Special Use Permit be granted with conditions. Motion passed by a seven (7) to zero (0) vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Colette Henderson, Member - Banister District
SECONDER:	Darrell Dalton, Board of Supervisors Rep
AYES:	Haymore, Henderson, Mease, Horne, Oakes, Waters, Dalton
ABSENT:	Harker

OLD BUSINESS

There was no old business.

NEW BUSINESS

There will be five (5) rezoning cases and two (2) Special Use Permits for June. There will also be a variance but won't hold a public hearing, but state code requires the variance application is presented to the board before going to the Board of Zoning Appeals, so they can make a recommendation if they choose to do so. Yearly training will be held Monday May 9th at 5 pm before the Board of Zoning Appeals meeting.

ADJOURNMENT

The meeting was adjourned at 7:43 p.m.

Attachment: 05_03_2022 Minutes nw (3187 : PC Minutes 05_03_2022)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case R-22-013 Nguyen Properties, LLC	District:	Tunstall District Election District
Zoning Request:	RC-1 to MHP		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by Nguyen Properties, LLC, as the contract purchaser, to rezone property located on State Road 1058/Oakwood Drive, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1368-26-8391. The applicants are requesting to rezone 6.25 acres, from RC-1, Residential Combined Subdivision District, to MHP, Residential Manufactured Housing Park District, to allow for a mobile housing park on the property.

BACKGROUND/DISCUSSION

Nguyen Properties, LLC, contract purchaser, is requesting to rezone a total of 6.25 acres from RC-1, Residential Combined Subdivision District, to MHP, Residential Manufactured Housing Park District, to allow for the expansion of a current legal non-conforming use. When Zoning was adopted in 1991, multiple mobile homes were located on the property. Because a zoning classification of RC-1 was assigned, the mobile homes became a legal nonconforming use. According to Pittsylvania County Code § 35-164, non-conforming uses cannot be expanded or enlarged unless they can be brought into compliance. In order to bring this property into compliance, the property would need to be rezoned to MHP. Additionally, Pittsylvania County Code § 35-164 states that any activity, use or structure that is discontinued for more than two (2) years, it shall be deemed abandoned and must conform to the regulations of the current regulations; therefore, any lots that have not been occupied for more than two (2) years have lost the right to be occupied, further reducing the number of lots within the legal non-conforming park.

The applicant has a contract to purchase the property with the intentions to resume the use as a mobile home park. In 1998, an application to rezone the property was submitted and ultimately denied due to opposition from the neighboring property owners.

Once the property is rezoned to MHP, all uses listed under Section 35-317 are a permitted use. The property would also be subject to Pittsylvania County Code Chapter 28 Manufactured Housing Park.

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 RC-1, Residential Combined Subdivision District, and R-1, Residential Suburban Subdivision District, properties.

RECOMMENDATION

Staff recommends DENIAL of Case R-22-013, submitted by Nguyen Properties, LLC, requesting to rezone a total of 6.25 acres located State Road 1058/Oakwood Drive, in the Tunstall Election District and shown on the Tax Map as GPIN# 1368-26-8391, from RC-1, Residential Combined Subdivision District, to MHP, Residential Manufactured Housing Park District, to allow for a mobile housing park on the property. The subject property is not adjacent to any other properties currently zoned MHP, Residential Manufactured Housing Park District and while the rezoning would be consistent with the Comprehensive Plan, Staff has received multiple concerns and objections from adjacent property owners. Additionally, the entrance to this property would need to be upgraded to a commercial entrance. VDOT does not feel that the site distance requirements can be met, and therefore they would not approve a commercial entrance at this location.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-013 as submitted.
2. Recommend denial of Case R-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

STAFF SUMMARY

<p><u>CASE</u> R-22-013</p>	<p><u>ZONING REQUEST</u> RC-1 to MHP</p>	<p><u>CYCLE</u> June 2022/July 2022</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Nguyen Properties, LLC, is requesting to rezone the property from RC-1, Residential Combined Subdivision District to MHP, Manufactured Housing Park District.</p> <p>DISTRICT: Tunstall</p>	<p>PLANNING COMMISSION: June 7, 2022</p> <p>BOARD OF SUPERVISORS: July 19, 2022</p> <p>ADVERTISED: May 18 & 25, 2022 & June 22 & 29, 2022</p>	

SUBJECT

Requested by Nguyen Properties, LLC, as the contract purchaser, to rezone property located on State Road 1058/Oakwood Drive, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1368-26-8391. The applicants are requesting to rezone 6.25 acres, from RC-1, Residential Combined Subdivision District, to MHP, Residential Manufactured Housing Park District, to allow for a mobile housing park on the property.

BACKGROUND/DISCUSSION

Nguyen Properties, LLC, contract purchaser, is requesting to rezone a total of 6.25 acres from RC-1, Residential Combined Subdivision District, to MHP, Residential Manufactured Housing Park District, to allow for the expansion of a current legal non-conforming use. When Zoning was adopted in 1991, multiple mobile homes were located on the property. Because a zoning classification of RC-1 was assigned, the mobile homes became a legal nonconforming use. According to Pittsylvania County Code § 35-164, non-conforming uses cannot be expanded or enlarged unless they can be brought into compliance. In order to bring this property into compliance, the property would need to be rezoned to MHP. Additionally, Pittsylvania County Code § 35-164 states that any activity, use or structure that is discontinued for more than two (2) years, it shall be deemed abandoned and must conform to the regulations of the current regulations; therefore, any lots that have not been occupied for more than two (2) years have lost the right to be occupied, further reducing the number of lots within the legal non-conforming park.

The applicant has a contract to purchase the property with the intentions to resume the use as a mobile home park. In 1998, an application to rezone the property was submitted and ultimately denied due to opposition from the neighboring property owners.

Once the property is rezoned to MHP, all uses listed under Section 35-317 are a permitted use. The property would also be subject to Pittsylvania County Code Chapter 28 Manufactured Housing Park.

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 RC-1, Residential Combined Subdivision District, and R-1, Residential Suburban Subdivision District, properties.

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

RECOMMENDATION

Staff recommends DENIAL of Case R-22-013, submitted by Nguyen Properties, LLC, requesting to rezone a total of 6.25 acres located State Road 1058/Oakwood Drive, in the Tunstall Election District and shown on the Tax Map as GPIN# 1368-26-8391, from RC-1, Residential Combined Subdivision District, to MHP, Residential Manufactured Housing Park District, to allow for a mobile housing park on the property. The subject property is not adjacent to any other properties currently zoned MHP, Residential Manufactured Housing Park District and while the rezoning would be consistent with the Comprehensive Plan, Staff has received multiple concerns and objections from adjacent property owners. Additionally, the entrance to this property would need to be upgraded to a commercial entrance. VDOT does not feel that the site distance requirements can be met, and therefore they would not approve a commercial entrance at this location.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-013 as submitted.
2. Recommend denial of Case R-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

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

I, Angela Nguyen, as contract purchaser 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: Nguyen Properties LLC
Address: 27416 SW 143rd Court, Homestead, FL 33032

2. Location of Property: 397Oakwood Dr

Telephone: 305-815-2780

3. Tax Map Numbers: 1368-26-8391

4. Election District: Tunstall

Total Amount: \$336.65

Taken By: Check #104

5. Size of Properties: 6.25 acres



6. Existing Land Use: Non-Conforming Mobile Home Park

Existing Zoning: RC-1, Residential Combined Subdivision District

7. Proposed Land Use: Mobile Home Park

Proposed Zoning: MHP, Residential Manufactured Housing Park

8. Are conditions being proffered: Yes X No

9. Check completed items:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Letter of Application | <input checked="" 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.



Rick Fain

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.O.S. Meeting Date: 07/19/22

Application No. R-22-013
P.C. Meeting Date: 06/07/22
Date Received: 4/13/22
Action: _____

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

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

6.25 acres of land, generally located)
at 397 Oakwood Drive within the)
Tunstall Election District and recorded)
as parcel ID # 1368-26-8391 on the)
Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:


WHEREAS, your Petitioner, Nguyen Properties, LLC, respectfully file 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 Contract Purchaser of the above-referenced parcel.
- (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 the property rezoned to MHP, Residential Manufactured Housing Park.

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,



Rick Fain

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

May 10, 2022

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

Dear Mrs. Ragsdale:

Nguyen Properties, LLC, as contract purchaser, would like to apply to the Planning Commission/Board of Supervisors to rezone 6.25 acres, GPIN #1368-26-8391, located at 397 Oakwood Drive in the Tunstall Election District.

I am requesting to rezone this parcel from RC-1, Residential Combined Subdivision District to MHP, Residential Manufactured Housing Park, to allow for a mobile home park.

Sincerely,



Rick Fain

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 R-22-013 Applicant  Date 5-13-22

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

Robin S. Vaughan

From: Craddock, Joseph <joseph.craddock@vdot.virginia.gov>
Sent: Wednesday, June 1, 2022 5:00 PM
To: Emily Ragsdale
Cc: Robin S. Vaughan
Subject: 397 Oakwood Drive - proposed mobile home park rezoning

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Emily,

I looked at the existing entrance at 397 Oakwood Drive as requested. For the proposed use, with up to 43 potential mobile home sites, an additional 279 vehicle trips per day could be generated at full build out. This would require that the existing private entrance be upgraded to a full commercial entrance, which requires adequate intersection sight distance.

Due to the horizontal alignment of Oakwood Drive, the location does not have adequate intersection sight distance for traffic approaching from the south. Please feel free to contact me if you have any questions or need any additional information. Also, I would be happy to meet with the property owners to go over VDOT's requirements if they are interested.

Thanks,

—
 Jay Craddock
 Assistant Resident Engineer - Land Use / Halifax Residency
 Virginia Department of Transportation
 434-433-3142
Joseph.Craddock@vdot.virginia.gov



Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1368-35-0809	THOMAS, CHARLES ALVIN	317 OAKWOOD DR	DANVILLE, VA 24541
1368-27-4055	BROWN, PHYLLIS J	11250 MARTINSVILLE HWY	DANVILLE, VA 24541
1368-26-8391	ECHOLS, CHARLES R	896 LOOMFIXER LAKE RD	DANVILLE, VA 24541
1368-35-4750	COLLIE, KATHY A	320 OAKWOOD DR	DANVILLE, VA 24541
1368-36-6159	DAVIS, JAMES E	380 OAKWOOD DR	DANVILLE, VA 24541



VIRGINIA REALTORS®
CONTRACT FOR PURCHASE OF UNIMPROVED PROPERTY



(This is a legally binding contract. If you do not understand any part of it, please seek competent advice before signing.)

This CONTRACT FOR PURCHASE OF UNIMPROVED PROPERTY made as of March 08, 2022, between Charles R. Echols, Katherine D. Echols

more), whose address is (the "Seller", whether one or more), whose address is Nguyen Properties LLC, and

one or more), whose address is provides: The Listing Company (who represents Seller) is HAUSER REALTY GROUP

Selling Company (who [X] does OR [] does not represent Purchaser) is United Country Jeff Davis & Assoc.

1. REAL PROPERTY: Purchaser agrees to buy and Seller agrees to sell the land and all improvements thereon located in the County or City of Pittsylvania County, Virginia and described as (legal description): ST RD 722 LOTS 5 & 6 6.25 AC

and more commonly known as: 397 Oakwood Dr, Danville, VA 24541-8569

2. PURCHASE PRICE: The Purchase Price (the "Purchase Price") of the Property is \$35,000.00 \$40,000.00 (the "Property"). [X] This sale shall be in gross, and the Purchase Price shown above shall be the exact sales price.

[] The Purchase Price shall be adjusted at settlement to an exact purchase price of \$ per (sq. ft.) (acre). The exact area to be determined by a survey to be made by a licensed surveyor and paid for by [] Purchaser OR [] Seller OR [] . The Purchaser shall pay to the Seller at settlement the Purchase Price in cash or by cashier's certified check, subject to the prorations herein and from the following sources:

[] (a) THIRD PARTY FIRST TRUST: This sale is subject to Purchaser's [] obtaining OR [] assuming [] a conventional OR [] other (describe) () loan secured by a first deed of trust lien on the Property in the principal amount of \$- , or -% of the Purchase Price bearing interest at a fixed rate not exceeding -% per year, or at an adjustable rate with an initial rate not exceeding -% per year, or at the market rate of interest at the time of settlement, amortized over a term of - years, and requiring not more than a total of - loan discount points, excluding a loan origination fee, or an assumption fee not exceeding \$- . (If this contract provides for the assumption of a loan: (i) the parties acknowledge that the balance set forth above is approximate and that the principal amount to be assumed will be the outstanding principal balance on the date of settlement, and (ii) Purchaser shall assume all obligations of Seller under such loan.)

[] (b) THIRD PARTY SECOND TRUST: As set forth in paragraph 4, this sale is also subject to Purchaser's obtaining a loan secured by a second deed of trust lien on the Property in the principal amount of \$- , or -% of the Purchase Price bearing interest at a rate not exceeding -% per year, amortized as follows - , and requiring not more than a total of - loan discount points, excluding the origination fee.

[] (c) SELLER FINANCING: Seller agrees that \$- or -% of the Purchase Price shall be evidenced by a note made by Purchaser payable to Seller bearing interest at a rate of -% per year amortized as follows -

[] second OR [] (specify priority) - The note shall be secured by a deferred purchase money [] first OR deed of trust lien on the Property. The deed of trust and note shall provide, among other things, that: (i) the note shall be due and payable in full if the Property, or any interest therein, is transferred, sold or conveyed; (ii) Purchaser shall have the right to prepay the note at any time in whole or in part: [] with a premium or penalty of -% of the amount prepaid OR [] without premium or penalty; (iii) a late payment charge shall be provided, if applicable, (iv) a late payment charge not exceeding five-

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Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

~~percent of the payment may be assessed by seller for any payment more than seven (7) calendar days late; (v) a default under the terms of any prior financing shall constitute a default under the note and deed of trust; (vi) the note and deed of trust shall otherwise be in form satisfactory to Seller; (vii) other terms:~~

~~If this Contract provides for SELLER FINANCING, then (i) such financing shall be contingent upon review and approval by Seller of a current credit report on each Purchaser and a current personal financial statement of each Purchaser, which documents must be provided to Seller within _____ business days following execution of this Contract by both parties; (ii) Purchaser shall properly record applicable deed of trust, at its expense, at settlement; and (iii) Purchaser may not assign this Contract in whole or in part, without the prior written consent of Seller, which Seller shall be under no obligation to give. Any deed of trust securing SELLER FINANCING (i) shall contain a provision requiring the trustees under said deed of trust, without the necessity of obtaining the prior consent or joinder of the noteholder, to release land for easements and rights of ways, and/or land to be dedicated for public use from the above mentioned trust without curtailment and at no cost to Purchaser, provided such releases in their aggregate total less than _____ % of the total land area originally encumbered by the deed of trust; (ii) shall provide that Purchaser shall have the right, at any time after settlement, to raze existing improvements, cut, fill, grade, erect improvements and do all other things Purchaser believes necessary in the development of the Property, with OR without obligation to make any prepayment on account of the debt secured by the deferred purchase money deed of trust.~~

- (d) **BALANCE OF PURCHASE PRICE:** Purchaser will provide the balance of the Purchase Price from Purchaser's funds in cash or by cashier's or certified check or wired funds at settlement.
- (e) **OTHER FINANCING TERMS:** This is a cash transaction

3. **DEPOSIT:** Purchaser shall make a deposit of \$ 500.00 to be held by All Virginia Title (the "Escrow Agent") in the form of: check cash other

(the "Deposit"). Purchaser [select one]: has paid the Deposit to the Escrow Agent OR will pay the Deposit to the Escrow Agent within 5 days (the "Extended Deposit Date") after the date this Contract is fully executed by the parties. If Purchaser fails to pay the Deposit as set forth herein, then Purchaser shall be in breach of this Contract. At Seller's option and in lieu of all other remedies set forth in this Contract, Seller may terminate this Contract by written notice to Purchaser and neither party shall have any further obligation hereunder.

If the Escrow Agent is a Virginia Real Estate Board ("VREB") licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account by the end of the fifth business banking day following the later of: (i) the date this Contract is fully executed by the parties, or (ii) the Extended Deposit Date. If the Escrow Agent is not a VREB licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account in conformance with applicable Federal or Virginia law and regulations. The Deposit may be held in an interest bearing account and the parties waive any claim to interest resulting from such Deposit. The Deposit shall not be released by the Escrow Agent until (i) credited toward the Purchase Price at settlement; (ii) Seller and Purchaser agree in writing as to its disposition; (iii) a court of competent jurisdiction orders a disbursement of the funds; or (iv) disbursed in such manner as authorized by the terms of this Contract or by Virginia law or regulations. Seller and Purchaser agree that Escrow Agent shall have no liability to any party for disbursing the Deposit in accordance with this paragraph, except in the event of Escrow Agent's negligence or willful misconduct.

If the Property is foreclosed upon while this Contract is pending, the terms of Section 54.1-2108.1 of the Code of Virginia shall apply to the disbursement of the Deposit. Foreclosure shall be considered a termination of this Contract by Seller and, absent any default by Purchaser, the Deposit shall be disbursed to Purchaser.

4. **FINANCING:**

~~(a) This Contract is contingent upon Purchaser obtaining and delivering to Seller a written commitment or commitments, as the case may be, for the third-party financing or loan assumption required in paragraph 2. Purchaser agrees to make written application for such financing or assumption (including the payment of any required application, credit, or appraisal fees) within five (5) business days of the date of acceptance of this Contract and to diligently pursue obtaining a commitment for such financing.~~

~~(b) If Purchaser does not obtain such written commitment and so notifies Seller or Selling Company or Listing Company in writing before 5:00 p.m. local time on _____ (if no date is filled in, the date shall be the same date set forth in paragraph 7), then if Purchaser is otherwise in compliance with the terms of this Contract, this Contract shall terminate upon giving such a notice and the Deposit shall be refunded to Purchaser. If Purchaser does not obtain such a written commitment and notice thereof is not received by the deadline, or such later deadline as the parties may agree upon in writing, then Purchaser's financing contingency set out in subparagraph 4(a) above shall nonetheless continue unless—~~

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

~~Seller gives Purchaser written notice of intent to terminate this Contract. If Seller gives Purchaser such notice, this Contract shall terminate as of 5:00 p.m. local time on the third day following Seller's delivery of such notice to Purchaser unless before that time Purchaser has delivered to Seller a commitment in compliance with the provisions of subparagraph 4(a) above, or a removal of Purchaser's financing contingency and evidence of the availability of funds necessary to settle without such financing.~~

~~(c) If any down payment as established in Paragraph 3 or any balance of the Purchase Price in excess of the Deposit is to be paid in cash without third party or seller financing, upon Seller's written request, Purchaser shall give the Seller written verification from Purchaser's bank or other sources within seven (7) days of the latter of either the request from the Seller or Ratification date of this Contract that Purchaser has or can have the balance of the Purchase Price in cash not later than the settlement date. If Purchaser fails to give such verification within such time, Seller may terminate this Contract by giving Purchaser written notice thereof within five (5) days after the date by which verification was to be given.~~

~~(d) Unless specified in a written contingency, neither this Contract nor Purchaser's financing is dependent or contingent on the sale or settlement or lease of other real property.~~

~~(e) The occurrence of any of the following shall constitute a default by Purchaser under this Contract:~~

- ~~(i) Purchaser fails to make timely application for any financing provided for hereunder, or to diligently pursue obtaining such financing;~~
- ~~(ii) Purchaser fails to lock in the interest rate(s) provided for hereunder and the rate(s) increase so that Purchaser no longer qualifies for the financing;~~
- ~~(iii) Purchaser fails to comply with the lender's reasonable requirements in a timely manner;~~
- ~~(iv) Purchaser fails to notify the lender, Seller or Listing Company promptly of any material adverse change in Purchaser's financial situation that affects Purchaser's ability to obtain the financing;~~
- ~~(v) Purchaser does not have the down payment, closing costs or fees, or other funds required to settle as provided in this Contract;~~
- ~~(vi) Purchaser does or fails to do any act following ratification of this Contract that prevents Purchaser from obtaining the financing; or~~
- ~~(vii) Purchaser makes any deliberate misrepresentation, material omission, or other inaccurate submission or statement that results in Purchaser's inability to secure the financing.~~

~~(f) Purchaser does OR does not intend to occupy the Property as a primary residence.~~

~~(g) Nothing in this Contract shall prohibit Purchaser from pursuing alternative financing from the financing specified in paragraph 2. Purchaser's failure to obtain the alternative financing shall be at Purchaser's risk, and shall not relieve Purchaser of the consequences set forth in this paragraph 4 should Purchaser fail to pursue, as required in this paragraph 4, the financing set forth in paragraph 2.~~

5. ~~LOAN FEES:~~ Except as otherwise agreed upon in this Contract, Purchaser shall pay all points, loan origination fees, charges and other costs imposed by a lender or otherwise incurred in connection with obtaining the loan or loans. The amount of any contributions Seller agrees to make under this Contract toward Purchaser's loan fees shall include miscellaneous and tax service fees charged by a lender for financing described in this Contract and which by regulation or law Purchaser is not permitted to pay.
6. ~~TITLE INSURANCE.~~ Purchaser may, at Purchaser's expense, purchase owner's title insurance. Depending on the particular circumstances of the transaction, such insurance could include affirmative coverage against possible mechanics' and materialmen's liens for labor and materials performed prior to Settlement and which, though not recorded at the time of recordation of Purchaser's deed, could be subsequently recorded and would adversely affect Purchaser's title to the Property. The coverage afforded by such title insurance would be governed by the terms and conditions thereof, and the premium for obtaining such title insurance coverage will be determined by its coverage. Purchaser may purchase title insurance at either "standard" or "enhanced" coverage and rates. For purposes of owner's policy premium rate disclosure by Purchaser's lender(s), if any, Purchaser and Seller require that enhanced rates be quoted by Purchaser's lender(s). Purchaser understands that nothing herein obligates Purchaser to obtain any owner's title insurance coverage at any time, including at Settlement, and that the availability of enhanced coverage is subject to underwriting criteria of the title insurer.
7. ~~SETTLEMENT; POSSESSION:~~ Settlement shall be made at All Virginia Title on or about or sooner than 6/8/22, . Settlement is defined as the time when the settlement agent has received the duly executed deed, loan funds, loan documents, and other documents and funds required to carry out the terms of the contract between the parties and the settlement agent reasonably determines that prerecordation conditions of such contracts have been satisfied. Possession of the Property shall be given at Settlement, unless otherwise agreed in writing by the parties. At Settlement, Seller will deliver the deed described in paragraph 15, an affidavit acceptable to Purchaser and Purchaser's title insurance company as to parties in possession and mechanic's liens, applicable non-foreign status and state residency certificates and applicable IRS 1099 certificates.
8. ~~EXPENSES; PRORATIONS; ROLLBACK TAXES:~~
- (a) Each party shall bear its own expenses in connection with this Contract, except as specifically provided otherwise herein. Seller agrees to pay the expense of preparing the deed and the recordation tax applicable to grantors; all expenses incurred by Purchaser in connection with the purchase, including without limitation title examination, insurance premiums, survey costs, recording costs and the fees of Purchaser's attorney, shall be borne by Purchaser. All taxes, assessments, interest, rent escrow deposits, and other ownership fees, if any, shall be prorated as of the date of settlement.

(b) Rollback taxes shall be paid as follows: _____

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9. **BROKERAGE FEE; SETTLEMENT STATEMENTS:** Seller and Purchaser authorize and direct the settlement agent to disburse to Listing Company and/or Selling Company from the settlement proceeds their respective portions of the brokerage fee payable as a result of this sale and closing under the Contract. Each of Listing Company and/or Selling Company shall deliver to the settlement agent, prior to settlement, a signed written statement setting forth the fee to which such company is entitled and stating how such fee and any additional sales incentives are to be disbursed. Seller and Purchaser authorize and direct the settlement agent to provide to each of Seller, Purchaser, Listing Company and Selling Company a copy of the unified settlement statement for the transaction.
 10. **BROKER INDEMNIFICATION:** Seller and Purchaser agree to hold harmless Listing Company, Selling Company, the officers, directors and employees, or any real estate broker or salesperson employed by or affiliated with the Listing Company or Selling Company for any delay, or expense caused by such delay, in settlement due to regulatory or legal requirements.
 11. **STUDY PERIOD:** Purchaser shall have 60 days from the date this Contract is executed by both Purchaser and Seller to determine, through engineering and feasibility studies, whether Purchaser's plan of development of the Property is practical. Purchaser shall contract for such studies within ten (10) days from the date of execution, and deliver to Seller and Listing Company copies of the letter(s) ordering the studies, said letter(s) stipulating that true copies of all studies are to be sent to Seller or Listing Company, simultaneously with delivery to Purchaser. If within such study period Purchaser notifies Seller or Listing Company, in writing, that Purchaser's plan, in Purchaser's sole judgment, is not practical, Purchaser may terminate this Contract and receive a refund of the Deposit and the parties shall have no further liability or obligations hereunder, except as set forth herein. Time shall be of the essence of this provision.
 12. **SOIL STUDY:** This Contract is contingent for _____ days from date of execution of this Contract by both Purchaser and Seller to allow _____ at its expense to obtain a soil study and/or percolation test, which shall lawfully allow for the erection and use of _____ on the Property. Such study or test shall be pursued diligently and in good faith and if such study or test reveals that Purchaser's intended use of the Property is not permissible or practicable, Purchaser shall have the right, upon written notice to Seller, to terminate this Contract, in which event the Deposit shall be returned to Purchaser and the parties shall have no further liability or obligations hereunder, except as set forth herein.
 13. **ACCESS:** Purchaser and Purchaser's agents and engineers shall have the right to enter onto the Property at all reasonable times prior to settlement for purposes of engineering, surveying, title or such other work as is permitted under this Contract, so long as such studies do not result in a permanent change in the character or topography of the Property. Purchaser shall not interfere with Seller's use of the Property, and Purchaser, at Purchaser's expense, shall promptly restore the Property to its prior condition upon completion of Purchaser's studies or work. Purchaser to keep the Property free and clear from all liens resulting from its work, studies, investigations or other activities performed pursuant to this Contract and shall indemnify and hold Seller harmless against any loss or liability to person or property resulting from Purchaser's presence or activities on the Property. This obligation shall survive settlement and transfer of title and possession to the Property.
 14. **RISK OF LOSS:** All risk of loss or damage to the Property by fire, windstorm, casualty, or other cause is assumed by Seller until settlement. In the event of substantial loss or damage to the Property before settlement, Purchaser shall have the option of either (i) terminating this Contract and recovering the Deposit, or (ii) affirming this Contract, in which event Seller shall assign to Purchaser all of Seller's rights under any policy of policies of insurance applicable to the Property.
 15. **TITLE:** At settlement Seller shall convey the Property to Purchaser by general warranty deed containing English covenants of title (except that conveyance from a personal representative of an estate or from a trustee or institutional lender shall be by special warranty deed), free of all encumbrances, tenancies, and liens (for taxes and otherwise), but subject to such restrictive covenants and utility easements of record which do not materially and adversely affect the use of the Property for Purchaser's intended purposes or render the title unmarketable. If the Property does not abut a public road, title to the Property must include a recorded easement providing adequate access thereto. In the event this sale is subject to a financing contingency under paragraph 2(a) or 2(b), the access to a public road must be acceptable to each lender. If the examination reveals a title defect of a character that can be remedied by legal action or otherwise within a reasonable time, then Seller, at Seller's expense, shall promptly take such action as is necessary to cure such defect. If the defect is not cured within 60 days after Seller receives notice of the defect, then Purchaser shall have the right to (i) terminate this Contract, in which event the Deposit shall be returned to Purchaser, and Purchaser and Seller shall have no further obligations hereunder, or (ii) waive the defect and proceed to settlement with no adjustment to the Purchase Price. If Seller has agreed to cure such defect, the parties agree that the settlement date prescribed in paragraph 7 shall be extended as necessary to enable Seller to cure such title defect, but not for more than 60 days unless agreed by the parties.
 16. **PROPERTY OWNERS' ASSOCIATION DISCLOSURE:** The Seller represents that the Property [select one]: is OR is not located within a development which is subject to the Virginia Property Owners' Association Act (Sections 55.1-1800)

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Reviewed 01/21

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Angle for 397

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

et. seq. of the Code of Virginia) (the "Act"). If the Property is within such a development, the Act requires the Seller to obtain from the property owners' association an association disclosure packet and provide it to the Purchaser, or Purchaser's authorized agent. The information contained in the association disclosure packet shall be current as of the specified date on the disclosure packet. The Purchaser may cancel this Contract (a) within _____ days (between 3 and 7, if blank, 3) after the date of this Contract, if on or before the date that the Purchaser signs this Contract, the Purchaser receives the association disclosure packet or is notified that the association disclosure packet is not available; (b) within _____ days (between 3 and 7, if blank, 3) after receiving the association disclosure packet, if the association disclosure packet is available or notice that the association disclosure packet will not be available is hand delivered, delivered by electronic means, or delivered by a commercial overnight delivery service or the United Parcel Service and a receipt obtained; or (c) within _____ days (between 6 and 10, if blank, 6) after the postmark date if the association disclosure packet or notice that the association disclosure packet will not be available is sent to the Purchaser by United States mail. The Purchaser may also cancel this Contract at any time prior to settlement if the Purchaser has not been notified that the association disclosure packet will not be available and the association disclosure packet is not delivered to the Purchaser. Notice of cancellation shall be provided to the Seller (owner) or his agent by one of the following methods: (i) hand delivery; (ii) United States mail, postage prepaid, provided the sender retains sufficient proof of mailing, which may be either a United States postal certificate of mailing or a certificate of service prepared by the sender confirming such mailing; (iii) electronic means provided the sender retains sufficient proof of the electronic delivery, which may be an electronic receipt of delivery, a confirmation that the notice was sent by facsimile, or a certificate of service prepared by the sender confirming the electronic delivery; or (iv) overnight delivery using a commercial service or the United States Postal Service. In the event of a dispute, the sender shall have the burden to demonstrate delivery of the notice of cancellation. Such cancellation shall be without penalty, and the Seller shall cause any deposit to be returned promptly to the Purchaser, but not later than thirty days from the date of cancellation. Seller shall provide written instructions to the Association for delivery of the disclosure packet to Purchaser or Purchaser's authorized agent. The right to receive the association disclosure packet and to cancel this Contract terminates at settlement. If the Purchaser has received the association disclosure packet, the Purchaser has a right, at Purchaser's sole expense, to request an update of such disclosure packet from the property owners' association. A request for an updated disclosure packet does not extend the cancellation periods set forth above.

17. **CONDOMINIUM DISCLOSURE:** The Seller represents that the Property [select one]: is OR is not a condominium resale, which is subject to the Virginia Condominium Act (Section 55.1-1900 et seq. of the Code of Virginia) (the "Condominium Act"). If the Property is a condominium resale, the Condominium Act requires the Seller to obtain from the unit owners' association a resale certificate and provide it to the Purchaser or Purchaser's authorized agent. The information contained in the resale certificate shall be current as of the specified date on the resale certificate. The Purchaser may cancel this Contract (a) within _____ days (between 3 and 7, if blank, 3) after the date of this Contract, if on or before the date that the Purchaser signs this Contract, the Purchaser receives the resale certificate; (b) within _____ days (between 3 and 7, if blank, 3) after receiving the resale certificate if the resale certificate is hand delivered, delivered by electronic means, or delivered by a commercial overnight delivery service or the United Parcel Service and a receipt obtained; or (c) within _____ days (between 6 and 10, if blank, 6) after the postmark date if the resale certificate is sent to the Purchaser by United States mail. Notice of cancellation shall be provided to the Seller (owner) or his agent by one of the following methods: (i) hand delivery; (ii) United States mail, postage prepaid, provided the sender retains sufficient proof of mailing, which may be either a United States postal certificate of mailing or a certificate of service prepared by the sender confirming such mailing; (iii) electronic means provided the sender retains sufficient proof of the electronic delivery, which may be an electronic receipt of delivery, a confirmation that the notice was sent by facsimile, or a certificate of service prepared by the sender confirming the electronic delivery; or (iv) overnight delivery using a commercial service or the United States Postal Service. In the event of a dispute, the sender shall have the burden to demonstrate delivery of the notice of cancellation. Such cancellation shall be without penalty, and the Seller shall cause any deposit to be returned promptly to the Purchaser, but not later than thirty days from the date of cancellation. Seller shall provide written instructions to the Association for the delivery of the resale certificate to Purchaser or Purchaser's authorized agent. The right to receive the resale certificate and to cancel this Contract terminates at settlement. If the Purchaser has received the resale certificate, the Purchaser has a right, at Purchaser's sole expense, to request from the unit owners' association a resale certificate update or financial update. A request for an updated resale certificate does not extend the cancellation periods set forth above.
18. **NOTICE TO PURCHASER REGARDING SETTLEMENT AGENT AND SETTLEMENT SERVICES:** Choice of Settlement Agent: Chapter 10 (§§55.1-1000 et seq.) of Title 55.1 of the Code of Virginia provides that in loans made by lenders and secured by first deeds of trust or mortgages on real estate containing not more than four residential dwelling units, the purchaser or borrower has the right to select the settlement agent to handle the closing of this transaction. The settlement agent's role in closing this transaction involves the coordination of numerous administrative and clerical functions relating to the collection of documents and the collection and disbursement of funds required to carry out the terms of the contract between the parties. If part of the purchase price is financed, the lender for the purchaser will instruct the settlement agent as to the signing and recording of loan documents and the disbursement of loan proceeds. No settlement agent can provide legal advice to any party to the transaction except a settlement agent who is engaged in the private practice of law in Virginia and who has been retained or engaged by a party to the transaction for the purpose of providing legal services to that party. Variation by agreement: The provisions of Chapter 10 (§§55.1-1000 et seq.) of Title 55.1 of the Code of Virginia may not be varied by agreement, and rights conferred by this chapter may not be waived. The seller may not require the use of a particular settlement agent as a condition of the sale of the property. Escrow, closing, and settlement service guidelines: The Virginia State Bar issues guidelines to help settlement agents avoid and

prevent the unauthorized practice of law in connection with furnishing escrow, settlement or closing services. As a party to a real estate transaction, the purchaser or borrower is entitled to receive a copy of these guidelines from his settlement agent, upon request, in accordance with the provisions of Chapter 10 (§55.1-1000 et seq.) of Title 55.1 of the Code of Virginia.

To facilitate the settlement agent's preparation of various closing documents, including any HUD-1 or Closing Disclosure, Purchaser hereby authorizes the settlement agent to send such Closing Disclosure to Purchaser by electronic means and agrees to provide the settlement agent Purchaser's electronic mail address for that purpose only.

19. **MECHANICS LIEN NOTICE:**

(a) Virginia law (§ 43-1 et seq.) permits persons who have performed labor or furnished material for the construction, removal, repair or improvement of any building or structure to file a lien against the Property. This lien may be filed at any time after the work is commenced or the material is furnished, but not later than the earlier of (i) 90 days from the last day of the month in which the lien or last performed work or furnished materials or (ii) 90 days from the time the construction, removal, or improvement is terminated. **AN EFFECTIVE LIEN FOR WORK PERFORMED PRIOR TO THE DATE OF SETTLEMENT MAY BE FILED AFTER SETTLEMENT, LEGAL COUNSEL SHOULD BE CONSULTED.**

(b) Seller shall deliver to Purchaser at settlement an affidavit, on a form acceptable to Purchaser's lender, if applicable, signed by Seller that no labor or materials have been furnished to the Property within the statutory period for the filing of mechanics' or materialmen's liens against the Property. If labor or materials have been furnished during the statutory period, Seller shall deliver to Purchaser an affidavit signed by Seller and the person(s) furnishing the labor or materials that the costs thereof have been paid.

20. **NON-BINDING MEDIATION:** In an effort to avoid the expense and delay of litigation, the parties agree to submit any disputes or claims arising out of this Contract, including those involving the Listing Company or the Selling Company, to mediation prior to instituting litigation. Such mediation will be *non-binding*, that is, no party will be obligated to enter into any settlement arising out of mediation unless that settlement is satisfactory to that party. Any settlement the parties enter into will be binding, but if the parties are not able to reach agreement on a settlement, they may resort to arbitration or litigation as if the mediation had never taken place. The mediation will be performed by a mutually-agreeable mediator or mediation service in the area. This agreement to mediate does not apply to foreclosure, unlawful detainer (eviction), mechanics lien, probate, or license law actions. Judicial actions to provide provisional remedies (such as injunctions and filings to enable public notice of pending disputes) are not violations of the obligation to mediate and do not waive the right to mediate.

21. **NOTICE TO PURCHASER(S):** Purchaser should exercise whatever due diligence Purchaser deems necessary with respect to information on sexual offenders registered under Chapter 23 (Section 19.2-987 et seq.) of Title 19.2. Such information may be obtained by contacting your local police department or the Department of State Police, Central Records Exchange at (804) 674-2000 or <http://sex-offender.vsp.virginia.gov/sor/>.

22. **DEFAULT:** If Seller or Purchaser defaults under this Contract, the defaulting party, in addition to all other remedies available at law or in equity, shall be liable for the brokerage fee referenced in paragraph 9 hereof as if this Contract had been performed and for any damages and all expenses incurred by non-defaulting party, Listing Company and Selling Company in connection with this transaction and the enforcement of this Contract, including, without limitation attorneys' fees and costs, if any. Payment of a real estate broker's fee as the result of a transaction relating to the Property which occurs subsequent to a default under this Contract shall not relieve the defaulting party of liability for the fee of Listing Company in this transaction and for any damages and expenses incurred by the non-defaulting party, Listing Company and Selling Company in connection with this transaction. In any action brought by Seller, Purchaser, Listing Company or Selling Company under this Contract or growing out of the transactions contemplated herein, the prevailing party in such action shall be entitled to receive from the non-prevailing party or parties, jointly and severally, in addition to any other damages or awards, reasonable attorneys' fees and costs expended or incurred in prosecuting or defending such action.

23. **OTHER TERMS:** (Use this space for additional terms not covered elsewhere in this Contract.) Study period so buyer can apply and await county decision to allow rezoning to mobile home park. offer contingent on Pittsylvania County approval of this application. Close sooner if happens sooner.

24. **BROKERS; LICENSEE STATUS:**

(a) Listing Company and Selling Company may from time to time engage in general insurance, title insurance, mortgage loan, real estate settlement, home warranty and other real estate-related businesses and services, from which they may receive compensation during the course of this transaction, in addition to real estate brokerage fees. The parties acknowledge that Listing Company and Selling Company are retained for their real estate brokerage expertise, and neither has been retained as an attorney, tax advisor, appraiser, title advisor, home inspector, engineer, surveyor, or other professional service provider.

C/E
C/E
← MN

(b) Disclosure of Real Estate Board/Commission licensee status, if any is required in this transaction: _____

25. MISCELLANEOUS: This Contract may be signed in one or more counter parts, each of which shall be deemed to be an original and all of which together shall constitute one and the same document. Documents delivered by facsimile machine shall be considered as originals. Unless otherwise specified herein, "days" mean calendar days. For the purpose of computing time periods, the first day shall be the day following the date this Contract is fully ratified. This Contract represents the entire agreement between Seller and Purchaser and may not be modified or changed except by written instrument executed by the parties. This Contract shall be construed, interpreted and applied according to the laws of the state in which the Property is located and shall be binding upon and shall inure to the benefit of the heirs, personal representatives, successors, and assigns of the parties. To the extent any handwritten or typewritten terms herein conflict with or are inconsistent with the printed terms hereof, the handwritten and typewritten terms shall control. Whenever the context shall so require, the masculine shall include the feminine and singular shall include the plural. Unless otherwise provided herein, the representations and warranties made by Seller herein and all other provisions of this Contract shall be deemed merged into the deed delivered at settlement and shall not survive settlement.

26. WIRE FRAUD ALERT. Criminals are hacking email accounts of real estate agents, title companies, settlement attorneys, and others, resulting in fraudulent wire instructions being used to divert funds to the account of the criminal. Owner is advised to not wire any funds without personally speaking with the intended recipient of the wire to confirm the routing number and the account number. Owner should not send personal information such as Social Security numbers, bank account numbers, and credit card numbers except through secured email or personal delivery to the intended recipient.

27. ELECTRONIC SIGNATURES. MN ICE KE If this paragraph is initialed by both parties, then in accordance with the Uniform Electronic Transactions Act (UETA) and the Electronic Signatures in Global and National Commerce Act, or E-Sign, regarding electronic signatures and transactions, the parties do hereby expressly authorize and agree to the use of electronic signatures as an additional method of signing and/or initialing this Agreement. The parties hereby agree that either party may sign electronically by utilizing an electronic signature service.

28. ACCEPTANCE: This Contract, when signed by Purchaser, shall be deemed an offer to enter into a bilateral contract. If not accepted by Seller by 8pm (time), March 10, 2022, it shall become null and void.

WITNESS the following duly authorized signatures: (SEPARATE ALL COPIES BEFORE SIGNING BELOW)

PURCHASER:
 Mar 8, 2022, Mai Han Nguyen
 DATE PURCHASER
Nguyen Properties LLC
 DATE PURCHASER
 DATE PURCHASER
 DATE PURCHASER

SELLER:
3-10-22 Charles R Echols
 DATE SELLER
Charles R. Echols
3-10-22 Katherine D Echols
 DATE SELLER
Katherine D. Echols
 DATE SELLER
 DATE SELLER

Receipt of deposit per paragraph 3 above is hereby acknowledged.

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

For information purposes only:

Selling Company's Name and Address:

Listing Company's Name and Address:

United Country Jeff Davis & Assoc.

HAUSER REALTY GROUP

Office Phone: _____ Fax: _____
MLS Broker Code: _____ Office ID No. _____
Agent Name: **Rick Fain**
Agent ID. No.: _____
Agent E-mail address: **fainfamilyman@outlook.com**
434-822-3334

Office Phone: _____ Fax: _____
MLS Broker Code: _____ Office ID No. _____
Agent Name: **Caroline Echols**
Agent ID. No.: _____
Agent E-mail address: **carolineechols@aol.com**
434-489-5754

This Contract has been executed by Purchaser and Seller as of 3-10-22
Listing Firm [Signature]; Selling Firm _____

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Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)



**SUMMARY OF RIGHTS AND OBLIGATIONS
OF SELLERS AND PURCHASERS UNDER
THE VIRGINIA RESIDENTIAL PROPERTY DISCLOSURE ACT**



Virginia's Residential Property Disclosure Act (the "Act") (Virginia Code § 55.1-700 et seq.) requires real estate licensees to inform the parties to a transaction with whom they deal of their rights and obligations under the Act. The licensee providing this information to you is prepared to answer any questions you may have about what the Act means to you, and to furnish you with a copy of the Act at your request.

The Act applies to sales, exchanges, installment sales, or leases with option to purchase of residential real property improved with one to four dwelling units. The Act does not apply to: transfers pursuant to court order (estate administration, pursuant to writ execution, foreclosure, bankruptcy, condemnation, or by decree for specific performance); transfers among co-owners; transfers among spouses; transfers among parents or grandparents and their children or grandchildren; tax sales; transfers involving a government or housing authority; or (subject to certain exceptions discussed below) sales of new homes.

The Act requires sellers to furnish purchasers with a disclosure statement developed by the Virginia Real Estate Board. The statement must be furnished to the purchaser before final ratification of the purchase contract or the purchaser may terminate the contract or sue later for damages. The disclosures will be current as of the date of delivery. The seller will not be required to provide updated or additional disclosures if a transaction pursuant to a ratified real estate contract proceeds to settlement after the effective date of legislation amending any of the disclosures under § 55.1-700, provided that the correct disclosures were delivered under the law in effect at the time of delivery. The statement will direct purchasers to the RESIDENTIAL PROPERTY DISCLOSURES webpage (http://www.dpor.virginia.gov/Consumers/Disclosure_Forms/) for important information about the real property. Purchasers are advised to consult the webpage.

A seller, in furnishing a disclosure statement, makes no representations or warranties as to the condition of the property or any improvements located thereon nor with respect to the matters set forth and described at the RESIDENTIAL PROPERTY DISCLOSURES web page (http://www.dpor.virginia.gov/Consumers/Disclosure_Forms/). Purchaser is advised to exercise whatever due diligence purchaser deems necessary, including a home inspection, as defined in Virginia Code § 54.1-500, in accordance with the terms and condition of the purchase contract, but in any event prior to settlement.

A builder of a new home must disclose to a purchaser in writing all known material defects which would constitute a violation of any applicable building code. In addition, for property located wholly or partially in any locality comprising Planning District 15 (the City of Richmond, the Town of Ashland, and the counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, and Powhatan), the builder (or seller, if the owner is not the builder) shall disclose in writing whether mining operations have previously been conducted on the property or the presence of any abandoned mines, shafts or pits. This disclosure does not abrogate any warranty or other obligations the builder may have to the purchaser, and must be made (i) when selling a completed home, before acceptance of the purchase contract, or (ii) when selling a home before or during construction, after issuance of a certificate of occupancy. No disclosure or statement of any kind is required if there is no such information to disclose. Any required disclosure may be, but need not be, contained in the disclosure statement described in this summary.

A purchaser must be furnished with a disclosure statement signed by the seller prior to final ratification of the purchase contract. If such statement is received after final ratification, the purchaser's sole remedy shall be to terminate the purchase contract by sending written notice to the seller either by hand delivery or U.S. Mail, postage prepaid, at or prior to the earliest of (i) three days after receiving the statement (if delivered in person); (ii) five days after postmark (if sent by U.S. Mail, postage prepaid); (iii) settlement; (iv) occupancy by purchaser; (v) purchaser's making written application for a mortgage loan if such application discloses that the termination right ends upon application; (vi) purchaser's execution of a written waiver of the right to terminate (such waiver may not be in the purchaser contract).

If the seller fails to provide the required disclosure statement, the contract may be terminated as set forth above. If the seller fails to provide the required disclosure statement, or the seller misrepresents, willfully or otherwise, the information required in such disclosure, except as a result of information provided by the locality in which the property is located, the purchaser may bring an action to recover actual damages suffered as a result of such violation. No purchaser of property located in a noise zone designated on the official zoning map of the locality as having a day-night average sound level of less than 65 decibels shall have a right to maintain an action for such damages. Any such action must be brought within one year of the date the purchaser received the disclosure statement. If no disclosure statement was provided to the purchaser, the action must be brought within one year of the date of settlement, or purchaser's occupancy of the property by lease with option to purchase.

Purchasers should be aware that neither a seller nor a real estate licensee is obligated to disclose facts or

VAR FORM SUM1 Revised 01/22
Reviewed 01/22

Page 1 of 3

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United Country Real Estate Jeff Davis & Associates L.L.C., 625 Piney Forest Rd Suite 300 A Danville VA 24546
Rick Paia

Phone: 434-822-3334

Fax: 434-792-0752

Angle for 397

Produced with Lone Wolf Transactions (zipForm Edition) 231 Shearson Cr. Cambridge, Ontario, Canada N1T 1J5 www.lwll.com

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

occurrences which have no effect on the physical structure of the property, its physical environment, or the improvements located thereon, or the fact that the property was the site of a homicide, felony, or suicide. Furthermore, it is a violation of federal law to disclose whether a previous occupant of the property was afflicted with the HIV virus or has AIDS. Purchasers should be aware that in providing a disclosure statement:

1. The owner is making no representations or warranties as to the condition of the real property or any improvements thereon, or with regard to any covenants and restrictions, or any conveyance of mineral rights, as may be recorded among the land records affecting the real property or any improvements thereon. Purchasers should exercise whatever due diligence they deem necessary, including obtaining a home inspection, as defined in § 54.1-500, a mold assessment conducted by a business that follows the guidelines provided by the U.S. Environmental Protection Agency, and a residential building energy analysis as defined in § 54.1-1144, in accordance with the terms and conditions as may be contained in the real estate purchase contract.
2. The owner is making no representations with respect to any matters that may pertain to parcels adjacent to the subject property, including zoning classification or permitted uses of adjacent parcels. Purchasers should exercise whatever due diligence they deem necessary with respect to adjacent parcels in accordance with the terms and conditions of the purchase contract, but in any event prior to settlement on the subject property.
3. The owner makes no representations as to any matters that pertain to whether the provisions of any historic district ordinance affect the property. Purchasers are advised to exercise whatever due diligence they deem necessary with respect to any historic district designated by the locality pursuant to Virginia Code § 15.2-2306, including review of any local ordinance creating such district or any official map adopted by the locality depicting historic districts, any materials available from the locality that explain any requirements to alter, reconstruct, renovate, restore, or demolish buildings or signs in the local historic district and the necessity of any local review board or governing body approvals prior to doing any work on a property located in a local historic district, in accordance with terms and conditions as may be contained in the purchase contract, but in any event prior to settlement on the property.
4. The owner makes no representations with respect to whether the property contains any resource protection areas established in an ordinance implementing the Virginia Chesapeake Bay Preservation Act (§ 62.1-44.15:67 et seq.) adopted by the locality where the property is located pursuant to Virginia Code § 62.1-44.15:74. Purchasers should exercise whatever due diligence they deem necessary to determine whether the provisions of any such ordinance affect the property, including review of any official map adopted by the locality depicting resource protection areas, in accordance with terms and conditions as may be contained in the purchase contract, but in any event prior to settlement on the property.
5. The owner makes no representations with respect to information on any sexual offenders registered under Chapter 23 (§ 19.2-387 et seq.) of Title 19.2. Purchasers are advised to exercise whatever due diligence they deem necessary with respect to such information, in accordance with the terms and conditions of the purchase contract, but in any event prior to settlement. Such information may be obtained by contacting the local police department or the Department of State Police, Central Criminal Records Exchange, at (804) 674-2000, or on the Internet at <http://sex-offender.vsp.virginia.gov/sor/>.
6. The owner makes no representations with respect to whether the property is within a dam break inundation zone. Purchaser is advised to exercise whatever due diligence the purchaser deems necessary with respect to whether the property resides within a dam break inundation zone, including a review of any map adopted by the locality depicting dam break inundation zones.
7. The owner makes no representations with respect to the presence of any wastewater system, including the type or size thereof or associated maintenance responsibilities related thereto, located on the property and the purchaser is advised to exercise whatever due diligence the purchaser deems necessary to determine the presence of any wastewater system on the property and the costs associated with maintaining, repairing, or inspecting any wastewater system, including any costs or requirements related to the pump-out of septic tanks, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event, prior to settlement pursuant to that contract.
8. The owner makes no representations with respect to any right to install or use solar energy collection devices on the property.
9. The owner makes no representations with respect to whether the property is located in one or more special flood hazard areas and purchasers are advised to exercise whatever due diligence they deem necessary, including (i) obtaining a flood certification or mortgage lender determination of whether the property is located in one or more special flood hazard areas, (ii) reviewing any map depicting special flood hazard areas, (iii) contacting the Federal Emergency Management Agency (FEMA) or visiting the website for FEMA's National Flood Insurance Program or the Virginia Flood Risk Information Website operated by the Department of Conservation and Recreation, and (iv) determining whether flood insurance is required, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event, prior to settlement pursuant to such contract. A flood risk information form that provides additional information on flood risk and flood insurance is available for download by the Real Estate Board on its website.
10. The owner makes no representations with respect to whether the property is subject to one or more conservation or other easements and that purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event, prior to settlement pursuant to such contract; and

11. The owner makes no representations with respect to whether the property is subject to a community development authority approved by a local governing body pursuant to Article 6 (§ _____ et seq.) of Chapter 51 of Title 15.2 of the Virginia Code and that purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with terms and conditions as may be contained in the real estate purchase contract, including determining whether a copy of the resolution or ordinance has been recorded in the land records of the circuit court for the locality in which the community development authority district is located for each tax parcel included in the district pursuant to Virginia Code § _____, but in any event, prior to settlement pursuant to such contract.
12. The seller represents that there are no pending enforcement actions pursuant to the Virginia Uniform Statewide Building Code (§ 36-97 et seq.) that affect the safe, decent and sanitary living conditions of the property of which the seller has been notified in writing by the locality, nor any pending violation of the local zoning ordinance that the seller has not abated or remedied within the time period set out in the written notice of violation from the locality or established by a court of competent jurisdiction, except as set out in the disclosure statement.
13. The seller makes no representations with respect to whether the property is located on or near deposits of marine clays (marumsco soils), and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with the terms and conditions as may be contained in the real estate purchase contract, including consulting public resources regarding local soil conditions and having the soil and structural conditions of the property analyzed by a qualified professional.
14. The seller makes no representations with respect to whether the property is located in a locality classified as Zone 1 or Zone 2 by the U.S. Environmental Protection Agency's (EPA) Map of Radon Zones, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether the property is located in such a zone, including (i) reviewing the EPA's Map of Radon Zones or visiting the EPA's radon information website; (ii) visiting the Virginia Department of Health's Indoor Radon Program website; (iii) visiting the National Radon Proficiency Program's website; (iv) visiting the National Radon Safety Board's website that lists the Board's certified contractors; and (v) ordering a radon inspection, in accordance with the terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract.
15. The seller makes no representations with respect to whether the property contains any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free" pursuant to 42 U.S.C. § 300g-6, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether the property contains any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free", in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract.
16. The seller makes no representations with respect to the existence of defective drywall on the property, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether there is defective drywall on the property, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract. For purposes of this paragraph, "defective drywall" means the same as that term is defined in Virginia Code § 36-156.1.
17. The seller makes no representation with respect to the condition or regulatory status of any impounding structure or dam on the property or under the ownership of the common interest community that the owner of the property is required to join, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary to determine the condition, regulatory status, cost of required maintenance and operation, or other relevant information pertaining to the impounding structure or dam, including contacting the Department of Conservation and Recreation or a licensed professional engineer.

If the property is located in a locality in which a military air installation is located, the seller must provide purchasers with a disclosure statement setting forth whether the property is located in a noise zone or accident potential zone, or both, if so designated on the official zoning map of the locality. Such disclosure shall state the specific noise or accident potential zone, or both, in which the property is located.

Please acknowledge receiving a copy of this summary by signing below.

<u>Charles R. Echols</u>	<u>3-10-22</u>	(Date)
<u>Katherine D. Echols</u>	<u>3-10-22</u>	(Date)
<u>Mai Han Nguyen</u>	<u>Mar 8, 2022</u>	(Date)

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

Earnest Money Escrow Agreement

THIS EARNEST MONEY ESCROW AGREEMENT ("Agreement") is made as of the 9th day of March, 2022, by and among Nguyen Properties LLC ("Buyer"), Charles R. Echols, Katherine D. Echols ("Seller"), and ALL-VIRGINIA TITLE & ESCROW, INC. ("Escrow Agent").

RECITALS:

- A. Pursuant to that certain Offer to Purchase dated March 8th, 2022, by and between Seller and Buyer (the "Offer"), Buyer is depositing with Escrow Agent earnest money in the amount of \$ 500.00 ("Funds"). A true and correct copy of the Offer is attached as Exhibit A.
- B. Escrow Agent shall hold the Funds in a NON-INTEREST bearing account at First Citizens Bank & Trust Company, Danville, Virginia. Checks will only be accepted from banks within the Fifth Federal Reserve District. Funds from a bank outside of the Fifth Federal Reserve District will be required to be deposited by an electronic wire transfer. Wire instructions are available upon request. The Depositor ("Buyer") is responsible for any fees associated with the wire transfer and such fees are non-refundable.
- FDIC COVERAGE NOTE:** The parties do hereby certify that they are aware that the Federal Deposit Insurance Corporation (FDIC) coverage applies only to a cumulative maximum amount of \$250,000.00 for each individual depositor for all of depositor's accounts at the same or related institution. Escrow Agent assumes no responsibility for, nor will Purchaser and Seller hold Escrow Agent liable for, any loss occurring which arises from the fact that the amount of the above account may cause the aggregate amount of any individual depositor's accounts to exceed such amount and that the excess amount is not insured.
- C. Earnest money deposits will only be accepted with a fully executed Escrow Agreement.

THE PARTIES AGREE:

1. **Recitals:** The above recitals are incorporated below as if set forth at length.
2. **Release of the Funds:** Escrow Agent shall hold the Funds until the first of the following events:
 - a. On the closing of the sale of real estate, as described in the Offer, Escrow Agent shall deliver the Funds to the Seller as part of Buyer's purchase money.
 - b. On receipt of joint written instructions from Buyer and Seller directing Escrow Agent to disburse the Funds to a named party, Escrow Agent shall disburse the Funds as directed in such notice. Upon such disbursement, Escrow Agent shall have no further liability under this Agreement.
 - c. In the event Escrow Agent does not receive joint written instructions on or before the date for closing, as described in the Offer, Escrow Agent shall continue to hold the Funds until the first of the following events:
 - i. Receipt by Escrow Agent of joint written Instructions from Buyer and Seller to disburse the Funds to a named party (upon receipt of such notice, Escrow Agent shall make the disbursement as directed in the notice).
 - ii. In the event of a dispute among the parties and the parties fail to reach an agreement as to the disbursement of the Funds, the Escrow Agent shall not independently determine the rights of the parties to the Funds held in escrow and shall interplead the Funds to a court of competent jurisdiction. Delivery of the Funds by Escrow Agent shall be at Escrow Agent's sole discretion. Such delivery may be by interpleader or other writ or petition. Buyer and Seller agree that, after the Funds are delivered to court under this paragraph, Escrow Agent shall have no further liability under this Agreement and shall not be a necessary or permitted party in any action brought regarding the Funds and interest, if any, and Escrow Agent will not be responsible for any fees associated with delivery funds; or
 - iii. Entry and receipt by Escrow Agent of an order of a court of competent jurisdiction ordering Escrow Agent to deliver the Funds (upon receipt of such order, Escrow Agent shall make the disbursement as directed in the order).

IN NO EVENT WILL ANY FUNDS BE DISBURSED UNTIL SUCH FUNDS HAVE BEEN DEEMED IRREVOCABLE CLEARED BY FIRST CITIZENS BANK & TRUST COMPANY.

- 3. **Escrow Agent's Cost and Expenses:** In addition to the provisions set forth in Paragraph 2 above, in the event that Escrow Agent is requested to release the Funds prior to the closing of the sale of the Property, Escrow Agent shall be entitled to deduct from the amount to be released of all Escrow Agent's costs and expenses incurred in the preparing for the sale of the Property including, but not limited to, search and examination fees, fees to obtain special assessment letters, and commitment cancellation fees.
- 4. **Liability of Escrow Agent:** Escrow Agent shall not be liable for: (i) any actor omission done in good faith under this Agreement, nor (ii) any loss arising out of loss or impairment of the Funds in the course of collection or while on deposit with a bank due to bank failure, insolvency or suspension. Buyer and Seller agree to, jointly and severally, hold Escrow Agent harmless, including reasonable attorney's fees, which may arise pursuant to or out of a dispute with reference to the rights of anyone claiming interest in the Funds deposited under this Agreement.
- 5. **Action Against Escrow Agent:** The parties agree that any action in relation to an alleged breach of this Agreement by Escrow Agent shall be commenced within six months of the date of the breach, without regard to the date of the breach is discovered. Any action not brought against Escrow Agent within that two year time period shall be barred, without regard to any other limitation s period set forth by law or statue, and the Buyer and Seller hereby waive any statute of limitation to the contrary.
- 6. **Counterparts:** This Agreement may be executed in counterparts. When each party has executed a copy of the Agreement, the executed copies taken together shall have the same force and effects as if executed in one document. Facsimile signatures on the Agreement shall be deemed original signatures.
- 7. **Notices:** Any notice required under the Agreement shall be given in writing at the addresses set forth at the end of this Agreement and by: (a) certified or registered mail, postage prepaid, (b) overnight courier guaranteeing next day delivery, (c) personal delivery, or (d) facsimile. All notices shall be deemed given three (3) business days following deposit in the United States mail with respect to certified or registered letters, one (1) business day following deposit if delivered to an overnight courier guaranteeing next day delivery and on the same day if sent by personal delivery or facsimile (with proof of transmission).
- 8. **Binding:** The terms, covenants and conditions of this Agreement shall be binding upon the parties and their respective successors, heirs and assigns.

SELLER:

Charles R Echols Katherine D Echols
 Name(s): Charles R. Echols, Katherine D. Echols
 Address: _____
 City, State, Zip: _____
 Phone#: _____

BUYER:

Mai Han Nguyen
 Name(s): Nguyen Properties LLC
 Address: _____
 City, State, Zip: _____
 Phone#: _____

ESCROW AGENT:

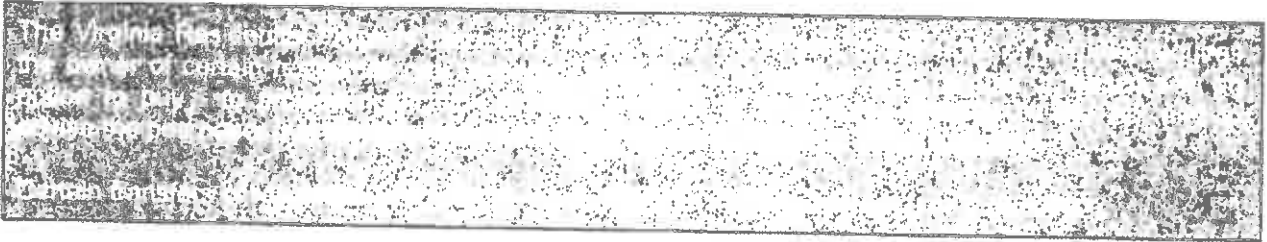
BY: _____
 All-Virginia Title & Escrow, Inc.
 530 Patton Street
 Danville, VA 24541
 (434) 791-4060

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)



Virginia Real Estate Board
https://www.dpor.virginia.gov/Consumers/Disclosure_Forms/

RESIDENTIAL PROPERTY DISCLOSURE STATEMENT SELLER AND PURCHASER ACKNOWLEDGEMENT FORM



PROPERTY ADDRESS/ 397 Oakwood Dr, Danville, VA 24541-8569
LEGAL DESCRIPTION: _____

The purchaser is advised of the disclosure listed in the RESIDENTIAL PROPERTY DISCLOSURE STATEMENT located on the Real Estate Board webpage at:
https://www.dpor.virginia.gov/Consumers/Residential_Property_Disclosures

The owner(s) hereby provides notification as required under the Virginia Residential Property Disclosure Act (§ 55.1-700 et seq. of the Code of Virginia) and, if represented by a real estate licensee as provided in § 55.1-712, further acknowledges having been informed of the rights and obligations under the Act.

Charles R Echols
Owner
Charles R. Echols
3-10-22
Date

Katherine D Echols
Owner
Katherine D. Echols
3-10-22
Date

The purchaser(s) hereby acknowledges receipt of notification of disclosures as required under the Virginia Residential Property Disclosure Act (§ 55.1-700 et seq. of the Code of Virginia). In addition, if the purchaser is (i) represented by a real estate licensee or (ii) not represented by a real estate licensee but the owner is so represented as provided in § 55.1-712, the purchaser further acknowledges having been informed of the rights and obligations under the Act.

Mai Han Nguyen
Purchaser
Nguyen Properties LLC
Mar 8, 2022
Date

Purchaser

Date

DPOR rev 07/2021

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

VIRGINIA REAL ESTATE POWER OF ATTORNEY

I, Mai Han Nguyen [Full Name], of 27416 SW 143rd Ct

[Street Address] in the City of Homestead, State of Florida

(the "Principal") hereby appoint Richard R. Fain, Jr. [Full Name], of

120 Parkmoor Ct [Street Address] in the City of

Danville, State of Virginia (the "Agent") to act on my

behalf for the purpose set forth in Article I below:

Article I. Assignment of Authority

Initial and Check (✓) the applicable powers

- **Sale of Real Estate:** My agent is authorized to act on my behalf for the purpose of selling the lands and premises located at _____ and with a legal description of _____. My agent is authorized to perform any and all acts related to such sale, including, but not limited to, executing, modifying and delivering any and all documents necessary to complete the transaction as well as accepting the closing proceeds for deposit into my account which has been previously disclosed to my agent.

- **Purchase of Real Estate:** My agent is authorized to act on my behalf for the purpose of purchasing the lands and premises located at 397 Oakwood Dr. Danville, VA 24541 and with a legal description of ST RD 722 LOTS 5 & 6 6.25 AC. My agent is authorized to perform any and all acts related to such purchase, including, but not limited to the financing and mortgaging of the property. My agent is authorized to execute, modify and deliver any documents necessary to complete the financing and purchase of the property as well as to withdraw and disburse funds necessary for the closing from my account which I have previously disclosed to my agent.

- **Management of Real Estate:** My agent is authorized to act on my behalf for the purpose of managing the premises located at _____ and with a legal description of _____. My agent is authorized to perform all acts related to maintaining the property such as but not limited to: making repairs (with reimbursement), approving sub-contractors for work, negotiating rents, signing lease/sublease agreements, evicting tenants and any other representation as needed for day-to-day management.

- **Refinancing:** My agent is authorized to act on my behalf for the purpose of refinancing my debts, including, but not limited to any debts secured by a mortgage on the lands and premises located at _____ and with a legal description of _____. My agent is authorized to perform any and all acts related to such refinancing, including but not limited to, modifying, executing and delivering any and all documents necessary to complete the refinancing as well as to withdraw and disburse funds necessary to complete the refinancing from my account which I have previously disclosed to my agent.

Article II. Durable Power of Attorney

This power of attorney shall not be affected by the Principal's subsequent disability or incapacity unless otherwise stated in Article III(b).

Article III. Term

(**Initial** and **Check** the Applicable Term):

- a. - This power of attorney is effective as of the date hereof and shall terminate upon revocation or automatically on the 15th day of July, 2022.
- b. - **(Non-Durable Option)** This power of attorney is effective as of the date hereof and shall terminate upon my incapacity, or death, or revocation.
- c. - This power of attorney is effective as of the date hereof and shall terminate upon my death or revocation.

Article IV. Ratification

I, the Principal, grant to my Agent full power and authority to perform all acts on my behalf as I could do if personally present, hereby ratifying and confirming all that my Agent may do pursuant to this power.

Article V. Governing Law

This Note shall be governed by, and construed in accordance with, the laws of the State of Virginia.

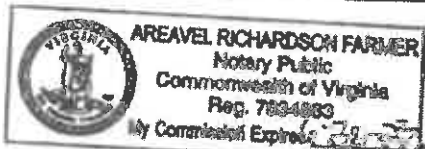
Article VI. Revocation

I, the Principal, hereby revoke any existing powers of attorney that may have previously been granted by me relative to the above described property.

In witness whereof, I have executed this instrument this 13 day of April, 2022.

Principal's Signature [Signature] Print Name MAI HAN NGUYEN

Agent's Signature [Signature] Print Name RICHARD R. FAIN, JR
RICK FAIN



Areavel Richardson Farmer

NOTARY ACKNOWLEDGMENT

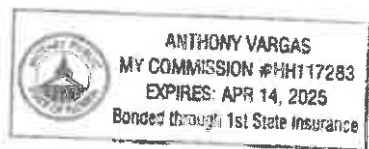
STATE OF Florida
Miami Dade County, ss.

On this 13 day of April, 2022, before me appeared

Mai Han Nguyen, as the Principal who proved to me through government issued photo identification to be the above-named person, in my presence executed foregoing instrument and acknowledged that (s)he executed the same as his/her free act and deed.

Notary Public [Signature]


Print Name: Anthony Vargas My commission expires: April 14 2025

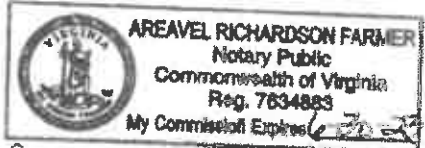


Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)

Acceptance by Agent

The undersigned Agent acknowledges and executes this Power of Attorney, and by such execution does hereby affirm that I: (A) accept the appointment as agent; (B) understand the duties under the Power of Attorney and under the law.

Agent's Signature  Print Name RICHARD R. FARMER, JR
Richard Farmer



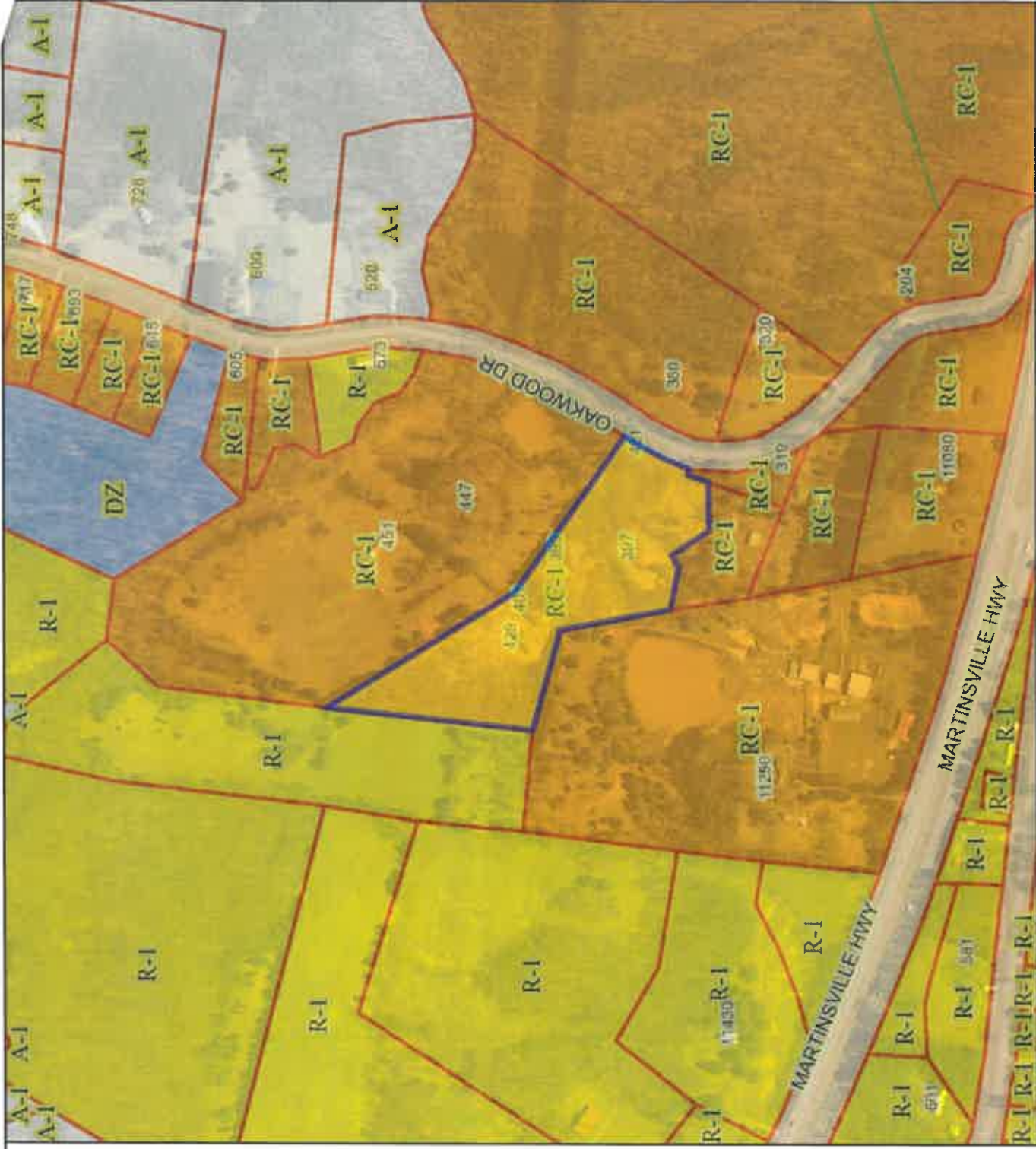
Areavel Richardson Farmer

Attachment: R-22-013 Nguyen App (3178 : Public Hearing: Case R-22-013 Nguyen Properties, 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

Feet



Title:

Date: 3/15/2022

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 it is.

Attachment: R-22-013 Nguyen Map (3178 : Public Hearing: Case R-22-013 Nguyen Properties, LLC)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case R-22-016 Jasmin Ruiz	District:	Callands-Gretna Election District
Zoning Request:	B-2 to R-1		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by Jasmin Ruiz, to rezone property located on State Road 799/Climax Road, in the Callands-Gretna Election District and shown on the Tax Maps as GPIN #s 1498-33-4405, 1498-33-3555, and 1498-33-2683. The applicant is requesting to rezone a total of 2.16 acres, from B-2, Business District, General, to R-1, Residential Suburban Subdivision District, to allow the property to be used as a single-family dwelling.

BACKGROUND/DISCUSSION

Jasmin Ruiz is requesting to rezone a total of 2.16 acres from B-2, Business District General, to R-1, Residential Suburban Subdivision District, to allow the property to be used as a single-family dwelling.

The property was originally zoned R-1, and the building was constructed as a single-family dwelling but was rezoned to B-2, Business District, General, and converted to a day care facility in 2013. Pittsylvania County Code § 35-365 only allows for residential uses to be located on a property with an active business. The business on the property was discontinued prior to the property being purchased by the applicant.

On February 25, 2022, the Code Official for Pittsylvania County sent a letter to the property owner notifying her that a Building Permit was required to set the two accessory structures that had been placed on her property. When the applicant came into the office to obtain a building permit, such permit could not be issued because the buildings had been placed over property lines. Additionally, the applicant was also notified at the time that the property was zoned B-2, Business District, General and could not be used as a single-family dwelling. The applicant is requesting to rezone the subject property from B-2, Business District, General, to R-1, Residential Suburban Subdivision District, to allow the structure to be occupied as a single-family dwelling. If the rezoning is approved, the property will need to be resurveyed in order to consolidate the three (3) subject properties. Once that is recorded, a building permit can be issued for the accessory structures and needed modifications to the existing structure to convert it back to a dwelling.

Once the properties are rezoned to R-1, all uses listed under Section 35-222 are a permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

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

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-016, submitted by Jasmin Ruiz, requesting to rezone a total of 2.1 acres located on State Road 799/Climax Road, in the Callands-Gretna Election District and shown on the Tax Map as GPIN#s 1498-33-4405, 1498-33-3555 & 1498-33-2683 to allow the property to be used as a single-family dwelling. The subject properties are adjacent to properties currently zoned R-1, Residential Suburban Subdivision District and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-016 as submitted.
2. Recommend denial of Case R-22-016 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

CASE R-22-016	ZONING REQUEST B-2 to R-1	CYCLE June 2022/July 2022
SUBJECT/PROPOSAL/REQUEST Jasmin Ruiz is requesting to rezone the properties from B-2, Business District General to R-1, Residential Suburban Subdivision District.		PLANNING COMMISSION: June 7, 2022
DISTRICT: Callands-Gretna		BOARD OF SUPERVISORS: July 19, 2022
		ADVERTISED: May 18 & 25, 2022 & June 22 & 29, 2022

SUBJECT

Requested by Jasmin Ruiz, to rezone property located on State Road 799/Climax Road, in the Callands-Gretna Election District and shown on the Tax Maps as GPIN #s 1498-33-4405, 1498-33-3555, and 1498-33-2683. The applicant is requesting to rezone a total of 2.16 acres, from B-2, Business District, General, to R-1, Residential Suburban Subdivision District, to allow the property to be used as a single-family dwelling.

BACKGROUND/DISCUSSION

Jasmin Ruiz is requesting to rezone a total of 2.16 acres from B-2, Business District General, to R-1, Residential Suburban Subdivision District, to allow the property to be used as a single-family dwelling.

The property was originally zoned R-1, and the building was constructed as a single-family dwelling but was rezoned to B-2, Business District, General, and converted to a day care facility in 2013. Pittsylvania County Code § 35-365 only allows for residential uses to be located on a property with an active business. The business on the property was discontinued prior to the property being purchased by the applicant.

On February 25, 2022, the Code Official for Pittsylvania County sent a letter to the property owner notifying her that a Building Permit was required to set the two accessory structures that had been placed on her property. When the applicant came into the office to obtain a building permit, such permit could not be issued because the buildings had been placed over property lines. Additionally, the applicant was also notified at the time that the property was zoned B-2, Business District, General and could not be used as a single-family dwelling. The applicant is requesting to rezone the subject property from B-2, Business District, General, to R-1, Residential Suburban Subdivision District, to allow the structure to be occupied as a single-family dwelling. If the rezoning is approved, the property will need to be resurveyed in order to consolidate the three (3) subject properties. Once that is recorded, a building permit can be issued for the accessory structures and needed modifications to the existing structure to convert it back to a dwelling.

Once the properties are rezoned to R-1, all uses listed under Section 35-222 are a permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

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

Attachment: R-22-016 Jasmin Ruiz App (3177 : Public Hearing: Case R-22-016 Jasmin Ruiz)

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-016, submitted by Jasmin Ruiz, requesting to rezone a total of 2.1 acres located on State Road 799/Climax Road, in the Callands-Gretna Election District and shown on the Tax Map as GPIN#s 1498-33-4405, 1498-33-3555 & 1498-33-2683 to allow the property to be used as a single-family dwelling. The subject properties are adjacent to properties currently zoned R-1, Residential Suburban Subdivision District and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-016 as submitted.
2. Recommend denial of Case R-22-016 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, Jasmin Ruiz, as owner of the below described properties, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Name: Jasmin Ruiz
Address: 3665 Climax Road, Chatham, VA 24531

2. Location of Property: 3665 Climax Road

Telephone: 775-790-6636

3. Tax Map Numbers: 1498-33-4405, 1498-33-3555 & 1498-33-2683

4. Election District: Callands-Gretna

Total Amount: \$343.98

Taken By: Cash 4/5/22
OR

5. Size of Property: 2.16 acres

6. Existing Land Use: Single Family Dwelling

Existing Zoning: B-2, Business District General

7. Proposed Land Use: Adjust property lines

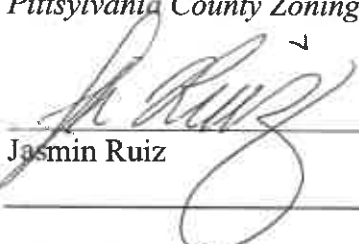
Proposed Zoning: R-1, Residential Suburban Subdivision District

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.



Jasmin Ruiz

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.O.S. Meeting Date: 07/19/22

Application No. R-22-016
P.C. Meeting Date: 06/07/22
Date Received: 4/5/22
Action: _____

Attachment: R-22-016 Jasmin Ruiz App (3177 : Public Hearing: Case R-22-016 Jasmin Ruiz)

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

2.16 acres of land,)
generally located at 3665 Climax)
Road within the Callands Gretna)
Election District, and recorded as)
part of parcel ID#'s 1498-33-4405,)
1498-33-3555 & 1498-33-2683)
in the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

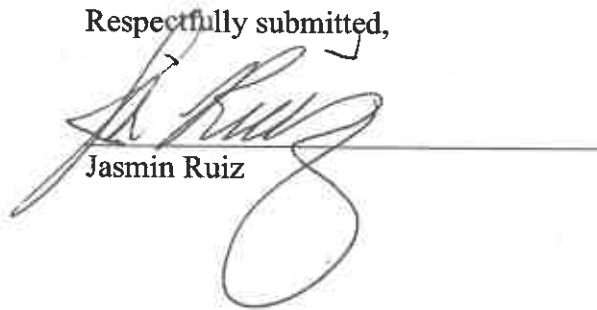
WHEREAS, your Petitioner, Jasmin Ruiz respectfully files this petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioner is the Owner of the above-referenced parcels.
- (2) The properties are presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as B-2 Business District General.
- (3) Your petitioners now desire to have the property rezoned to R-1, Residential Suburban Subdivision District.

WHEREFORE, your Petitioner respectfully request that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcels 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,



Jasmin Ruiz

Attachment: R-22-016 Jasmin Ruiz App (3177 : Public Hearing: Case R-22-016 Jasmin Ruiz)

April 5, 2022

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

Dear Mrs. Ragsdale:

I, Jasmin Ruiz, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 2.16 acres, GPIN #s 1498-33-4405, 1498-33-3555 & 1498-33-2683 at 3665 Climax Road in the Callands-Gretna Election District.

I am requesting to rezone these parcels from B-2 Business District General, to R-1, Residential Subdivision District to allow for adjustment of property lines.

Sincerely,



Jasmin Ruiz



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-22-016 Applicant [Signature] Date 4-6-2022

Attachment: R-22-016 Jasmin Ruiz App (3177 : Public Hearing: Case R-22-016 Jasmin Ruiz)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1498-33-6597	LINTHICUM, RYAN AVERETTE	5700 DENNISVILLE RD	AMELIA , VA 23002
1498-43-1534	OWEN, KEVIN EARLE	4612 CLIMAX RD	CHATHAM, VA 24531
1498-33-2876	RUNNER, LISA A	210 CEDAR GROVE RD	JOHNSON CITY, TN 37601
1498-33-4786	BURWELL, NORMA T	110 HIGHLAND RD	GRETNA VA 24557
1498-33-4354	LARSON, KARL L	3621 CLIMAX RD	CHATHAM, VA 24531
1498-33-2683	RUIZ, JASMIN	3665 CLIMAX RD	CHATHAM, VA 24531

Legend

- Assessed Parcels
- Parcels
- Future Land Use Areas
 - Commercial
 - Conservation
 - Industrial
 - Medium to High Density Residential
 - Mixed Commercial/Industrial
 - County Boundary



Title:

Date: 4/5/2022

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 it is.

Attachment: R-22-016 Jasmin Ruiz Map (3177 : Public Hearing: Case R-22-016 Jasmin Ruiz)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case R-22-017 Bradley and Heather Barron	District:	Callands-Gretna Election District
Zoning Request:	RE to A-1		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by Bradley and Heather Barron, to rezone property located on Atlantic Timber Lane, in the Callands-Gretna Election District and shown on the Tax Maps as GPIN #s 1580-15-0109, 1580-05-8478, and 1580-05-7851. The applicants are requesting to rezone a total of 23.81 acres, from RE, Residential Estates District, to A-1, Agricultural District, to allow for the placement of an accessory structure and a Class B Home Occupation.

BACKGROUND/DISCUSSION

While conducting an inspection relating to a Building Permit issued to install a 100-amp subpanel for an accessory structure, the Building Inspector noticed additional HVAC and plumbing work had been completed without the necessary permits or inspections and that the building had been placed in the front yard. Because the building had been placed in the front yard, violating Pittsylvania County Code § 35-74 (2)(b) which states “no detached accessory building may be located in the front yard of a lot” in residential districts. The property is currently zoned RC-1, therefore, requiring the building to be placed in the side or rear yard. The applicants are requesting to rezone the subject property from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District, to allow the accessory structure to remain in the current location. If the rezoning is approved, the structure would meet the required front yard setback and would be allowed to remain.

When the property owners were contacted regarding the additional work completed without the necessary permits, they stated that the building would be used as part of their Home Occupation. The applicants currently breed both dogs and cats. While Pittsylvania County Code exempts 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, Pittsylvania County Code § 35-268 requires a Special Use Permit for a Class B Home Occupation. 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 the property is rezoned, the accessory structure could remain, and the Class B Home Occupation would be

permitted by right. At that time, a building permit could be issued, bringing this structure into compliance.

Once the properties are 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 Agricultural and Rural Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to properties zoned A-1, Agricultural District and RE, Residential Estates District properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-017, submitted by Bradley and Heather Barron, requesting to rezone a total of 23.81 acres located on Atlantic Timber Lane, in the Callands-Gretna Election District and shown on the Tax Map as GPIN#s 1580-15-0109, 1580-05-8478 & 1580-05-7851 to allow for the placement of an accessory structure and a Class B Home Occupation. The subject properties are 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-22-017 as submitted.
2. Recommend denial of Case R-22-017 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-22-017</p>	<p><u>ZONING REQUEST</u> RE to A-1</p>	<p><u>CYCLE</u> June 2022/July 2022</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Bradley & Heather Barron are requesting to rezone the properties from RE, Residential Estates District to A-1, Agricultural District.</p> <p><u>DISTRICT:</u> Callands-Gretna</p>	<p><u>PLANNING COMMISSION:</u> June 7, 2022</p> <p><u>BOARD OF SUPERVISORS:</u> July 19, 2022</p> <p><u>ADVERTISED:</u> May 18 & 25, 2022 & June 22 & 29, 2022</p>	

SUBJECT

Requested by Bradley and Heather Barron, to rezone property located on Atlantic Timber Lane, in the Callands-Gretna Election District and shown on the Tax Maps as GPIN #s 1580-15-0109, 1580-05-8478, and 1580-05-7851. The applicants are requesting to rezone a total of 23.81 acres, from RE, Residential Estates District, to A-1, Agricultural District, to allow for the placement of an accessory structure and a Class B Home Occupation.

BACKGROUND/DISCUSSION

While conducting an inspection relating to a Building Permit issued to install a 100-amp subpanel for an accessory structure, the Building Inspector noticed additional HVAC and plumbing work had been completed without the necessary permits or inspections and that the building had been placed in the front yard. Because the building had been placed in the front yard, violating Pittsylvania County Code § 35-74 (2)(b) which states “no detached accessory building may be located in the front yard of a lot” in residential districts. The property is currently zoned RC-1, therefore, requiring the building to be placed in the side or rear yard. The applicants are requesting to rezone the subject property from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District, to allow the accessory structure to remain in the current location. If the rezoning is approved, the structure would meet the required front yard setback and would be allowed to remain.

When the property owners were contacted regarding the additional work completed without the necessary permits, they stated that the building would be used as part of their Home Occupation. The applicants currently breed both dogs and cats. 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, Pittsylvania County Code § 35-268 requires a Special Use Permit for a Class B Home Occupation. 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 the property is rezoned, the accessory structure could remain, and the Class B Home Occupation would be permitted by right. At that time, a building permit could be issued, bringing this structure into compliance.

Once the properties are 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 Agricultural and Rural Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to properties zoned A-1, Agricultural District and RE, Residential Estates District properties.

Attachment: R-22-017 Barron App (3179 : Public Hearing: Case R-22-017 Bradley and Heather Barron)

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-017, submitted by Bradley and Heather Barron, requesting to rezone a total of 23.81 acres located on Atlantic Timber Lane, in the Callands-Gretna Election District and shown on the Tax Map as GPIN#s 1580-15-0109, 1580-05-8478 & 1580-05-7851 to allow for the placement of an accessory structure and a Class B Home Occupation. The subject properties are 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-22-017 as submitted.
2. Recommend denial of Case R-22-017 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

We, Bradley & Heather Barron, as owners of the below described properties, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

- 1. Property Owner's Name: Bradley & Heather Barron
Address: 225 Atlantic Timber Lane
- 2. Location of Property: 225 Atlantic Timber Lane Telephone: 434-849-1035
- 3. Tax Map Numbers: 1580-15-0109, 1580-05-8478 & 1580-05-7851
- 4. Election District: Callands-Gretna Total Amount: \$365.97
Taken By: Check #457
- 5. Size of Properties: 23.81 acres

- 6. Existing Land Use: Single Family Dwelling
Existing Zoning: RE, Residential Estates District
- 7. Proposed Land Use: Placement of an accessory building & Class B home occupation business
Proposed Zoning: A-1, Agricultural District
- 8. Are conditions being proffered: Yes No
- 9. Check completed items:
 Letter of Application Site Development Plan or Waiver Legal Forms
 11"x 17" Concept Plan Application Fee List of Adjoining Properties
 Plat Map 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.


Heather Barron

OFFICE USE ONLY	Application No. <u>R-22-017</u>
Application Deadline: <u>04/28/22</u>	P.C. Meeting Date: <u>06/07/22</u>
Received By: <u>ESR</u>	Date Received: <u>4/19/22</u>
B.O.S. Meeting Date: <u>07/19/22</u>	Action: _____

Attachment: R-22-017 Barron App (3179 : Public Hearing: Case R-22-017 Bradley and Heather Barron)

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

23.81 acres of land, generally located)
at 225 Atlantic Timber Lane within the)
Callands-Gretna Election District and)
Recorded as parcel ID #s 1580-15-0109,)
1580-05-8478 & 1580-05-7851)
on the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioners, Bradley & Heather Barron , respectfully file 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 Petitioners are the Owners of the above-referenced parcels.
- (2) The properties are presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as RE, Residential Estate District.
- (3) Your petitioners now desire to have the properties rezoned to A-1, Agricultural District.

WHEREFORE, your Petitioners respectfully request that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcels of land be rezoned 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,



Heather Barron

Attachment: R-22-017 Barron App (3179 : Public Hearing: Case R-22-017 Bradley and Heather Barron)

May 13, 2022

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

Dear Mrs. Ragsdale:

We, Bradley & Heather Barron, as owners, would like to apply to the Planning Commission/Board of Supervisors to rezone 23.81 acres, GPIN #s 1580-15-0109, 1580-05-8478 & 1580-05-7851 located at 225 Atlantic Timber Lane in the Callands-Gretna Election District.

We are requesting to rezone these parcels from RE, Residential Estates District to A-1, Agricultural District, to allow for placement of an accessory building and a Class B home occupation business.

Sincerely,


Heather Barron



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.

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.

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.

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.

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

Case R-22-017 Applicant Nath G. Dura Date 5-13-2022

Attachment: R-22-017 Barron App (3179 : Public Hearing: Case R-22-017 Bradley and Heather Barron)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1580-05-8478	BARRON, BRADLEY R	225 ATLANTIC TIMBER LANE	CHATHAM, VA 24531
1580-06-5125	JONES, STEVEN BART	10754 LAKE FOREST DRIVE	MANASSAS, VA 20112
1580-16-0565	ROBERSON, LEONARD R	121 CALLISON DRIVE	CHESAPEAKE, VA 23320
1580-15-3074	BROWN, GEORGE C JR	458 GREENDALE DR	RUSTBURG, VA 24588
1570-85-9271	PADUANO, JOSEPH L	3780 GRASSLAND DR	SANDY LEVEL, VA 24161
1580-13-0820	FITZGERALD, EDMOND B V	3000 EAST GRETNA RD	GRETNA, VA 24557
1580-16-6234	MITCHELL, JOSHUA JACOB	240 ATLANTIC TIMBER LANE	CHATHAM, VA 24531
1580-16-2372	LUKAS, MATTHEW	5222 SCOTT JACOBS MEMORIAL DR	HURT, VA 24563
1570-97-2040	WILLIAMS, RICHARD M	4532 GRASSLAND DR	SANDY LEVEL, VA 24161

R-22-017 BRADLEY BARRON

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

Feet



Title:

Date: 4/19/2022

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 current it is.

Attachment: R-22-017 Barron Map (3179 : Public Hearing: Case R-22-017 Bradley and Heather Barron)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case R-22-018 Robert and Angela Carlberg	District:	Staunton River Election District
Zoning Request:	R-1 to A-1		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by Robert and Angela Carlberg, to rezone property located on Reservoir View Drive, in the Staunton River Election District and shown on the Tax Maps as GPIN # 1593-88-9579. The applicants are requesting to rezone a total of 10.41 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for the placement of an accessory structure.

BACKGROUND/DISCUSSION

Robert & Angela Carlberg are requesting to rezone a total of 10.41 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for the placement of an accessory building in the front yard.

Pittsylvania County Code § 35-74 (2)(b) states “no detached accessory building may be located in the front yard of a lot” in residential districts. The property is currently zoned R-1, therefore, requiring the building to be placed in the side or rear yard. Based on the location of the applicants’ dwelling, an accessory structure could not be placed on the property and meet both the location requirements and the required setbacks. If the rezoning is approved, the structure would meet the required front yard setback. If the rezoning is denied, a Variance would need to be issued to allow the placement of an accessory structure. Staff feels that this issue is best resolved through a rezoning process.

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-22-018, submitted by Robert & Angela Carlberg, are requesting to rezone a total of 10.41 acres located on Reservoir View Drive, in the Staunton River Election District and shown on the Tax Map as GPIN# 1593-88-9579, to allow for placement of an accessory building. While the rezoning would not be consistent with the Comprehensive Plan, the subject property is adjacent to properties currently zoned A-1, Agricultural District, so the rezoning would not be considered Illegal Spot Zoning.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-018 as submitted.
2. Recommend denial of Case R-22-018 as submitted.

ATTACHMENTS:

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

STAFF SUMMARY

CASE R-22-018	ZONING REQUEST R-1 to A-1	CYCLE June 2022/July 2022
SUBJECT/PROPOSAL/REQUEST Robert & Angela Carlberg are requesting to rezone the property from R-1, Residential Suburban Subdivision District to A-1, Agricultural District. DISTRICT: Staunton River	PLANNING COMMISSION: June 7, 2022 BOARD OF SUPERVISORS: July 19, 2022 ADVERTISED: May 18 & 25, 2022/June 22 & 29, 2022	

SUBJECT

Requested by Robert and Angela Carlberg, to rezone property located on Reservoir View Drive, in the Staunton River Election District and shown on the Tax Maps as GPIN # 1593-88-9579. The applicants are requesting to rezone a total of 10.41 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for the placement of an accessory structure.

BACKGROUND/DISCUSSION

Robert & Angela Carlberg are requesting to rezone a total of 10.41 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for the placement of an accessory building in the front yard.

Pittsylvania County Code § 35-74 (2)(b) states “no detached accessory building may be located in the front yard of a lot” in residential districts. The property is currently zoned R-1, therefore, requiring the building to be placed in the side or rear yard. Based on the location of the applicants’ dwelling, an accessory structure could not be placed on the property and meet both the location requirements and the required setbacks. If the rezoning is approved, the structure would meet the required front yard setback. If the rezoning is denied, a Variance would need to be issued to allow the placement of an accessory structure. Staff feels that this issue is best resolved through a rezoning process.

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-22-018, submitted by Robert & Angela Carlberg, are requesting to rezone a total of 10.41 acres located on Reservoir View Drive, in the Staunton River Election District and shown on the Tax Map as GPIN# 1593-88-9579, to allow for placement of an accessory building. While the rezoning would not be consistent with the Comprehensive Plan, the subject property is adjacent to properties currently zoned A-1, Agricultural District, so the rezoning would not be considered Illegal Spot Zoning.

PLANNING COMMISSION OPTIONS:

Attachment: R-22-018 Carlberg App (3180 : Public Hearing: Case R-22-018 Robert and Angela Carlberg)

1. Recommend approval of Case R-22-018 as submitted.
2. Recommend denial of Case R-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 REZONING

We, Robert & Angela Carlberg, as owners 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: Robert & Angela Carlberg
Address: 340 Reservoir View Drive

2. Location of Property: 340 Reservoir View Drive

Telephone: 434-841-1071

3. Tax Map Numbers: 1593-88-9579

4. Election District: Staunton River

Total Amount: \$343.98 *cash*
Taken By: ESR

5. Size of Properties: 10.41 acres

6. Existing Land Use: Single Family Dwelling

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Placement of an accessory building in front yard

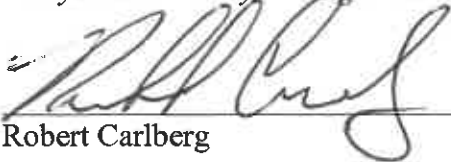
Proposed Zoning: A-1, Agricultural District

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 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.


Robert Carlberg

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.O.S. Meeting Date: 07/19/22

Application No. R-22-018
P.C. Meeting Date: 06/07/22
Date Received: 4/22/22
Action: _____

Attachment: R-22-018 Carlberg App (3180 : Public Hearing: Case R-22-018 Robert and Angela Carlberg)

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

10.41 acres of land, generally located)
at 340 Reservoir View Drive within the)
Staunton River Election District and)
Recorded as parcel ID # 1593-88-9579,)
on the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

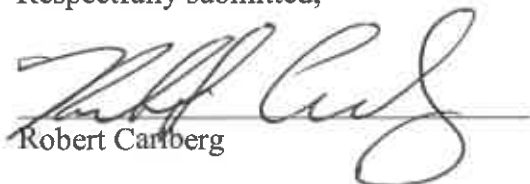
WHEREAS, your Petitioners, Robert & Angela Carlberg , respectfully file this petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioners are the Owners 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 petitioners now desire to have the property rezoned to A-1, Agricultural District.

WHEREFORE, your Petitioners respectfully request 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 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,


Robert Carlberg

Attachment: R-22-018 Carlberg App (3180 : Public Hearing: Case R-22-018 Robert and Angela Carlberg)

May 10, 2022

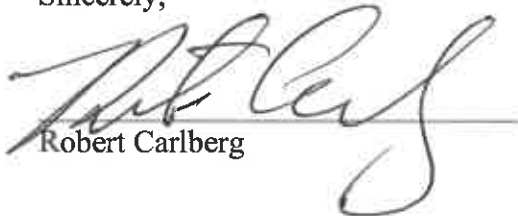
Mrs. Emily Ragsdale
Director of Community Development
P. O. Drawer D
Chatham, VA 24531

Dear Mrs. Ragsdale:

We, Robert & Angela Carlberg, as owners, would like to apply to the Planning Commission/Board of Supervisors to rezone 10.41 acres, GPIN # 1593-88-9579 located at 340 Reservoir View Drive in the Staunton River Election District.

We are requesting to rezone this parcel from R-1, Residential Suburban Subdivision District to A-1, Agricultural District, to allow for placement of an accessory building in the front yard.

Sincerely,



Robert Carlberg

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 R-22-018

Applicant



Date

5-16-22

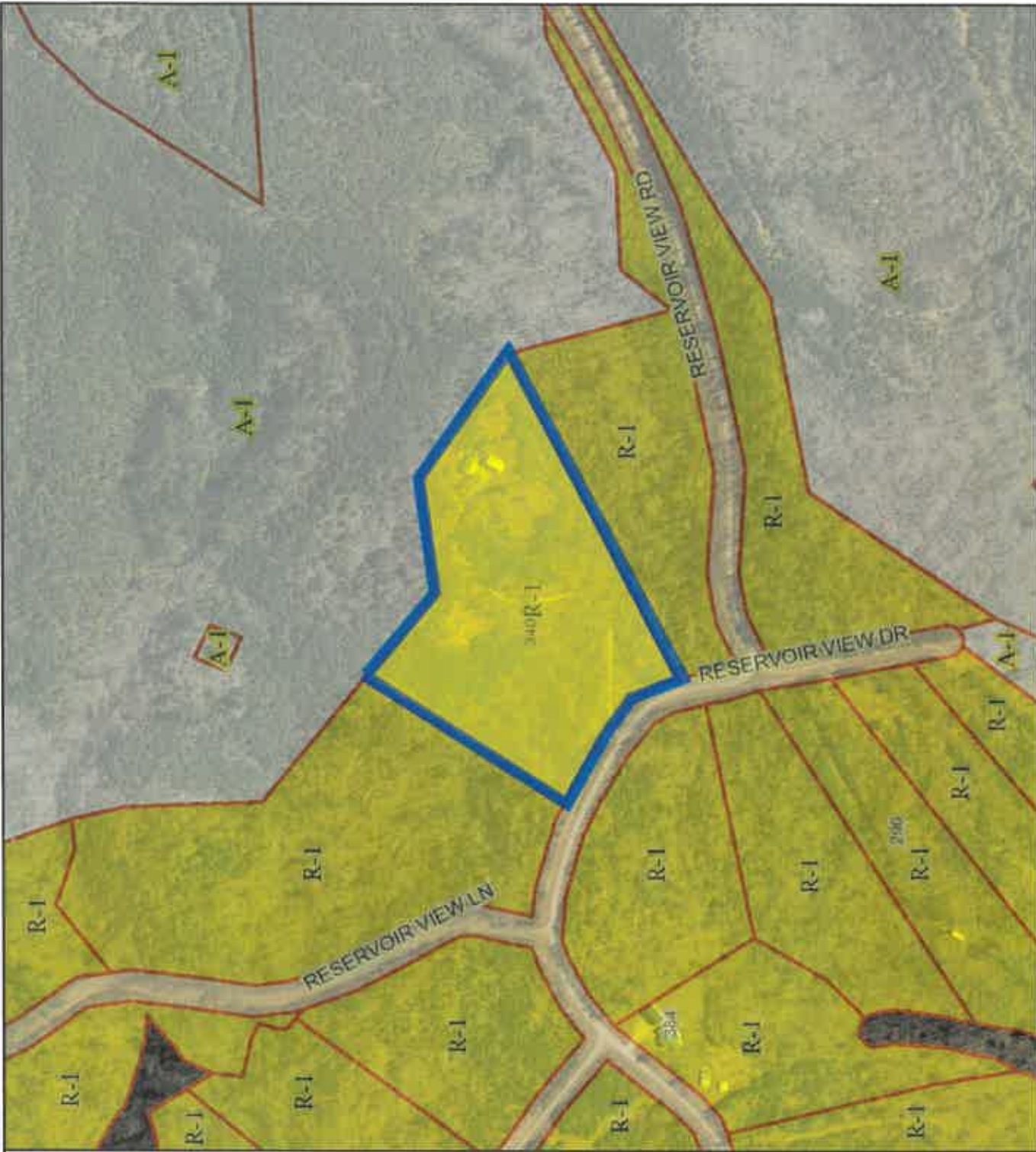
Attachment: R-22-018 Carlberg App (3180 : Public Hearing: Case R-22-018 Robert and Angela Carlberg)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1593-88-3206	MARTIN, PAUL A	8314 WATCHMEN RD	FOUNTAIN, CO 80817
1593-89-3121	TURNER, MICHAEL F ET ALS	540 W WASHINGTON ST	HARPERS FERRY, WV 25425
2504-00-4749	WEYERHAEUSER NR COMPANY	100 PROFESSIONAL CENTER DR	BRUNSWICK, GA 31525
1593-87-2875	WATT, DONALD L JR	2234 HILLANDALE RD	DURHAM, NC 27705
1593-98-6323	PARLIER, BRYAN S	418 OTTERVIEW RD	FOREST, VA 24551
1593-88-9579	CARLBERG, ROBERT W	340 RESERVOIR VIEW DR	PITTSVILLE, VA 24139

CASE R-22-018 ROBERT CARLBURG

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: 4/22/2022

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.

Attachment: R-22-018 Carlberg Map (3180 : Public Hearing: Case R-22-018 Robert and Angela Carlberg)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia	District:	Tunstall District Election District
Zoning Request:	M-1 to M-2		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by the Industrial Development Authority of Pittsylvania County, Virginia, to rezone property located on Brosville Industrial Trail, in the Tunstall Election District and shown on the Tax Maps as GPIN #1368-56-4743. The applicants are requesting to rezone a total of 36.5 acres, from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

BACKGROUND/DISCUSSION

Industrial Development Authority Pittsylvania County is requesting to rezone a total of 36.5 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

This property is located in the Brosville Industrial Park. As economic development prospects from various manufacturing fields look for development opportunities within Pittsylvania County, the Industrial Development Authority would like to be able to offer this property for more intensive industrial uses. Without properties zoned M-2 that can be offered to prospects, the County could miss out on larger economic development opportunities.

Once the property is rezoned to M-2, all uses listed under Section 35-402 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Mixed Commercial/Industrial.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District and M-1, Industrial District, Light Industry, and M-2, Industrial District, Heavy Industry, zoned properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-019, submitted by Industrial Development Authority Pittsylvania County, is requesting to rezone a total of 36.5 acres located at Brosville Industrial Trail, in the Tunstall Election District and shown on the Tax Map as GPIN# 1368-56-4743, to allow for more intensive industrial uses. The subject property is adjacent to properties currently zoned M-2, Industrial District, Heavy Industry, and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-019 as submitted.
2. Recommend denial of Case R-22-019 as submitted.

ATTACHMENTS:

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

STAFF SUMMARY

CASE R-22-019	ZONING REQUEST M-1 to M-2	CYCLE June 2022
SUBJECT/PROPOSAL/REQUEST Industrial Development Authority Pittsylvania County is requesting to rezone the property from M-1, Industrial District, Light Industry to M-2, Industrial District, Heavy Industry. DISTRICT: Tunstall		PLANNING COMMISSION: June 7, 2022 BOARD OF SUPERVISORS: June 21, 2022 ADVERTISED: May 18 & 25, 2022

SUBJECT

Requested by the Industrial Development Authority of Pittsylvania County, Virginia, to rezone property located on Brosville Industrial Trail, in the Tunstall Election District and shown on the Tax Maps as GPIN #1368-56-4743. The applicants are requesting to rezone a total of 36.5 acres, from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

BACKGROUND/DISCUSSION

Industrial Development Authority Pittsylvania County is requesting to rezone a total of 36.5 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

This property is located in the Brosville Industrial Park. As economic development prospects from various manufacturing fields look for development opportunities within Pittsylvania County, the Industrial Development Authority would like to be able to offer this property for more intensive industrial uses. Without properties zoned M-2 that can be offered to prospects, the County could miss out on larger economic development opportunities.

Once the property is rezoned to M-2, all uses listed under Section 35-402 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Mixed Commercial/Industrial.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District and M-1, Industrial District, Light Industry, and M-2, Industrial District, Heavy Industry, zoned properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-019, submitted by Industrial Development Authority Pittsylvania County, is requesting to rezone a total of 36.5 acres located at Brosville Industrial Trail, in the Tunstall Election District and shown on the Tax Map as GPIN# 1368-56-4743, to allow for more intensive industrial uses. The subject property is adjacent to properties currently zoned M-2, Industrial District, Heavy Industry, and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-019 as submitted.

Attachment: R-22-019 IDA App (3184 : Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia)

2. Recommend denial of Case R-22-019 as submitted.

ATTACHMENTS:

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

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

Industrial Development Authority Pittsylvania County, 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: Industrial Development Authority Pittsylvania County
Address: PO Box 1122, Chatham, VA 24531
- 2. Location of Property: Brosville Industrial Trail Telephone: 434-432-1669
- 3. Tax Map Numbers: .1368-56-4743
- 4. Election District: Tunstall Total Amount: \$0.00
Taken By: _____
- 5. Size of Property: 36.5 acres
- 6. Existing Land Use: Vacant
Existing Zoning: M-1, Industrial District Light Industry
- 7. Proposed Land Use: To allow for more intense industrial uses
Proposed Zoning: M-2, Industrial District Heavy Industry
- 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 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.


Joey Daulton

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.O.S. Meeting Date: 06/21/22

Application No. R-22-019
P.C. Meeting Date: 06/07/22
Date Received: 4/28/22
Action: _____

Attachment: R-22-019 IDA App (3184 : Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia)

May 27, 2022

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

Dear Mrs. Ragsdale:

Industrial Development Authority Pittsylvania County, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 36.5 acres, GPIN # 1368-56-4743 located at Brosville Industrial Park in the Tunstall Election District.

We are requesting to rezone this parcel from M-1, Industrial District, Light Industry to M-2, Industrial District, Heavy Industry to allow for more intense industrial uses.

Sincerely,


Jack Paticette

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 R-22-019 Applicant Matthew D. Rowe Date 6/2/2022

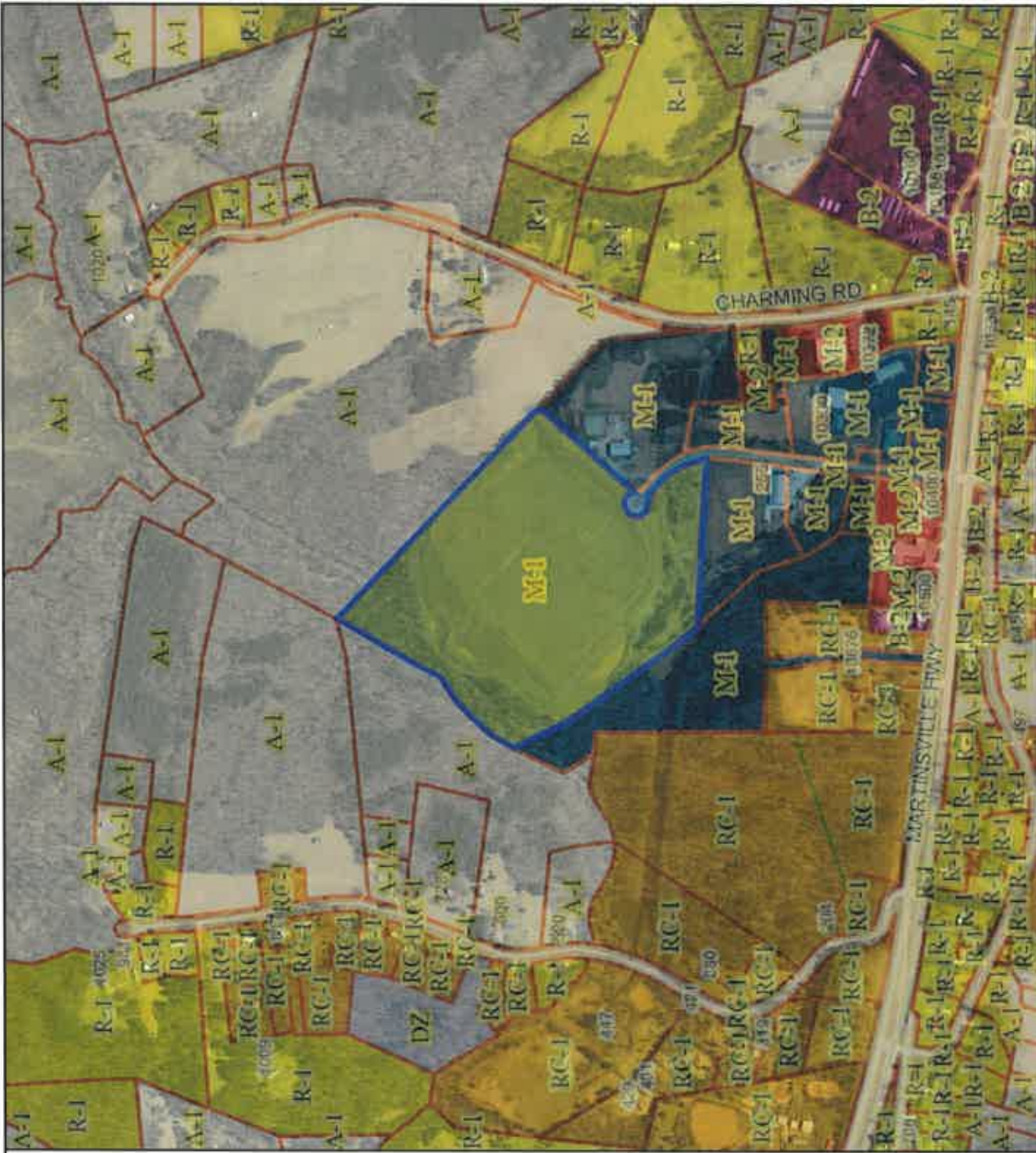
Attachment: R-22-019 IDA App (3184 : Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1368-47-1081	ADAMS, PHYLLIS LIFE TENANT ET ALS	600 OAKWOOD DR	DANVILLE, VA 24541
1368-65-2710	WILKINS, L HAMPTON	428 PINEY FOREST RD	DANVILLE, VA 24540
1368-66-4226	LEWIS & NEWTON DEVELOPMENT LLC	390 BROSVILLE DEVELOPMENT, LLC	DANVILLE, VA 24541
1368-65-0336	PITTSYLVANIA COUNTY VA	P O BOX 426	CHATHAM, VA 24531
1368-48-5242	ADAMS, HOWARD GLEN	40 RADER ST #303	NORFOLK, VA 23510
1368-68-4079	DAVIS, RONNIE W	991 CHARMING RD	DANVILLE, VA 24541

IDA R-22-019

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: 5/16/2022

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.





Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia	District:	Dan River Election District
Zoning Request:	M-1 to M-2		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by the Industrial Development Authority of Pittsylvania County, Virginia, to rezone property located on State Road 1299/Cane Creek Parkway, in the Dan River Election District and shown on the Tax Maps as GPIN #2347-69-4959. The applicants are requesting to rezone a total of 51.04 acres, from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

BACKGROUND/DISCUSSION

Industrial Development Authority Pittsylvania County is requesting to rezone a total of 51.04 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

This property is located in the Cane Creek Industrial Park. As economic development prospects from various manufacturing fields look for development opportunities within Pittsylvania County, the Industrial Development Authority would like to be able to offer this property for more intensive industrial uses. Without properties zoned M-2 that can be offered to prospects, the County could miss out on larger economic development opportunities.

Once the property is rezoned to M-2, all uses listed under Section 35-402 are a permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District and M-1, Industrial District, Light Industry, and R-1, Residential Suburban Subdivision District zoned properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-023, submitted by Industrial Development Authority Pittsylvania County, is requesting to rezone a total of 51.04 acres located at State Road 1299/Cane Creek Parkway, in the Dan River Election District and shown on the Tax Map as GPIN# 2347-69-4959, to allow for more intensive industrial uses. The rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-023 as submitted.
2. Recommend denial of Case R-22-023 as submitted.

ATTACHMENTS:

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

STAFF SUMMARY

<p>CASE R-22-023</p>	<p>ZONING REQUEST M-1 to M-2</p>	<p>CYCLE June 2022</p>
<p>SUBJECT/PROPOSAL/REQUEST Industrial Development Authority Pittsylvania County is requesting to rezone the property from M-1, Industrial District, Light Industry to M-1, Industrial District, Heavy Industry.</p> <p>DISTRICT: Dan River</p>	<p>PLANNING COMMISSION: June 7, 2022</p> <p>BOARD OF SUPERVISORS: June 21, 2022</p> <p>ADVERTISED: May 18 & 25, 2022</p>	

SUBJECT

Requested by the Industrial Development Authority of Pittsylvania County, Virginia, to rezone property located on State Road 1299/Cane Creek Parkway, in the Dan River Election District and shown on the Tax Maps as GPIN #2347-69-4959. The applicants are requesting to rezone a total of 51.04 acres, from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

BACKGROUND/DISCUSSION

Industrial Development Authority Pittsylvania County is requesting to rezone a total of 51.04 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

This property is located in the Cane Creek Industrial Park. As economic development prospects from various manufacturing fields look for development opportunities within Pittsylvania County, the Industrial Development Authority would like to be able to offer this property for more intensive industrial uses. Without properties zoned M-2 that can be offered to prospects, the County could miss out on larger economic development opportunities.

Once the property is rezoned to M-2, all uses listed under Section 35-402 are a permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District and M-1, Industrial District, Light Industry, and R-1, Residential Suburban Subdivision District zoned properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-023, submitted by Industrial Development Authority Pittsylvania County, is requesting to rezone a total of 51.04 acres located at State Road 1299/Cane Creek Parkway, in the Dan River Election District and shown on the Tax Map as GPIN# 2347-69-4959, to allow for more intensive industrial uses. The rezoning would be consistent with the Comprehensive Plan.

Attachment: R-22-023 IDA App (3185 : Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia)

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-023 as submitted.
2. Recommend denial of Case R-22-023 as submitted.

ATTACHMENTS:

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

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

Industrial Development Authority Pittsylvania County, 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: Industrial Development Authority Pittsylvania County
Address: PO Box 1122, Chatham, VA 24531
- 2. Location of Property: State Road 1299/Cane Creek Parkway Telephone: 434-432-1669
- 3. Tax Map Numbers: 2347-69-4959
- 4. Election District: Dan River Total Amount: \$0.00
Taken By: _____
- 5. Size of Property: 51.04 acres
- 6. Existing Land Use: Vacant
Existing Zoning: M-1, Industrial District, Light Industry
- 7. Proposed Land Use: To allow for more intense industrial uses
Proposed Zoning: M-2, Industrial District, Heavy Industry
- 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 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.


Joey Francette

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.O.S. Meeting Date: 06/21/22

Application No. R-22-023
P.C. Meeting Date: 06/07/22
Date Received: 4/28/22
Action: _____

Attachment: R-22-023 IDA App (3185 : Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia)

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

51.04 acres of land, generally located)
at State Road 1299/Cane Creek Parkway)
within the Dan River Election District and)
Recorded as parcel ID # 2347-69-4959)
on the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Industrial Development Authority Pittsylvania County, respectfully file 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 M-1, Industrial District, Light Industry.
- (3) Your petitioner now desires to have the property rezoned to M-2, Industrial District, Heavy Industry.

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,

Joey Faucette

May 27, 2022

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

Dear Mrs. Ragsdale:

Industrial Development Authority Pittsylvania County, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 51.04 acres, GPIN # 2347-69-4959 located at State Road 1299/Cane Creek Parkway in the Dan River Election District.

We are requesting to rezone this parcel from M-1, Industrial District, Light Industry to M-2, Industrial District, Heavy Industry to allow for more intense industrial uses.

Sincerely,


Joey Baticcic

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.

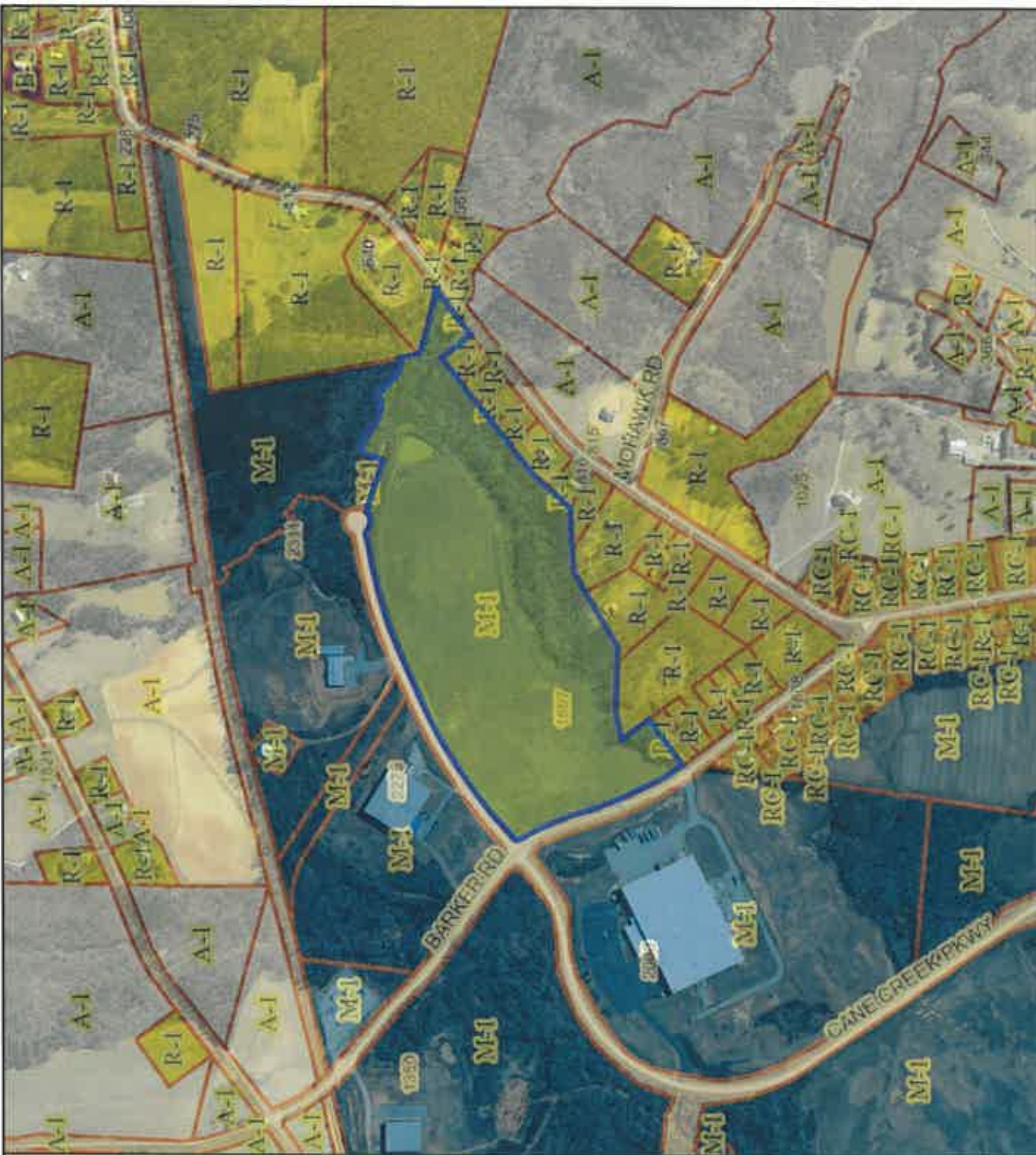
Case R-22-023 Applicant Matthew D. Rowe Date 6/2/2022

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2348-40-5437	AXXOR NA LLC	2275 CANE CREEK PARKWAY	RINGGOLD, VA 24586
2347-39-1745	INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE VA	P O BOX 3300	DANVILLE, VA 24543
2347-69-9667	HEAD, ROBERT W JR	816 RINGGOLD RD	RINGGOLD, VA 24586
2347-69-8513	RICHARDSON, DENNIS G	800 RINGGOLD ROAD	RINGGOLD, VA 24586
2348-70-4045	FORD BROTHERS LLC	P O BOX 72	BLAIRS, VA 24527
2348-70-7883	DAVIS, DOROTHY R	412 RINGGOLD RD.	RINGGOLD, VA 24586
2347-48-2743	ELKAY PLUMBING PRODUCTS COMPANY	13333 BUTTERFIELD RD	DOWNERS GROVE, IL 60515
2347-69-4299	DEHART, DANIEL CHRISTOPHER	896 RINGGOLD RD	RINGGOLD, VA 24586
2348-50-9779	INDUSTRIAL DEV AUTH OF PITTS CO VA	PO BOX 110263	RESEARCH TRI PK, NC 27709
2347-69-1170	WILKERSON, MILDRED BOYD	4300 RINGGOLD CHURCH RD	RINGGOLD VA 24586
2347-58-7987	BURNER, LARRY W	1793 BARKER RD	RINGGOLD, VA 24586
2348-70-8318	DAVIS, LARRY W	540 RINGGOLD RD	RINGGOLD, VA 24586
2347-79-1810	FOWLER, CLINTON A JR	804 ALYSUM CT	SAN LUIS OBISPO, CA 93401
2347-69-6475	MOTLEY, DENNIS WAYNE	1960 BARKER ROAD	RINGGOLD, VA 24586
2347-58-4945	MARTIN, JOHN W	1773 BARKER RD	RINGGOLD, VA 24586

R-22-023 IDA

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
- RPDP = Residential Planned Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary



Title:

Date: 5/16/2022

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.

Attachment: R-22-023 IDA Map (3185 : Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia)





Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case S-22-009 Mark Blanchet	District:	Tunstall District Election District
Zoning Request:	SUP		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by Mark Blanchet, for a Special Use Permit for a campground in accordance with Pittsylvania County Code § 35-179. The property is a total of 19.76 acres, located on State Road 58/Martinsville Highway, in the Tunstall Election District and shown on the Tax Maps as GPIN #s 1339-96-3346, 1339-85-8747, 1339-85-7611, and 1339-95-0733.

BACKGROUND/DISCUSSION

Mark Blanchet is requesting a Special Use Permit to operate a campground on the subject properties. The properties were previously occupied by a legal nonconforming mobile home park. Community Development was notified that campers were being placed on the property, violating Pittsylvania County Code §35-86 that requires campers to be located within an approved campground. Prior to Staff being able to cite the property owner, Mr. Blanchett contacted the Community Development office as the new property owner, inquiring about expanding the number campsites. Once the violation was brought to his attention, he submitted this application to rezone the property to A-1 in preparation for applying for a Special Use Permit to operate a campground in accordance with PCC § 35-179. The rezoning was approved on April 19, 2022 by the Board of Supervisors. If the Special Use Permit is granted, a permit will still need to be issued by the Virginia Department of Health before the property could be used as a campground.

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

SITE DEVELOPMENT PLAN

Included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-009 with the following conditions:

1. Any future expansion will require Site Plan approval by the Pittsylvania County Community Development Office to ensure compliance with all applicable Zoning regulations.
2. Must remain in compliance with all applicable Virginia Department of Health regulations.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-009 as submitted.
2. Recommend approval of Case S-22-009 subject to conditions by Staff.
3. Recommend approval of Case S-22-009 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-009 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-22-009	SUP	June 2022/July 2022
<u>SUBJECT/PROPOSAL/REQUEST</u>		PLANNING COMMISSION: June 7, 2022
Mark Blanchet is requesting a Special Use Permit for a Campground		BOARD OF ZONING APPEALS: July 11, 2022
DISTRICT: Dan River		ADVERTISED: May 18 & 25, 2022/June 22 & 29, 2022

SUBJECT

Requested by Mark Blanchet, for a Special Use Permit for a campground in accordance with Pittsylvania County Code § 35-179. The property is a total of 19.76 acres, located on State Road 58/Martinsville Highway, in the Tunstall Election District and shown on the Tax Maps as GPIN #s 1339-96-3346, 1339-85-8747, 1339-85-7611, and 1339-95-0733.

BACKGROUND/DISCUSSION

Mark Blanchet is requesting a Special Use Permit to operate a campground on the subject properties. The properties were previously occupied by a legal nonconforming mobile home park. Community Development was notified that campers were being placed on the property, violating Pittsylvania County Code §35-86 that requires campers to be located within an approved campground. Prior to Staff being able to cite the property owner, Mr. Blanchett contacted the Community Development office as the new property owner, inquiring about expanding the number campsites. Once the violation was brought to his attention, he submitted this application to rezone the property to A-1 in preparation for applying for a Special Use Permit to operate a campground in accordance with PCC § 35-179. The rezoning was approved on April 19, 2022 by the Board of Supervisors. If the Special Use Permit is granted, a permit will still need to be issued by the Virginia Department of Health before the property could be used as a campground.

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

SITE DEVELOPMENT PLAN

Included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-009 with the following conditions:

1. Any future expansion will require Site Plan approval by the Pittsylvania County Community Development Office to ensure compliance with all applicable Zoning regulations.
2. Must remain in compliance with all applicable Virginia Department of Health regulations.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-009 as submitted.
2. Recommend approval of Case S-22-009 subject to conditions by Staff.

3. Recommend approval of Case S-22-009 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-009 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, Mark Blanchet, as Owner of the below described properties, hereby apply to the Pittsylvania County Board of Zoning Appeals to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner Name: Mark Blanchet
Address: 6132 Whispering Pines Road, Cascade, VA 24069

2. Location of Property: 16588 & 16596 Martinsville Hwy

Telephone: 276-618-2986

3. Tax Map Numbers: 1339-96-3346, 1339-85-8747,
1339-85-7611, 1339-95-0733

4. Election District: Tunstall

Total Amount: \$350.00

Taken By: CASH
4/27/22

5. Size of Property: 19.76 acres

6. Existing Land Use: Mobile Home Park

Existing Zoning: A-1, Agricultural District

7. Proposed Land Use: Campground

8. Check completed items:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Letter of Application | <input checked="" 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.

Mark Blanchet
Mark Blanchet

OFFICE USE ONLY
Application Deadline: 4/28/22
Received By: ESR
B.Z.A. Meeting Date: 07/11/22

Application No. S-22-009
P.C. Meeting Date: 06/07/22
Date Received: 4/20/22
Action: _____

Attachment: S-22-009 Blanchet App (3183 : Public Hearing: Case S-22-009 Mark Blanchet)

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

19.76 acres four (4) parcels of land,)
located at 16588 & 16596 Martinsville)
Highway within the Tunstall)
Election District, and recorded as)
parcel #s 1339-96-3346, 1339-85-8747,)
1339-85-7611 & 1339-95-0733 in the)
Pittsylvania County tax records)

PETITION

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:


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

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

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

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

Respectfully submitted,



Mark Blanchet

Attachment: S-22-009 Blanchet App (3183 : Public Hearing: Case S-22-009 Mark Blanchet)

April 20, 2022

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

Dear Mrs. Ragsdale:

I, Mark Blanchet, as Owner, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 19.76 acres, located at 16588 & 16596 Martinsville Highway, in the Tunstall Election District. The properties are shown as GPIN #s 1339-96-3346, 1339-85-8747, 1339-85-7611 & 1339-95-0733.

I would like a Special Use Permit for a Campground.

Sincerely,



Mark Blanchet

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 S-22-009 Applicant Mark Blanchet Date 9/20/22

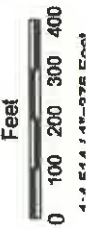
Attachment: S-22-009 Blanchet App (3183 : Public Hearing: Case S-22-009 Mark Blanchet)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1339-85-8747	HOWERTON, MARGARET L	P O BOX 386	AXTON, VA 24054
1339-84-9842	BOWMAN, JAMES ALLEN	5955 DRY FORK ROAD	DRY FORK, VA 24549
1339-85-5182	EAST, LISA NICOLE	16511 MARTINSVILLE HWY	AXTON, VA 24054
1339-85-4282	ABRAHAM DIVESTITURE CO LLC	575 MOROSGO SUITE 13F	ALTANTA, GA 30324
1339-97-8613	WILLARD, VANCE C	3740 MARTIN DR	AXTON, VA 24054
1339-85-6727	COUSIN, WAVERLY JR	1078 LOCUST DR	CASCADE, VA 24069
1339-85-0467	TAYLOR, ALVIN T SR	16649 MARTINSVILLE HWY	AXTON, VA 24054
1339-95-4137	DIAMOND POINT INC	P.O. BOX 3635	RADFORD, VA 24143
1349-05-2755	WHITLOCK, KEITH A	4298 MARTIN DR	AXTON, VA 24054
1339-84-8913	DEGARMO, NICHOLAS	16477 MARTINSVILLE HWY	AXTON, VA 24054
1339-86-1127	SCOTT, JAMES ANDERSON	576 PLANTATION DR	AXTON, VA 24054
1349-06-4452	MOORE, EARL F ET ALS	5427 YANCEYVILLE RD	BROWNS SUMMIT, NC 27214
1339-86-7671	PRUITT, JEFFREY D	16640 MARTINSVILLE HWY	AXTON, VA 24054

S-22-009 MARK BLANCHET

Legend

-  Assessed Parcels
-  Parcels
-  County Boundary



Title:

Date: 1/24/2022

9.7.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-22-009 Blanchet Map (3183 : Public Hearing: Case S-22-009 Mark Blanchet)

PIERSON
ENGINEERING
&
SURVEYING

P.O. BOX 911
44 CANVA ROAD
DALEVILLE, VA 24083

PLAN SHEET

SITE PLAN
FOR
H & M RV PARK
PITTSYLVANIA COUNTY, VIRGINIA

COMMISSION
REGISTRATION
NO. 073042
PROFESSIONAL ENGINEER
STATE OF VIRGINIA

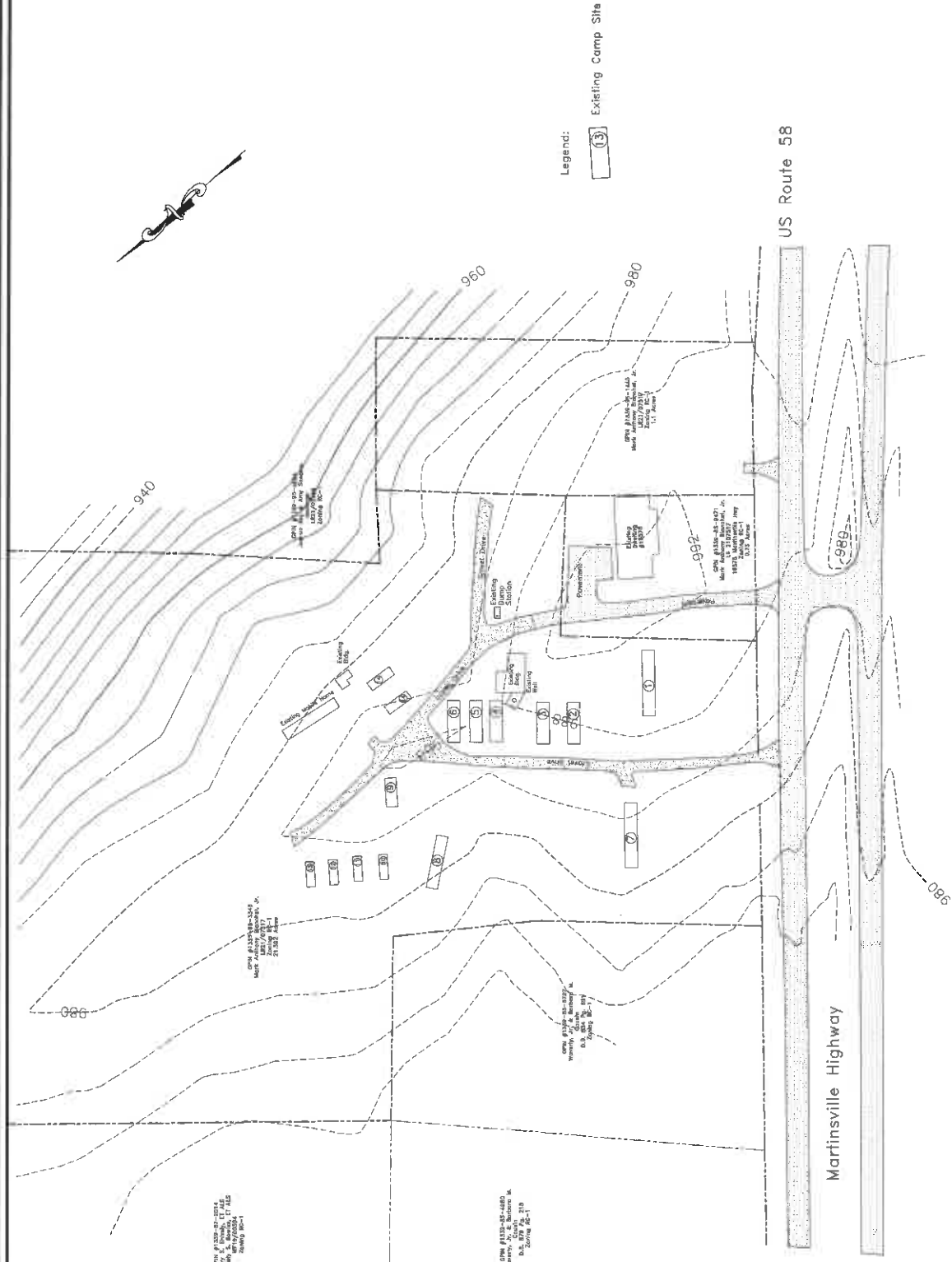


COMMISSION
REGISTRATION
NO. 073042
PROFESSIONAL ENGINEER
STATE OF VIRGINIA

GRAPHIC SCALE
1" = 200' (1:200)
1" = 400' (1:400)



Legend:
Existing Camp Site



P.B.

P.G.

LEGEND:

- Iron Pin Set
- Iron Pin Found
- △ Calculated Point
- L.T.V. Line to be Vacated
- N.D.L. New Division Line

GPIN #1339-86-7671
Jeffrey D. & Amanda P.
DB1112/806
16640 Martinsville Hwy
Zoning A-1

GPIN #1339-85-4980
Waverly, Jr. & Barbara M.
Cousin
D.B. 878 Pg. 218
Zoning RC-1

GPIN #1339-85-6727
Waverly, Jr. & Barbara M.
Cousin
D.B. 834 Pg. 691
Zoning RC-1

GPIN #1339-85-8747
Mark Anthony Blanchet, Jr.
LR21/07517
Zoning RC-1
0.518 Acres

GPIN #1339-96-3346
Mark Anthony Blanchet, Jr.
LR21/07517
Zoning RC-1
16.853 Acres
Adding 0.726 Acres From
GPIN#: 1339-95-1507
Adding 1.091 Acres From
GPIN#: 1339-85-9516
Adding 0.861 Acres
From GPIN#: 1339-85-7611
Adding 1.544 Acres From
GPIN#: 1339-95-0733
Adding 0.517 Acres From
GPIN#: 1339-85-8747
Now 21.592 Acres

GPIN #1339-85-0733
Mark Anthony Blanchet, Jr.
LR21/07517
18578 Martinsville Hwy
Zoning RC-1
1.544 Acres

GPIN #1339-85-1507
Mark Anthony Blanchet, Jr.
LR21/07517
Zoning RC-1
0.726 Acres

GPIN #1339-95-4594
Joshua Roy & Amy Seearce
Jennings
LR21/03489
Zoning RC-1

GPIN #1349-05-2755
Keith A. & Shannon J.
Whitlock
DB1225/163
4298 Marlin Dr
Zoning RC-1

GPIN #1349-06-4452
Earl F. & Peggy Y.
Moore, ET ALS
LR06/06257
3988 Marlin Dr
Zoning RC-1

PLAT OF COMBINATION
FOR
MARK ANTHONY BLANCHET, JR.
COMBINING PARCELS

GPIN#: 1339-95-0733, GPIN#: 1339-85-8747
GPIN#: 1339-85-7611, GPIN#: 1339-85-9516
GPIN#: 1339-95-1507

LOCATED IN THE
TUNSTALL MAGISTERIAL DISTRICT
PITTSYLVANIA COUNTY, VIRGINIA
SCALE: 1" = 80' DATE: April 25, 2022
SHEET 2 OF 2

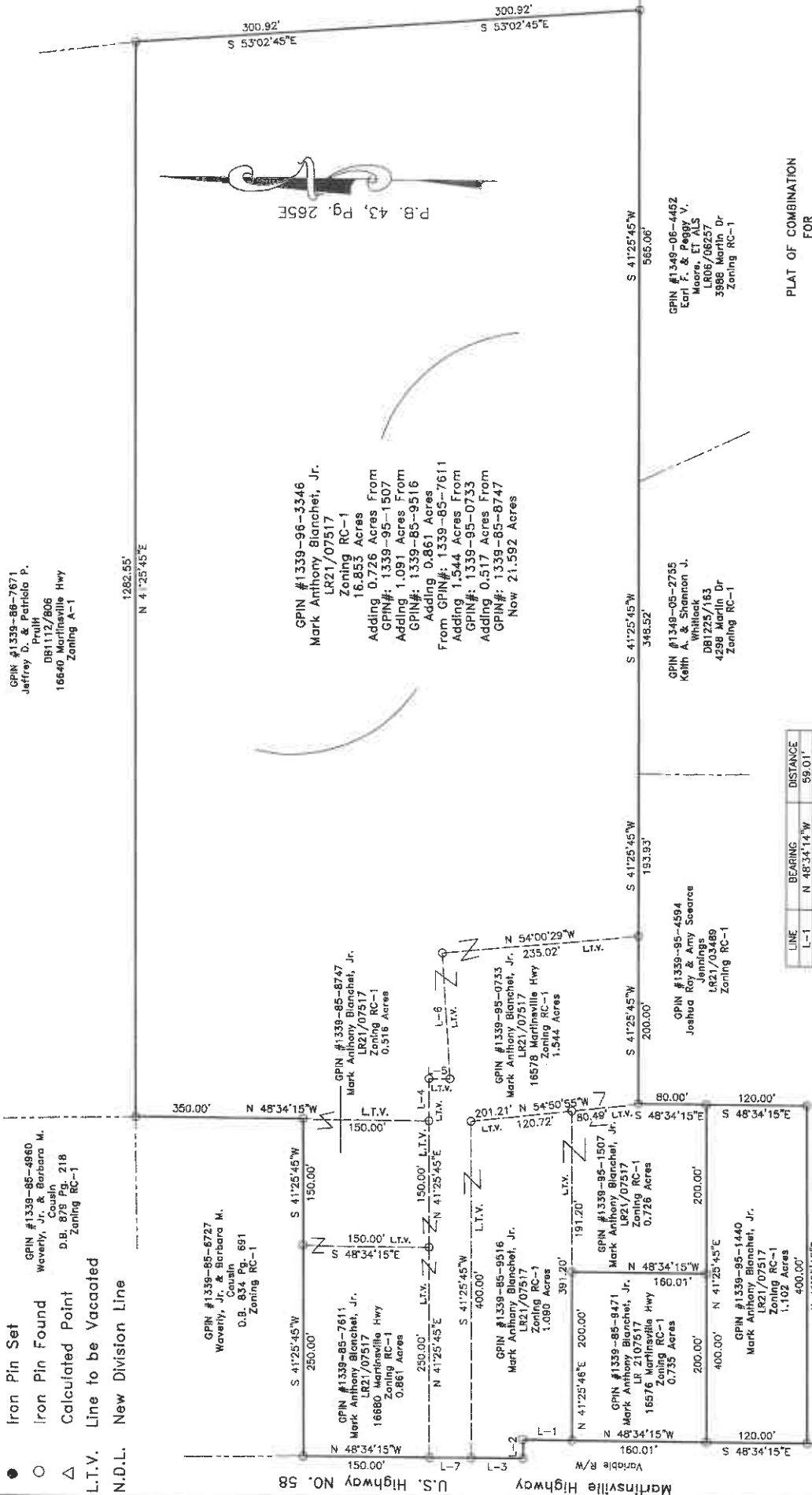
DATA/2022/RVParKPlotPittsylvaniaIncCo

LINE	BEARING	DISTANCE
L-1	N 48°34'14"W	59.01'
L-2	S 41°25'45"W	32.00'
L-3	N 48°34'15"W	60.98'
L-4	N 41°25'45"E	50.00'
L-5	S 48°34'15"E	25.00'
L-6	N 38°00'14"E	150.00'
L-7	N 48°34'15"W	50.00'

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

This is to certify that on April 2, 2022
I made an accurate survey of the premises
shown herein and that there are no
encumbrances or encroachments visible on the
ground other than as shown hereon.

PIERSON ENGINEERING AND
SURVEYING, INC.
P.O. BOX 311
Daleville, VA 24093
540-966-3027
rpierson@net.net



COUNTY OF PITTSYLVANIA
STATE OF VIRGINIA

I, _____ A NOTARY PUBLIC IN AND FOR THE
AFORESAID COUNTY AND STATE DO HEREBY CERTIFY THAT
WHOSE NAME IS SIGNED TO THE FOREGOING WRITING DATED
2022, HAS PERSONALLY APPEARED BEFORE ME IN MY COUNTY AND STATE AND
ACKNOWLEDGED THE SAME ON THIS _____ DAY OF _____
2022.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC.

KNOW ALL MEN BY THESE PRESENT, TO WIT:
THAT MARK ANTHONY BLANCHETT, JR. IS THE FREE SIMPLE OWNER SHOWN
HEREON AND BEING ALL THE PROPERTY RECORDED IN THE OFFICE OF
THE CLERK OF PITTSYLVANIA COUNTY, VIRGINIA BY LR21/07617.

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND
IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES
OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

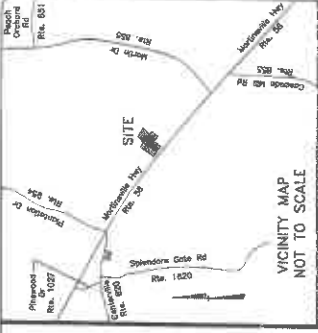
THE SAID OWNER CERTIFIES THAT THEY HAVE SUBDIVIDED THE LAND AS SHOWN
HEREON ENTIRELY OF THEIR OWN FREE WILL AND ACCORD AS REQUIRED BY
SECTION 15.2-2240 THRU 15.2-2279 OF THE 1960 CODE OF VIRGINIA AS AMENDED TO DATE.

WITNESS THE SIGNATURES AND SEAL OF THE SAID OWNER:

MARK ANTHONY BLANCHETT, JR. _____ DATE _____

TESTE: _____ CLERK

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF PITTSYLVANIA
VIRGINIA THIS MAP PRESENTED ON THIS _____ DAY OF _____
2022 AND
WITH CERTIFICATE OF DEDICATION AND ACKNOWLEDGMENT THERE TO ANNEXED,
ADMITTED TO RECORD _____ O'CLOCK _____ M.



This is to certify that on April 25, 2022
I made an accurate survey of the premises
shown hereon and the same are capable of being
subdivided into the lots shown on the
ground either than as shown hereon.



THE OFFICE OF
Pierson Engineering and
Surveying, Inc.
P.O. BOX 371
Dorset, VA 22622
Tel: 540-320-3700
pierson@pierson.com

PLAT OF COMBINATION
FOR

MARK ANTHONY BLANCHETT, JR.
COMBINING PARCELS

GPIN#: 1339-95-0733, GPIN#: 1339-85-8747
GPIN#: 1339-85-7611, GPIN#: 1339-85-9516
GPIN#: 1339-95-1507

LOCATED IN THE
TUNSTALL MAGISTERIAL DISTRICT
PITTSYLVANIA COUNTY, VIRGINIA
SCALE: 1" = 80' DATE: April 25, 2022
SHEET 1 OF 2

DATA/2022/R2022RVPorKPlatPittsylvaniaCo

Pittsylvania County does not approve or enforce
restrictive covenants.

DATE: _____ AGENT, PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

- 1. Prior to the improvement of any lot in the county the Division of Planning shall be contacted concerning, but not limited to, the current zoning systems, Health Department requirements, erosion and sediment control requirements, and private streets.
- 2. This plat has been prepared without the benefit of a site inspection and the County cannot indicate all encumbrances upon the property.
- 3. Exact location of underground utilities and easements is shown on this plat.
- 4. This plat is in final form and is effective as of September 29, 2010.
- 5. The acceptance of this plat does not constitute a conveyance of land. Any lot, parcel or tract of land shown hereon that is intended for sale and/or conveyance must be conveyed by deed and said deed must be recorded in the office of the Circuit Court of the County of Pittsylvania.



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case S-22-010 Debra Goodwin	District:	Tunstall District Election District
Zoning Request:	SUP		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by Debra Goodwin, for a Special Use Permit for the placement of a double-wide mobile home in accordance with Pittsylvania County Code § 35-223. The property is 1.56 acres, located on State Road 718/Dry Fork Road in the Tunstall Election District and shown on the Tap Maps as GPIN # 2413-53-5665.

BACKGROUND/DISCUSSION

Donna Clay is requesting a Special Use Permit to allow for placement of a double-wide mobile home on the subject property to be used as a personal residence. Pittsylvania County Code § 35-223 requires a Special Use Permit for mobile homes under the R-1 zoning classification. The property is currently occupied by a single-family dwelling that is in the process of being demolished. There are other manufactured homes in the general area. If a Special Use Permit is granted, all applicable setback requirements and Building Code regulations would have to be met before the mobile home could be placed on the property.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

Surrounded by properties zoned R-1, Residential Suburban Subdivision District.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-010 as submitted.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-010 as submitted.
2. Recommend approval of Case S-22-010 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-22-010 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-22-010	SUP	June 2022/July 2022
<u>SUBJECT/PROPOSAL/REQUEST</u>		PLANNING COMMISSION: June 7, 2022
Debra Goodwin is requesting a Special Use Permit for a Double-Wide Mobile Home		BOARD OF ZONING APPEALS: July 11, 2022
DISTRICT: Tunstall		ADVERTISED: May 18 & 25, 2022/June 22 & 29, 2022

SUBJECT

Requested by Debra Goodwin, for a Special Use Permit for the placement of a double-wide mobile home in accordance with Pittsylvania County Code § 35-223. The property is 1.56 acres, located on State Road 718/Dry Fork Road in the Tunstall Election District and shown on the Tap Maps as GPIN # 2413-53-5665.

BACKGROUND/DISCUSSION

Donna Clay is requesting a Special Use Permit to allow for placement of a double-wide mobile home on the subject property to be used as a personal residence. Pittsylvania County Code § 35-223 requires a Special Use Permit for mobile homes under the R-1 zoning classification. The property is currently occupied by a single-family dwelling that is in the process of being demolished. There are other manufactured homes in the general area. If a Special Use Permit is granted, all applicable setback requirements and Building Code regulations would have to be met before the mobile home could be placed on the property.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

Surrounded by properties zoned R-1, Residential Suburban Subdivision District.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-010 as submitted.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-010 as submitted.
2. Recommend approval of Case S-22-010 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-22-010 as submitted.

ATTACHMENTS:

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

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

I, Debra Goodwin, 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: Debra Goodwin
Address: 520 Riddle Road, Chatham, VA 24531 Telephone: (434) 554-2566
- 2. Location of Property: 1632 Dry Fork Road Total Amt: \$ 350.00
Taken By: Cash 4/27/22
DB
- 3. Tax Map Number 2413-53-5665
- 4. Election District: Tunstall
- 5. Size of Property: 1.56 Acres
- 6. Existing Land Use: Single family home that will be demolished
Existing Zoning: R-1, Residential Suburban Subdivision District
- 7. Proposed Land Use: Placement of a Double-Wide Mobile Home
- 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.

Debra Goodwin
Debra Goodwin

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.Z.A. Meeting Date: 07/11/22

Application No. S-22-010
P.C. Meeting Date: 06/07/22
Date Received: 04/27/2022
Action: _____

Attachment: S-22-010 Goodwin App (3181 : Public Hearing: Case S-22-010 Debra Goodwin)

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

A 1.56 acre parcel of land)
generally located at 1632 Dry Fork Road)
within the Tunstall)
Election District, and recorded as)
parcel # 2415-53-5665)
in the Pittsylvania County tax records.)

PETITION

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

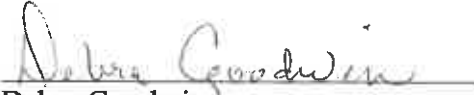
WHEREAS, your Petitioner, Debra Goodwin, respectfully files this petition pursuant to Sections 35-713 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

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

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,


Debra Goodwin

Attachment: S-22-010 Goodwin App (3181 : Public Hearing: Case S-22-010 Debra Goodwin)

May 11, 2022


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

Dear Mrs. Ragsdale:

I, Debra Goodwin, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 1.56 acres, located at 1632 Dry Fork Road, in the Tunstall Election District. The property is shown on the Tax Maps as GPIN # 2413-53-5665.

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

Sincerely,



Debra Goodwin

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-

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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 9-22-010 Applicant Debra Goodwin Date 5/13/22

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2413-53-5217	ATKINSON, JACKIE RAY JR	7441 DRY FORK RD	DRY FORK, VA 24549
2413-54-4560	OWEN FARMS INC	1261 OWEN ROAD	BLAIRS, VA 24527
2413-53-5665	GOODWIN, DEBRA FOWLKES	520 RIDDLE RD	CHATHAM, VA 24531
2413-53-3742	ADKINS, BETTY WOMACK	1732 DRY FORK RD	DRY FORK VA 24549

DEBRA FOWLKES GOODWIN

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: 4/27/2022

9.8.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.



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case S-22-012 Donna Clay	District:	Dan River Election District
Zoning Request:	SUP		
Agenda Date:	June 07, 2022		
Meeting History:			

SUBJECT

Requested by Donna Clay for a Special Use Permit for a Public Garage. The property 5.5 acres, located on State Road 1246/Evangel Drive, in the Dan River Election District and shown on the Tap Map as GPIN # 2346-54-4290.

BACKGROUND/DISCUSSION

On April 25, 2022, Community Development staff issued a violation letter to Donna Clay for the number of inoperable vehicles on the property. When Mr. Clay contacted the Community Development Office, he mentioned that he was operating a public garage on the subject property. The subject property is currently zoned R-1, Residential Suburban Subdivision District. Under Pittsylvania County Code § 35-223, a Special Use Permit is required for public garages under the R-1 zoning classification. The applicant stated that the garage was not in operation prior to the adoption of the Zoning Ordinance in 1991 so it is not considered a legal non-conforming use. In order to continue operating, a Special Use Permit for a public garage must be granted. 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 a shop.

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 properties zoned R-1, Residential Suburban Subdivision District, and M-2, Industrial District, Heavy Industry.

SITE DEVELOPMENT PLAN

An existing building will be used for this operation.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-012 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-22-012 as submitted.
2. Recommend approval of Case S-22-012 subject to conditions by Staff.
3. Recommend approval of Case S-22-012 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-22-012 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>CASE S-22-012</p>	<p>ZONING REQUEST SUP</p>	<p>CYCLE June 2022/July 2022</p>
<p>SUBJECT/PROPOSAL/REQUEST Donna Clay is requesting a Special Use Permit for a Public Garage</p>		<p>PLANNING COMMISSION: June 7, 2022 BOARD OF ZONING APPEALS: July 11, 2022</p>
<p>DISTRICT: Dan River</p>		<p>ADVERTISED: May 18 & 25, 2022/June 22 & 29, 2022</p>

SUBJECT

Requested by Donna Clay for a Special Use Permit for a Public Garage. The property 5.5 acres, located on State Road 1246/Evangel Drive, in the Dan River Election District and shown on the Tap Map as GPIN # 2346-54-4290.

BACKGROUND/DISCUSSION

On April 25, 2022, Community Development staff issued a violation letter to Donna Clay for the number of inoperable vehicles on the property. When Mr. Clay contacted the Community Development Office, he mentioned that he was operating a public garage on the subject property. The subject property is currently zoned R-1, Residential Suburban Subdivision District. Under Pittsylvania County Code § 35-223, a Special Use Permit is required for public garages under the R-1 zoning classification. The applicant stated that the garage was not in operation prior to the adoption of the Zoning Ordinance in 1991 so it is not considered a legal non-conforming use. In order to continue operating, a Special Use Permit for a public garage must be granted. 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 a shop.

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 properties zoned R-1, Residential Suburban Subdivision District, and M-2, Industrial District, Heavy Industry.

SITE DEVELOPMENT PLAN

An existing building will be used for this operation.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-012 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-22-012 as submitted.
2. Recommend approval of Case S-22-012 subject to conditions by Staff.
3. Recommend approval of Case S-22-012 subject to conditions by the Planning Commission.

Attachment: S-22-012 Clay App (3182 : Public Hearing: Case S-22-012 Donna Clay)

4. Recommend denial of Case S-22-012 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, Donna Clay, 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: Donna Clay
Address: 205 Evangel Drive, Ringgold, VA 24586

Telephone: (434) 250-7334

2. Location of Property: 205 Evangel Drive

Total Amt: \$ 350.00 #1947
Taken By: K. Hays \$350.00

3. Tax Map Number 2346-54-4290

4. Election District: Dan River

5. Size of Property: 5.5 Acres

6. Existing Land Use: Single Family Dwelling

Existing Zoning: R-1, Residential Suburban 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.

Donna Clay
Donna Clay

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.Z.A. Meeting Date: 07/11/22

Application No. S-22-012
P.C. Meeting Date: 06/07/22
Date Received: 04/27/2022
Action: _____

Attachment: S-22-012 Clay App (3182 : Public Hearing: Case S-22-012 Donna Clay)

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

A 5.5 acre parcel of land)
generally located at 205 Evangel Drive)
within the Dan River) **PETITION**
Election District, and recorded as)
parcel # 2346-54-4290)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Donna Clay, 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 is filing with the owner's consent.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District.
- (3) Your petitioner now desires to have a Special Use Permit issued to allow for a public garage.

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,

Donna Clay
Donna Clay

Attachment: S-22-012 Clay App (3182 : Public Hearing: Case S-22-012 Donna Clay)

May 12, 2022

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

Dear Mrs. Ragsdale:

I, Donna Clay, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 5.5 acres, located at 205 Evangel Court, in the Dan River Election District. The property is shown on the Tax Maps as GPIN # 2346-54-4290.

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

Sincerely,


Donna Clay



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-22-012 Applicant Donna Clay Date 5/27/22

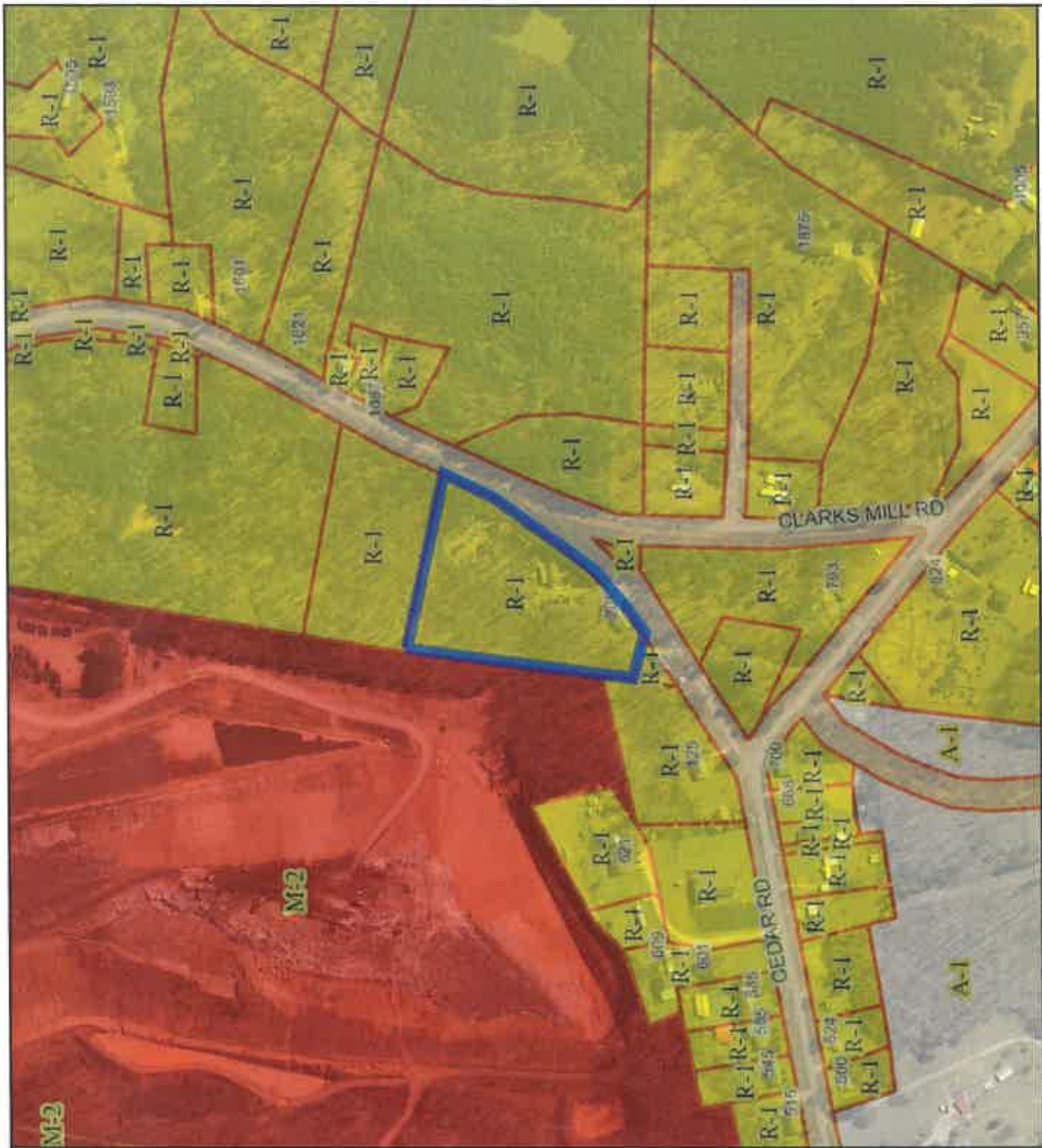
Attachment: S-22-012 Clay App (3182 : Public Hearing: Case S-22-012 Donna Clay)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2346-53-3431	WESTBROOKS, TIMOTHY SCOT	17052 PHILPOTT RD	ALTON, VA 24520
2346-53-3228	EANES, ALLEN	793 CEDAR ROAD	RINGGOLD, VA 24586
2346-54-6538	MURRELL, WILLIAM D JR	215 MAJORCA ROAD	ST.AUGUSTINE, FL 32080
2346-53-5941	JOHNS, ALBERT JR III	311 CLARKS MILL RD	RINGGOLD, VA 24586
2346-53-3805	FERGUSON, IREATHA DIANNE ET ALS	173 EVANGEL DR	RINGGOLD, VA 24586
2346-64-2159	BOWLING, MARK TIMOTHY	41 BOWLING LN	RIDGEWAY, VA 24148
2346-54-4290	CLAY, DONNA A	205 EVANGEL DR	RINGGOLD, VA 24586
2346-45-9628	FIRST PIEDMONT CORPORATION	P O DRAWER 1069	CHATHAM, VA 24531
2346-54-7094	NELSON, MAMIE ELIZABETH LIFE TENANT ET ALS	813 STOKES STREET	DANVILLE, VA 24541

DONNA CLAY

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 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: 4/27/2022

9.9.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-22-012 Clay Map (3182 : Public Hearing: Case S-22-012 Donna Clay)



Planning Commission

STAFF SUMMARY

Case:	Public Hearing: Case V-22-001 Tynesha Breedlove	District:	Westover District Election District
Zoning Request:	Variance		
Agenda Date:	June 07, 2022		
Meeting History:			

BACKGROUND:

Requested by Tynesha Breedlove, for a Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (A.) Front Setback, Setback from the nearest point on house or principal structure (including porches or stoops or any accessory building) shall be thirty-five (35) feet from the edge of right-of-way. The property is located on State Road 1555/Fox Trail Road, in the Westover Election District and shown on the Tax Map as GPIN# 2309-11-4940.

DISCUSSION:

The subject property is currently zoned R-1, Residential Suburban Subdivision District. The Pittsylvania County Code § 35-226 MINIMUM YARD DIMENSIONS. (A.) Front Setback, states "Setback from the nearest point on house or principal structure (including porches or stoops or any accessory building) shall be thirty-five (35) feet from the edge of right of way." The majority of the property falls within the floodplain as determined by FEMA. Regulations in the Uniform Statewide Building Code ("USBC") and Pittsylvania County Code, Chapter 23, Flood Plain Management, require the dwelling to be constructed outside of the Floodplain. Additionally, Virginia Department of Environmental Health regulations regarding the placement of the septic system and associated drain fields and the setback requirements set forth in Virginia State Regulations further restrict where the structure can be placed. Due to the various regulations that must be met and the size and shape of the portion of the lot that is out of the floodplain, the applicant is requesting a variance of eleven (11) feet from the required thirty-five (35) foot setback.

CRITERA ANALYSIS

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability,

1. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;

The hardship claimed by the applicant is due to the size and shape of the property and the vast percentage that falls within the floodplain. The property is narrow and almost three (3) quarters of the it falls within the floodplain. Soil work conducted dictated when the septic system had to be located, further restricting where the dwelling could be placed. Therefore, this application **does** meet this criterion.

2. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;

The properties in this area are residential and the variance of eleven (11) feet would not negatively impact adjacent property owners or impact site distances for traffic on this low volume roadway. Therefore, this application **does** meet this criterion.

3. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;

Generally, properties that share this zoning classification can meet the required setbacks. This property cannot due to the percentage of the property within the floodplain. Most properties with this zoning designation are either not adjacent to a floodplain or are minimally impacted. Therefore, this application **does** meet this criterion.

4. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property;

The granting of a variance does not change the zoning classification or allow for a use that is not otherwise permitted. Therefore, this application **does** meet this criterion.

5. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

The special exception process does not apply to this situation. An amendment to the Zoning Ordinance is not needed for this situation as the need for this variance is due to the narrowness of the subject property and the percentage of the property that falls within the floodplain. Therefore, this application **does** meet this criterion.

This variance request meets **five (5)** of the **five (5)** criteria needed to grant a variance.

SITE DEVELOPMENT PLAN

N/A

ATTACHMENTS

A. Application

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

STAFF SUMMARY

<u>CASE NUMBER:</u>	<u>ZONING</u>	<u>CYCLE DATE:</u>
V-22-001	R-1	June 2022/July 2022
<u>AGENDA TITLE:</u>	<u>PLANNING COMMISSION</u>	
A Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (A.) Front Setback, of the Pittsylvania County Zoning Ordinance	June 7, 2022	
<u>SUBJECT/PROPOSAL/REQUEST:</u>	<u>BOARD OF ZONING APPEALS</u>	
Tynasha Breedlove is requesting a variance from the required front yard setback.	July 11, 2022	
<u>DISTRICT</u>	<u>ADVERTISED</u>	
Westover		

BACKGROUND:

Requested by Tynasha Breedlove, for a Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (A.) Front Setback, Setback from the nearest point on house or principal structure (including porches or stoops or any accessory building) shall be thirty-five (35) feet from the edge of right-of-way. The property is located on State Road 1555/Fox Trail Road, in the Westover Election District and shown on the Tax Map as GPIN# 2309-11-4940.

DISCUSSION:

The subject property is currently zoned R-1, Residential Suburban Subdivision District. The Pittsylvania County Code § 35-226 MINIMUM YARD DIMENSIONS. (A.) Front Setback, states “Setback from the nearest point on house or principal structure (including porches or stoops or any accessory building) shall be thirty-five (35) feet from the edge of right of way.” The majority of the property falls within the Floodplain. Regulations in the Uniform Statedwide Building Code (“USBC”) and Pittsylvania County Code, Chapter 23, Flood Plain Management, require the dwelling to be constructed outside of the Floodplain. Additionally, Virginia Department of Environmental Health regulations regarding the placement of the drainfields and the setback requirements set forth in Virginia State Regulations further restrict where the structure can be placed. Due to the various regulations that must be met and the size and shape of the portion of the lot that is out of the floodplain, the applicant is requesting a variance of eleven (11) feet from the required thirty-five (35) foot setback.

CRITERA ANALYSIS

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability,

- 1. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;**

Attachment: V-22-001 Breedlove App (3186 : Public Hearing: Case V-22-001 Tynasha Breedlove)

The hardship claimed by the applicant is due to the size and shape of the property and the area that falls within the floodplain. The property is narrow and almost three (3) quarters of the it falls within the floodplain. Soil work conducted dictacted when the septic system had to be located, further restricting where the dwelling could be placed. Therefore, this application **does** meet this criterion.

2. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;

The properties in this area are residential and the variance of eleven (11) feet would not negatively impact adjacent property owners or impact site distances for traffic on this low volume roadway. Therefore, this application **does** meet this criterion.

3. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;

Generally, properties that share this zoning classification can meet the required setbacks. This property cannot due to the floodplain. Most properties with this zoning designation are either not adjacent to a floodplain or are minimally impacted. Therefore, this application **does** meet this criterion.

4. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property;

The granting of a variance does not change the zoning classification or allow for a use that is not otherwise permitted. Therefore, this application **does** meet this criterion.

5. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

The special exception process does not apply to this situation. An amendment to the Zoning Ordinance is not needed for this situation as the need for this variance is due to the narrowness of the subject property and the percentage of the property that falls within the floodplain. Therefore, this application **does** meet this criterion.

This variance request meets **five (5)** of the **five (5)** criteria needed to grant a variance.

SITE DEVELOPMENT PLAN

N/A

ATTACHMENTS

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

PITTSYLVANIA COUNTY
APPLICATION FOR VARIANCE

I, Tynesha Breedlove, as owner of the below described property, hereby apply to the Pittsylvania County Board of Zoning Appeals for a Variance to the Pittsylvania County Zoning Ordinance as hereinafter described:

- 1. Property Owner's Name: Tynesha Breedlove
Address: 6055 Fox Trail, Danville, VA 24540 Phone: (434) 251-5353
- 2. Location of Property: 6037 Fox Trail
- 3. Tax Map Number: 2309-11-4940
- 4. Election District: Westover Total Amount: \$ 200.00
Taken By: CASH 4/28/22
JB
- 5. Size of Property: Size not on record
- 6. Existing Land Use: Vacant
Existing Zoning: R-1, Residential Suburban Subdivision District
- 7. Section(s) of the Zoning Ordinance to which Variance is requested: Section 35-226, Minimum Yard Dimensions, (A.) Front Setback, of the Pittsylvania County Zoning Ordinance
- 8. Reason for requesting Variance: A variance of 11 feet from the required front setback is needed to allow for a placement of a new single-family dwelling to be built.
- 9. Check completed items:

<input checked="" type="checkbox"/> Justification Letter	<input type="checkbox"/> 11"x17" Concept Plan	<input type="checkbox"/> Site Development Plan or Waiver
<input checked="" type="checkbox"/> Legal Forms	<input checked="" type="checkbox"/> List of Adjoining Properties	<input type="checkbox"/> Copy of Deed
<input checked="" type="checkbox"/> Application Fee	<input checked="" type="checkbox"/> Plat Map	<input type="checkbox"/> Copy of Deed
<input type="checkbox"/> Restrictions/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.


Tynesha Breedlove

OFFICE USE ONLY

Received By: ESR
Application Deadline: 4-28-22
Date Received: 4-28-22

Application No.: V-22-001
P.C. Meeting Date: 6-7-22
B.Z.A. Meeting Date: 7-11-22
Action: _____

Attachment: V-22-001 Breedlove App (3186 : Public Hearing: Case V-22-001 Tynesha Breedlove)

VIRGINIA:

BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A parcel of land, size not on record)
 generally located at 6037 Fox Trail)
 within the Westover) **PETITION**
 Magisterial District, and recorded as)
 parcel # 2309-11-4940 in the)
 Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Tynasha Breedlove, respectfully files this petition pursuant to Sections 35-850 and 35-851 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 R-1, Residential Suburban Subdivision District
- 3) Your Petitioner now desires to have issued a Variance to Section 35-226, Minimum Yard Dimensions. (A.) Front Setback, of the Pittsylvania County Zoning Ordinance.

WHEREFORE, your Petitioner respectfully requests relief from the strict application of the Zoning Ordinance of Pittsylvania County and requests that the above-referenced parcel of land be issued a Variance as set out in Number 3.

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

Respectfully submitted,


 Tynasha Breedlove

Attachment: V-22-001 Breedlove App (3186 : Public Hearing: Case V-22-001 Tynasha Breedlove)

April 28, 2022

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

Dear Mrs. Ragsdale:

I, Tynesha Breedlove, as owner, am requesting a variance from the required setbacks on GPIN # 2309-11-4940, located at 6037 Fox Trail, in the Westover Election District. Based on the size of the lot, the single family dwelling that is to be constructed will need to have a variance of 11 feet on the front setback.

Sincerely,


Tynesha Breedlove



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 V-22-001 Applicant Tynasha Breedlove Date 4/28/22

Attachment: V-22-001 Breedlove App (3186 : Public Hearing: Case V-22-001 Tynasha Breedlove)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2309-12-4082	BREEDLOVE, GEORGE ARTHUR	6055 FOX TRAIL RD	DANVILLE, VA 24540
2309-12-0175	TUCK, BARRY LEE	373 CUMERLAND DRIVE	DANVILLE, VA 24541
2309-11-4940	BREEDLOVE, TYNESHA NICOLE	6055 FOX TRAIL	DANVILLE, VA 24540
2309-11-3689	BROWN, ROSA E	5073 GOLF CLUB RD	DANVILLE, VA 24540
2309-11-7686	JOHNSON, WILLIAM E III	32922 Sandal Wood Lane	LAKE ELSINORE, CA 92530
2309-11-4810	SMITH, SHEILA	25-41 AQUEDUCT AVE	BRONX, NY 10468
2309-11-6513	JONES, SAMUEL J	6026 FOX TRAIL	DANVILLE, VA 24540

TYNESHA BREEDLOVE

Legend

-  Assessed Parcels
-  Parcels
-  County Boundary



Title: 2309-11-4940

Date: 4/28/2022

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 it may be.

Attachment: V-22-001 Breedlove Map (3186 : Public Hearing: Case V-22-001 Tynesha Breedlove)

