



**BOARD OF ZONING APPEALS
REGULAR MEETING
Monday, September 12, 2022 – 6:00 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. APPROVAL OF AGENDA**
- VI. APPROVAL OF MINUTES**
 - 1. BZA Minutes 08 08 2022
- VII. OLD BUSINESS**
- VIII. NEW BUSINESS**
- IX. CHAIRMAN'S REPORT**
- X. PUBLIC HEARING**

Pursuant to Article V, Division 7 of the Pittsylvania County Zoning Ordinance, we the Board of Zoning Appeals have been empowered to hear and decide specific applications and appeals in support of said ordinance. In accomplishing this important task we are charged with promoting the health, safety, and general welfare of the citizens of Pittsylvania County. We must insure that all our decisions and recommendations be directed to these goals and that each be consistent with the environment, the comprehensive plan and in the best interest of Pittsylvania County, its citizens and its posterity. Anyone here to speak to the board, other than the applicant, regarding zoning cases will be limited to (3) three minutes.

1. Public Hearing: Case S-22-011 New Testament Baptist Church; Special Use Permit for a School
2. Public Hearing: Case S-22-013 Larry Oakes; Special Use Permit for the Sales, Service, and Repair of Automobiles
3. Public Hearing: Case S-22-018 Darryl and Debra Burd; Special Use Permit for a Public Garage
4. Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC; Special Use Permit for a Recreational Use (ATV Trails)

XI. ADJOURNMENT



Board of Zoning Appeals

STAFF SUMMARY

Case:		District:	
Zoning Request:			
Agenda Date:	September 12, 2022		
Meeting History:			

August 8, 2022
Regular Meeting

**Pittsylvania County Board of Zoning Appeals
Regular Meeting
August 8, 2022**

VIRGINIA: The Regular Meeting of the Pittsylvania County Board of Zoning Appeals was held on August 8, 2022, in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia. Chairman R. Allan Easley, called the meeting to order at 6:05 PM. The following members were present:

Attendee Name	Title	Status	Arrived
R. Allan Easley	Chairman	Present	5:36 PM
Ronald E. Merricks	Vice-Chairman	Present	5:33 PM
Ryland Brumfield	Board Member	Present	5:33 PM
Joseph A. Craddock	Board Member	Present	5:34 PM
Ann Deering	Board Member	Present	5:35 PM
Hershel Stone	Board Member	Present	5:37 PM
Carroll Yeaman	Board Member	Absent	

APPROVAL OF AGENDA

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

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

APPROVAL OF MINUTES

1. BZA Minutes 07 11 2022

Upon motion of Mrs. Deering, seconded by Mr. Craddock, and by a unanimous vote, the minutes were approved as presented.

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

OLD BUSINESS

There was no old business.

Attachment: BZA Minutes 08 08 2022 (3340 : BZA Minutes 08 08 2022)

NEW BUSINESS

Mrs. Ragsdale stated there would be four Special Use Permit cases next month. Also, there will be a Zoning Ordinance public input meeting for the zoning ordinance rewrite on August 18, 2022, at 6 p.m. at the Community Center in Chatham.

CHAIRMAN'S REPORT

There was no Chairman's Report.

PUBLIC HEARING

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

The zoning precepts were ready by Mr. Easley to open the public hearing at 6:11 p.m. Mrs. Ragsdale, Director of Community Development, reported that Joshua and Amy Jennings petitioned for a Special Use Permit for an Indoor Gun Range on 9.83 acres, located on State Road 58/Martinsville Hwy in the Tunstall Election District. Joshua Jennings represented the petition. There was no opposition to the petition. Mr. Easley closed the public hearing at 6:14 p.m. The Board discussed the petition as the Committee of the Whole. Whereas, Joshua and Amy Jennings has petitioned the Board of Zoning Appeals for a Special Use Permit for an Indoor Gun Range. A motion was made by Mr. Brumfield, seconded by Mr. Merricks, that the Board of Zoning Appeals grant the Special Use Permit with Conditions recommended by staff.

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

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

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

Mr. Easley opened the public hearing at 6:18 p.m. Mrs. Ragsdale, Director of Community Development, reported that Bradley Boswell petitioned for a Special Use Permit for a double-wide mobile home on 1.0 acre, located on Highway 40/E Gretna Road in the Callands-Gretna Election District. Bradley Boswell represented the petition. There was no opposition to the petition. Mr. Easley closed the public hearing at 6:20 p.m. The Board discussed the petition as the Committee of the Whole. Whereas Bradley Boswell has petitioned the Board of Zoning Appeals for a Special Use Permit for a double-wide mobile home. A motion was made by Mr. Brumfield, seconded by Mr. Stone, that the Board of Zoning Appeals grant the Special Use Permit.

Attachment: BZA Minutes 08 08 2022 (3340 : BZA Minutes 08 08 2022)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ryland Brumfield, Board Member
SECONDER:	Hershel Stone, Board Member
AYES:	Easley, Merricks, Brumfield, Craddock, Deering, Stone
ABSENT:	Yeaman

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

Mr. Easley opened the public hearing at 6:21 p.m. Mrs. Ragsdale, Director of Community Development, reported that Pittsylvania CSG, LLC/Jane Ellis Holdings, LLC, has petitioned for a Special Use Permit for a utility scale solar facility on 52.01 acres, located on State Road 724 /Mill Creek Road in the Banister Election District. Kieran Siero represented the petition and presented a PowerPoint presentation. Mr. Easley asked how the Community Solar program works. Mr. Siero stated that it will work with community groups to offer subscriptions that normally offer a ten (10) percent savings on electric bills. There was no opposition to the petition. Mr. Easley closed the public hearing at 6:42 p.m. The Board discussed the petition as the Committee of the Whole. Whereas, Pittsylvania CSG, LLC/Jane Ellis Holdings, LLC, has petitioned the Board of Zoning Appeals for a Special Use Permit for a utility scale solar facility. A motion was made by Mr. Merricks, seconded by Mr. Stone, that the Board of Zoning Appeals grant the Special Use Permit with conditions recommended by staff with the addition of condition number 20:

1. **Site Development Plan; Location.** All solar panels and other above-ground equipment will be located within the “Project Area” shown on the Conceptual Site Plan included with the SUP application. All Site Plan requirements of Section 35-141 must be met before permits are issued.
2. **Height.** Except for the collection yard and substation or otherwise as required by applicable building code, the maximum height of the solar panels and other above-ground equipment will be 15 feet.
3. **Setbacks.** Except for fencing and any pole mounted electronic lines, consistent with the County ordinance, all above-ground equipment shall meet the setback requirements set forth in Section 35-141 (D). No setbacks are required between the parcels lines of parcels that are part of a single Project. No setbacks are required between the parcels lines of parcels that are part of a single Project.
4. **Fencing.** Fencing for the Project will be standard chain-link and at least 6 feet high. The Applicant shall maintain the fence for the life of the Project.
5. **Landscaping.** Applicant will comply with Section 35-121 Fencing - Screening. At the perimeter locations, the setback will include a minimum 100-foot-wide landscaped area comprised of any existing vegetation supplemented as needed with a staggered row of planted trees and large shrubs. All rows of planted vegetation shall be evergreen plantings

Attachment: BZA Minutes 08 08 2022 (3340 : BZA Minutes 08 08 2022)

of varieties native or adaptable to the region, with one (1) row consisting of a variety expected to reach a minimum height of twenty-five (25) feet and the remaining rows of varieties designed to reach at least fifteen (15) feet in height at maturity. All evergreens shall be a minimum of six (6) feet in height at time of planting. Existing vegetation shall be maintained and supplemented with new plantings as needed to maintain required screening. Prior to construction and site plan approval, a landscaping maintenance plan will be submitted to the Zoning Administrator for approval, which shall provide for the posting of a bond or other surety in an amount sufficient to ensure that the plantings are successfully established, and the landscaping is maintained or replaced during the life of the Project. Landscape renderings or simulations shall be sealed by a registered landscape architect.

6. **Construction Management and Mitigation.** Prior to construction, the Applicant shall prepare and submit to the Zoning Administrator a construction management plan to address traffic control methods, site access, fencing, lighting, mitigation of construction operations, and hours of construction activity.
7. **Viewshed Protection.** A Viewshed Protection Plan shall be submitted to and approved by the Director of Community Development prior to the issuance of permits, identifying appropriate measures that will be taken to protect the viewshed surrounding the project during construction.
8. **Road Repairs.** All public and private roads must remain open during construction. Any damage to roads caused by construction will be promptly repaired to preconstruction conditions and/or VDOT standards where deemed necessary.
9. **Erosion and Sediment Control.** Prior to construction, an approved erosion and sediment control plan will be implemented for the entire Project, and an erosion and sediment control bond will be provided.
10. **Stormwater Management.** Prior to construction, a Virginia Stormwater Management Program Permit from the Virginia DEQ will be obtained for the Project, including an approved Stormwater Pollution Prevention Plan.
11. **Operational Noise and Electrical Interference.** The Project will comply with all applicable County requirements for noise and shall not generate or create electrical interruptions or interference with existing electrical or electronic uses.
12. **Operational Light.** Fixed lighting at the perimeter of the Project will be limited to gates and will be shielded/downward facing to minimize light spillage and shall be motion-activated.
13. **Compliance.** The project shall be designed, constructed, and tested to meet all applicable local, state, and federal standards.
14. **Decommissioning.** In accordance with Section 35-141(E), the applicant shall completely decommission the facility within 12 months, if the facility ceases to generate electricity for a continuous period of 12 months, including all solar collectors, cabling, electrical components, fencing and any other associated equipment, facilities, and structures. Prior

to construction and approval of the entire site plan, a decommissioning plan will be submitted to the Zoning Administrator, which shall provide for the posting of a bond or other surety acceptable to the County in the amount of the decommissioning costs, not including salvage value, for the Project.

- 15. Start of construction.** The SUP will expire unless construction of the entire Project is commenced within 3 years of the date of issuance of the SUP.
- 16. Survival.** So long as the Project is operated in conformance with these conditions, the SUP shall continue for the life of the Project.
- 17. Comply with all DEQ regulations regarding nonpoint source pollutants.** Chemical sprays used in weed control shall comply with DEQ regulations.
- 18. Fire and Rescue Training.** The applicant shall provide annual training to the local fire department regarding battery storage.
- 19. Ordinance Compliance.** The project shall remain in compliance with all other applicable requirements of the Pittsylvania County Code § 35-141(D), § 35-141(E), and § 35-141(F) not specifically stated in the conditions of this Special Use Permit.
- 20.** The Applicant, and if different than the Applicant, the facility owner and/or operator, shall provide annual cash payments in accordance with the provisions of Virginia Code § 58.1-2636. The amount of such annual cash payment shall be equal to \$1,400 per megawatt as measured in alternating current (AC) generation capacity of the nameplate capacity of the facility based on the interconnecting utility, with a 2% annual compounding escalator beginning on July 1, 2026. The Applicant and the county acknowledge and agree that the county may identify in future budget years qualifying public improvements that may be funded by the annual cash payments to be provided by the facility owner and/or operator.

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

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

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

Mr. Easley opened the public hearing at 6:56 p.m. Mrs. Ragsdale, Director of Community Development, reported that Dry Fork Solar 1, LLC, has petitioned for a Special Use Permit for a utility scale solar facility on 47.36 acres, located on Highway 29 in the Chatham-Blairs Election District. Claire Habel and Andrew Cavanaugh represented the petition and presented a PowerPoint presentation. Ms. Habel stated that the name has recently changed to New Leaf Energy. Mr. Craddock asked about the 200-Megawatt cap, if that is for the entire State of Virginia. Ms. Habel stated that there was. There was a letter of opposition to the petition presented to the Board from Fred Curl suggesting another location be found for this project. Mr. Easley stated that the location was well hidden, and it was in a commercial area. Mr. Stone said it was in a good location. Mr. Easley closed the public hearing at 7:17 p.m. The Board discussed the petition as the Committee of the Whole. Whereas, Dry Fork Solar 1, LLC, has petitioned the Board of Zoning Appeals for a Special Use Permit for a utility scale solar facility. A motion was made by Mr. Craddock, seconded by Mrs. Deering, that the Board of Zoning Appeals grant the Special Use Permit with conditions recommended by staff:

1. **Site Development Plan; Location.** All solar panels and other above-ground equipment will be located within the “Project Area” shown on the Conceptual Site Plan included with the SUP application. All Site Plan requirements of Section 35-141 must be met before permits are issued.
2. **Height.** Except for the collection yard and substation or otherwise as required by applicable building code, the maximum height of the solar panels and other above-ground equipment will be 15 feet.
3. **Setbacks.** Except for fencing and any pole mounted electronic lines, consistent with the County ordinance, all above-ground equipment shall meet the setback requirements set forth in Section 35-141 (D). No setbacks are required between the parcels lines of parcels that are part of a single Project. No setbacks are required between the parcels lines of parcels that are part of a single Project.
4. **Fencing.** Fencing for the Project will be standard chain-link and at least 6 feet high. The Applicant shall maintain the fence for the life of the Project.
5. **Landscaping.** Applicant will comply with Section 35-121 Fencing - Screening. At the perimeter locations, the setback will include a minimum 100-foot-wide landscaped area

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comprised of any existing vegetation supplemented as needed with a staggered row of planted trees and large shrubs. All rows of planted vegetation shall be evergreen plantings of varieties native or adaptable to the region, with one (1) row consisting of a variety expected to reach a minimum height of twenty-five (25) feet and the remaining rows of varieties designed to reach at least fifteen (15) feet in height at maturity. All evergreens shall be a minimum of six (6) feet in height at time of planting. Existing vegetation shall be maintained and supplemented with new plantings as needed to maintain required screening. Prior to construction and site plan approval, a landscaping maintenance plan will be submitted to the Zoning Administrator for approval, which shall provide for the posting of a bond or other surety in an amount sufficient to ensure that the plantings are successfully established, and the landscaping is maintained or replaced during the life of the Project. Landscape renderings or simulations shall be sealed by a registered landscape architect.

6. **Construction Management and Mitigation.** Prior to construction, the Applicant shall prepare and submit to the Zoning Administrator a construction management plan to address traffic control methods, site access, fencing, lighting, mitigation of construction operations, and hours of construction activity.
7. **Viewshed Protection.** A Viewshed Protection Plan shall be submitted to and approved by the Director of Community Development prior to the issuance of permits, identifying appropriate measures that will be taken to protect the viewshed surrounding the project during construction.
8. **Road Repairs.** All public and private roads must remain open during construction. Any damage to roads caused by construction will be promptly repaired to preconstruction conditions and/or VDOT standards where deemed necessary.
9. **Erosion and Sediment Control.** Prior to construction, an approved erosion and sediment control plan will be implemented for the entire Project, and an erosion and sediment control bond will be provided.
10. **Stormwater Management.** Prior to construction, a Virginia Stormwater Management Program Permit from the Virginia DEQ will be obtained for the Project, including an approved Stormwater Pollution Prevention Plan.
11. **Operational Noise and Electrical Interference.** The Project will comply with all applicable County requirements for noise and shall not generate or create electrical interruptions or interference with existing electrical or electronic uses.
12. **Operational Light.** Fixed lighting at the perimeter of the Project will be limited to gates and will be shielded/downward facing to minimize light spillage and shall be motion-activated.
13. **Compliance.** The project shall be designed, constructed, and tested to meet all applicable local, state, and federal standards.
14. **Decommissioning.** In accordance with Section 35-141(E), the applicant shall completely decommission the facility within 12 months, if the facility ceases to generate electricity for

a continuous period of 12 months, including all solar collectors, cabling, electrical components, fencing and any other associated equipment, facilities, and structures. Prior to construction and approval of the entire site plan, a decommissioning plan will be submitted to the Zoning Administrator, which shall provide for the posting of a bond or other surety acceptable to the County in the amount of the decommissioning costs, not including salvage value, for the Project.

- 15. Start of construction.** The SUP will expire unless construction of the entire Project is commenced within 3 years of the date of issuance of the SUP.
- 16. Survival.** So long as the Project is operated in conformance with these conditions, the SUP shall continue for the life of the Project.
- 17. Comply with all DEQ regulations regarding nonpoint source pollutants.** Chemical sprays used in weed control shall comply with DEQ regulations.
- 18. Fire and Rescue Training.** The applicant shall provide annual training to the local fire department regarding battery storage.
- 19. Ordinance Compliance.** The project shall remain in compliance with all other applicable requirements of the Pittsylvania County Code § 35-141(D), § 35-141(E), and § 35-141(F) not specifically stated in the conditions of this Special Use Permit.

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

ADJOURNMENT

The meeting was adjourned at 7:21 p.m.

Attachment: BZA Minutes 08 08 2022 (3340 : BZA Minutes 08 08 2022)



Board of Zoning Appeals

STAFF SUMMARY

Case:	Public Hearing: Case S-22-011 New Testament Baptist Church	District:	Westover District Election District
Zoning Request:	SUP		
Agenda Date:	September 12, 2022		
Meeting History:			

SUBJECT

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

BACKGROUND/DISCUSSION

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

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

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

PLANNING COMMISSION MOTIONS:

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

ATTACHMENTS:

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

PLANNING COMMISSION RECOMMENDATION

On August 2, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner's request be granted.

STAFF SUMMARY

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

SUBJECT

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

BACKGROUND/DISCUSSION

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

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

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

PLANNING COMMISSION MOTIONS:

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

ATTACHMENTS:

- A. Application

Attachment: S-22-011 New Testament App (3336 : Public Hearing: Case S-22-011 New Testament Baptist Church)

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

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

We, New Testament Baptist Church, as Owners of the below described property, hereby apply to the Pittsylvania County Board of Zoning Appeals to amend the Pittsylvania County Zoning Maps as hereinafter described:

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

Telephone: (434) 548-3361

2. Location of Property: 691 Iris Lane

Total Amt: \$ 350.00

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

Taken By: check# 12565
og

4. Election District: Westover

5. Size of Property: 6.75 Acres

6. Existing Land Use: Church

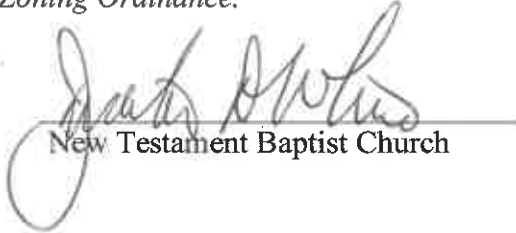
Existing Zoning: R-1, Residential Suburban Subdivision District & B-1 Business District, Limited

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

8. Check completed items:

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

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


New Testament Baptist Church

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

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

Attachment: S-22-011 New Testament App (3336 : Public Hearing: Case S-22-011 New Testament Baptist Church)

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

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

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

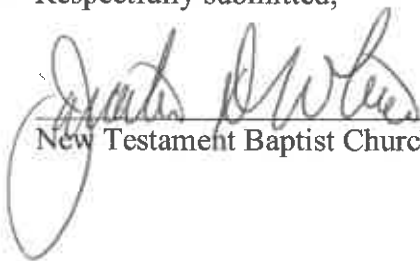
WHEREAS, your Petitioner, New Testament Baptist Church, respectfully file this petition pursuant to Sections 35-713 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

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

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

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

Respectfully submitted,



New Testament Baptist Church

Attachment: S-22-011 New Testament App (3336 : Public Hearing: Case S-22-011 New Testament Baptist Church)

July 14, 2022

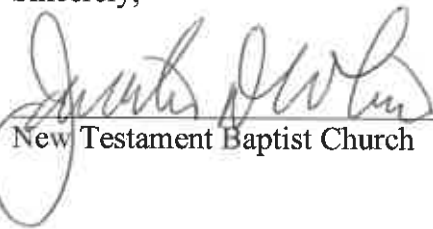
Mrs. Emily Ragsdale
Director of Community Development
P. O. Box 426
Chatham, VA 24531

Dear Mrs. Ragsdale:

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

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

Sincerely,



New Testament Baptist Church



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

SIGN AFFIDAVIT

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

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

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

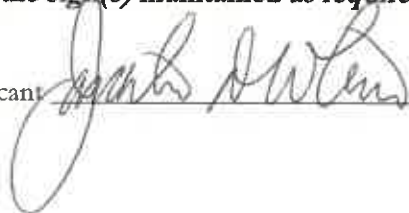
When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or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

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

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

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

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

Case S-22-001 Applicant  Date _____

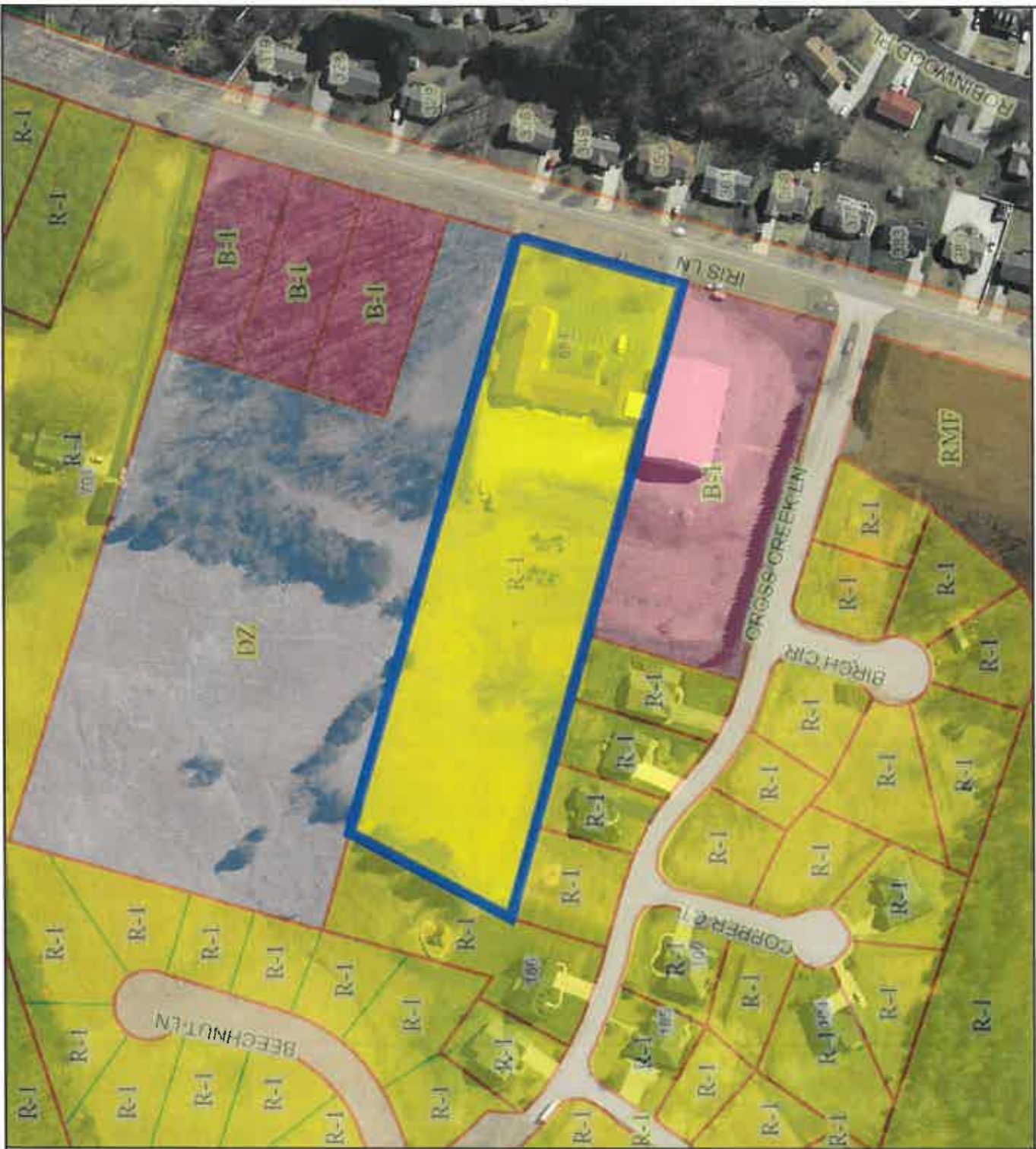
Attachment: S-22-011 New Testament App (3336 : Public Hearing: Case S-22-011 New Testament Baptist Church)

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

S-22-011 NEW TESTAMENT BAPTIST CHURCH

Legend

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



Title:

Date: 6/23/2022

10.1.b

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

Attachment: S-22-011 New Testament Map (3336 : Public Hearing: Case S-22-011 New Testament Baptist Church)



Board of Zoning Appeals

STAFF SUMMARY

Case:	Public Hearing: Case S-22-013 Larry Oakes	District:	Dan River Election District
Zoning Request:	SUP		
Agenda Date:	September 12, 2022		
Meeting History:			

SUBJECT

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

BACKGROUND/DISCUSSION

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

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

Included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-013.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-22-013 as submitted.

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

ATTACHMENTS:

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

PLANNING COMMISSION RECOMMENDATION

On August 2, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner's request be granted.

STAFF SUMMARY

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

SUBJECT

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

BACKGROUND/DISCUSSION

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

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

Included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-22-013.

PLANNING COMMISSION MOTIONS:

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

ATTACHMENTS:

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

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

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

I, Larry Oakes, as Owner of the below described property, hereby apply to the Pittsylvania County Board of Zoning Appeals to amend the Pittsylvania County Zoning Maps as hereinafter described:

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

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



Larry Oakes

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

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

Attachment: S-22-013 Larry Oakes App (3337 : Public Hearing: Case S-22-013 Larry Oakes)

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

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

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

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

- (1) The Petitioner is the owner of the above-referenced parcel of land or are filing with the owner's consent.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as A-1, Agricultural District.
- (3) Your petitioner now desires to have a Special Use Permit issued to allow for auto sales, on and off site, open to public.

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

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

Respectfully submitted,



Larry Oakes

Attachment: S-22-013 Larry Oakes App (3337 : Public Hearing: Case S-22-013 Larry Oakes)

July 5, 2022

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

Dear Mrs. Ragsdale:

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

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

Sincerely,



Larry Oakes



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

SIGN AFFIDAVIT

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

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

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

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

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

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

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

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

Case 8-22-013 Applicant [Signature] Date 7.18.22

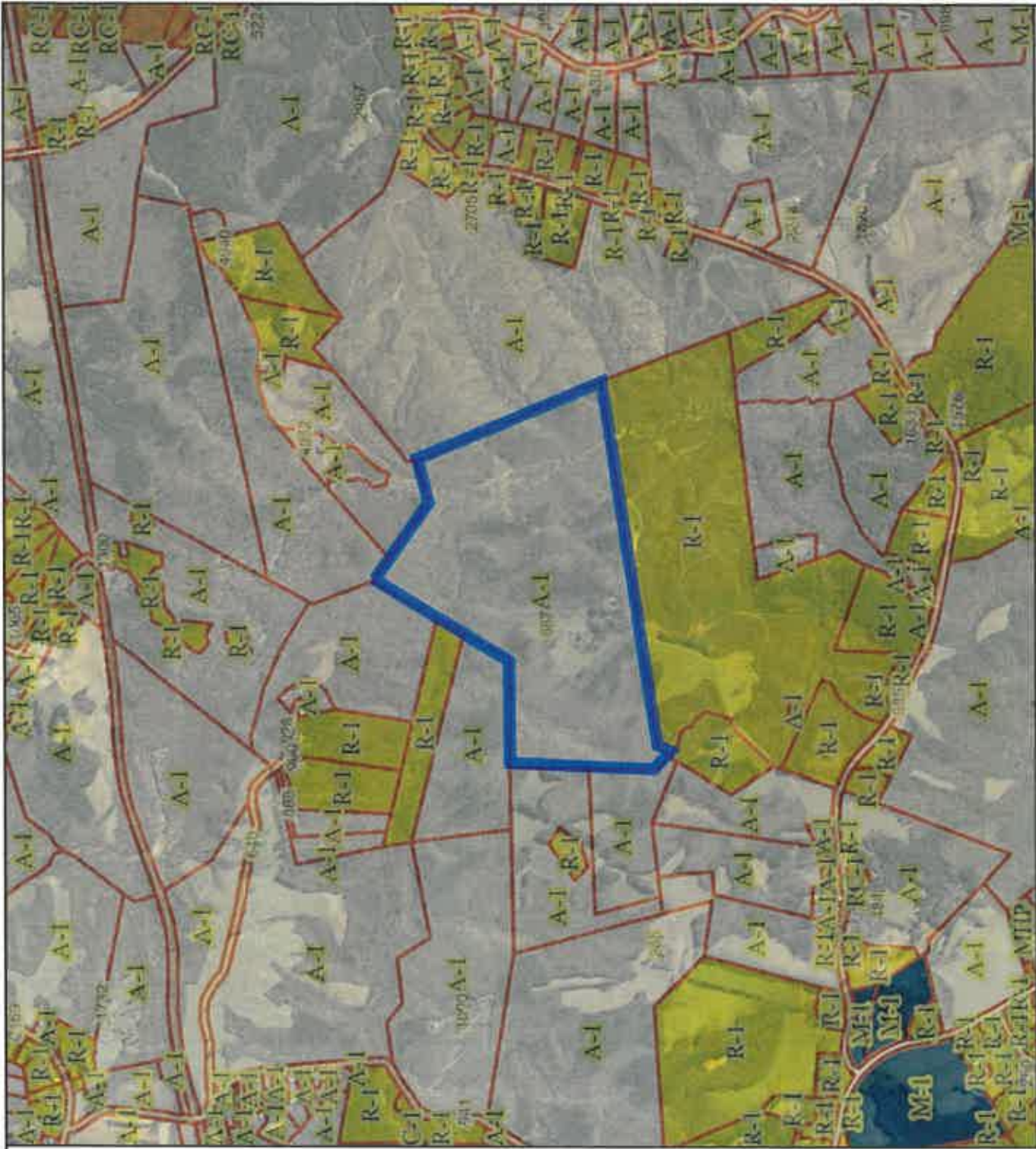
Attachment: S-22-013 Larry Oakes App (3337 : Public Hearing: Case S-22-013 Larry Oakes)

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

S-22-013 LARRY OAKES

Legend

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



Title:

Date: 6/23/2022

10.2.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-22-013 Larry Oakes Map (3337 : Public Hearing: Case S-22-013 Larry Oakes)





CONCEPT PLAN

NOT TO SCALE

PARCEL INFORMATION

OWNER OF PARCEL: LARRY OAKES

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

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

PROPOSED SCOPE OF WORK:

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

ZONE CODE: EXISTING
(A-1) AGRICULTURAL DISTRICT

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

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

Wendy Bryant-Cook
DRAFTING BY DESIGN
PHONE: 434-489-4781
wendy.draftingbydesign@gmail.com

PROPOSED CONCEPT PLAN FOR:

LARRY OAKES

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

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

Attachment: S-22-013 Larry Oakes Concept (3337 : Public Hearing: Case S-22-013 Larry Oakes)



Board of Zoning Appeals

STAFF SUMMARY

Case:	Public Hearing: Case S-22-018 Darryl and Debra Burd	District:	Tunstall District Election District
Zoning Request:	SUP		
Agenda Date:	September 12, 2022		
Meeting History:			

SUBJECT

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

BACKGROUND/DISCUSSION

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

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

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

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

PLANNING COMMISSION MOTIONS:

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

ATTACHMENTS:

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

PLANNING COMMISSION RECOMMENDATION

On August 2, 2022, the Planning Commission recommended, by an 5-2 (1 abstained) vote, with opposition, that the Petitioners' request be denied.

STAFF SUMMARY

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

SUBJECT

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

BACKGROUND/DISCUSSION

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

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

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

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

PLANNING COMMISSION MOTIONS:

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

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

ATTACHMENTS:

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

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

We, Darryl & Debra Burd, as Owners of the below described property, hereby apply to the Pittsylvania County Board of Zoning Appeals to amend the Pittsylvania County Zoning Maps as hereinafter described:

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

Telephone: (803) 242-8768

2. Location of Property: 17372 Martinsville Hwy

Total Amt: \$ 350.00

Taken By: Cash 6/24/22
DB

3. Tax Map Number 1339-57-2716

4. Election District: Tunstall

5. Size of Property: 0.66 Acres

6. Existing Land Use: Single Family Dwelling

Existing Zoning: RC-1, Residential Combined Subdivision District

7. Proposed Land Use: Public Garage

8. Check completed items:

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

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

Debra Burd
Debra Burd

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

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

Attachment: S-22-018 Darryl Burd App (3338 : Public Hearing: Case S-22-018 Darryl and Debra Burd)

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

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

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

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

- (1) The Petitioners are the owners of the above-referenced parcel of land or are filing with the owner's consent.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as RC-1, Residential Combined Subdivision District.
- (3) Your petitioners now desire to have a Special Use Permit issued to allow for a public garage.

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

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

Respectfully submitted,


Debra Burd

Attachment: S-22-018 Darryl Burd App (3338 : Public Hearing: Case S-22-018 Darryl and Debra Burd)

June 24, 2022

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

Dear Mrs. Ragsdale:

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

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

Sincerely,



Darryl & Debra Burd



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

SIGN AFFIDAVIT

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

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

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

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

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

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

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

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

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

Attachment: S-22-018 Darryl Burd App (3338 : Public Hearing: Case S-22-018 Darryl and Debra Burd)

Legend

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



Title:

Date: 6/14/2022

10.3.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: S-22-018 Darryl Burd Map (3338 : Public Hearing: Case S-22-018 Darryl and Debra Burd)



Board of Zoning Appeals

STAFF SUMMARY

Case:	Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC	District:	Banister Election District
Zoning Request:	SUP		
Agenda Date:	September 12, 2022		
Meeting History:			

SUBJECT

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

BACKGROUND/DISCUSSION

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

Special Use Permits were granted on July 12, 2021 and June 13, 2022 for ATV Trails on adjacent properties owned by Green Genie, LLC. The subject property is being leased by the applicant. If approved, the Special Use Permit would allow the current ATV operation to expand onto the subject property.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

RECOMMENDATION

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

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

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

PLANNING COMMISSION MOTIONS:

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

ATTACHMENTS:

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

PLANNING COMMISSION RECOMMENDATION

On August 2, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner's request be granted.

STAFF SUMMARY

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

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

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PLANNING COMMISSION MOTIONS:

Attachment: S-22-019 Elkhorn Lake ATV App (3339 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

1. Recommend approval of Case S-22-019 as submitted.
2. Recommend approval of Case S-22-019 subject to conditions by staff.
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ATTACHMENTS:

- A. Application
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- F. Sign Affidavit
- G. Adjacent Parcel Owners

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

I/We, Quercus Inc., as
Owner of the below described property, hereby apply to the Pittsylvania County Board of Zoning Appeals
to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Name: Quercus Inc. Phone: 336-414-8116
Address: 150 Deer Run Road
Lewisville, NC ZIP 27032

pd. ch#
8231
[Signature]

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

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

4. Election District: Blairs Magisterial District

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

6. Existing Land Use: Forestry

Existing Zoning: A-1

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

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

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

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

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

[Signature]
Elkhorn Lake ATV Trails, LLC
Agent

Applicant

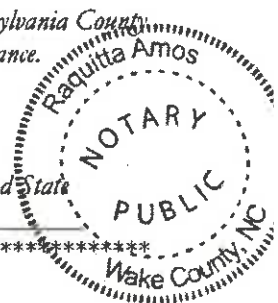
Sworn to and subscribed before me in my presence this 22nd day of June, 2022 in my City and State
aforesaid, by [Signature] Notary Public. My commission Expires: 04/27/2027

OFFICE USE ONLY: Application No.: _____

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

Received By: _____ Date Received: _____

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



Attachment: S-22-019 Elkhorn Lake ATV App (33339 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

VIRGINIA

:
BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

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

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

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

- 1) The Petitioner is the owner of the above-referenced parcel of land, or is filing with the owner's consent.
- 2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as Apicultural District.
- 3) Your petitioner now desires to have a Special Use Permit issued for the purpose of expanding existing ATV trails

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

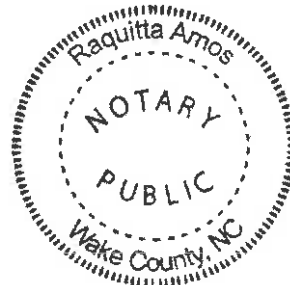
Further, your Petitioner respectfully requests that this petition be referred by the Secretary to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,

Elkhorn Lake ATV Trails, LLC.
Agent

Petitioner

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



Attachment: S-22-019 Elkhorn Lake ATV App (3339 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

PITTSYLVANIA COUNTY, VIRGINIA

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

SIGN AFFIDAVIT

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

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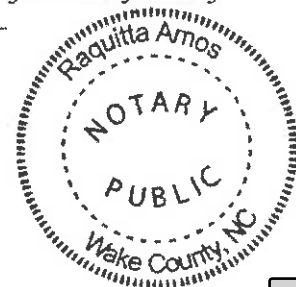
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Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

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

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



Attachment: S-22-019 Elkhorn Lake ATV App (3339 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

ADJACENT PROPERTY OWNERS

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

Petition Parcel # 2486-03-9536

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

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

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

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

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

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

Name: GPIN:
Address:

Name: GPIN:
Address:

Name: GPIN:
Address:

Name: GPIN:
Address:

Name: GPIN:
Address:

Name: GPIN:
Address:

Name: GPIN:
Address:

Attachment: S-22-019 Elkhorn Lake ATV App (3339 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

SPECIAL POWER OF ATTORNEY

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

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

BLAIRS MAGISTERIAL DISTRICT

Tax Map # 2486-03-9536

I/we QUERCUS INC, am/are:

 the applicant for the above-referenced application

 X the owner(s) of the property described above

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

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

Quercus Inc.
BY: [Signature] (PRESIDENT)

Owner:

Print Name Clifford Lewis QUERCUS INC

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

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

Attachment: S-22-019 Elkhorn Lake ATV App (33399 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

June 24, 2022

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

Dear Mrs. Ragsdale:

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

Operation of the Elkhorn Lake ATV Trails will comply with:

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

Sincerely,

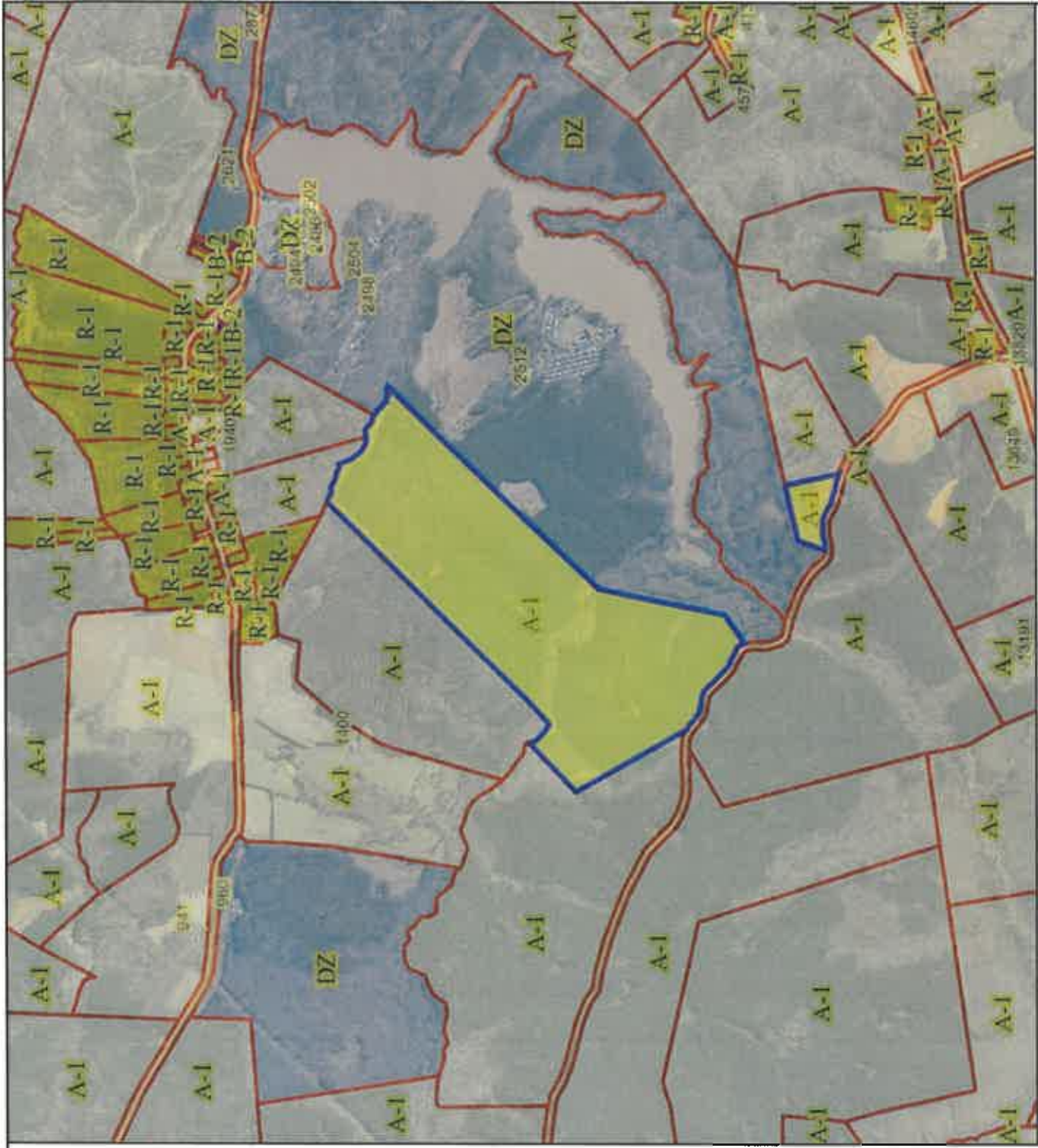
William Chamberlain

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

Attachment: S-22-019 Elkhorn Lake ATV App (3339 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)

Legend

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- Parcels
- Zoning
 - Unknown
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 - TZ = Town Zoning
 - UK = Unknown
 - County Boundary



Title:

Date: 6/24/2022

10.4.b

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Attachment: S-22-019 Elkhorn Lake ATV Map (3339 : Public Hearing: Case S-22-019 Elkhorn Lake ATV Trails, LLC)