



**BOARD OF ZONING APPEALS
REGULAR MEETING
Monday, August 7, 2023 - 6:00 PM**

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

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. MOMENT OF SILENCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. APPROVAL OF AGENDA**
- 6. APPROVAL OF MINUTES**
 - a. June Board Meeting Minutes Approval (Staff Contact: Robin Vaughan)
- 7. OLD BUSINESS**
- 8. NEW BUSINESS**
- 9. CHAIRMAN'S REPORT**
- 10. 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.

 - a. Public Hearing: Case S-23-007 J. D. Shelton, Et Als; Requesting an amendment to the conditions attached to existing Special Use Permit S-19-010. (Staff Contact: Emily Ragsdale)

- b. Public Hearing: Case S-23-008 Larry and Lucinda Burnett;
Requesting a Special Use Permit for offsite parking in accordance
with Pittsylvania County Code § 35-179 (Staff Contact: Emily
Ragsdale)

11. ADJOURNMENT

PITTSYLVANIA

COUNTY, VIRGINIA

BOARD OF ZONING APPEALS EXECUTIVE SUMMARY

Action Item

Agenda Title:	June Board Meeting Minutes Approval		
Staff Contact(s):	Robin Vaughan		
Agenda Date:	August 7, 2023	Item Number:	6.a.
Attachment(s):	1.	BZA Minutes 06122023	
Reviewed By:			

SUMMARY:

FINANCIAL IMPACT AND FUNDING SOURCE:

RECOMMENDATION:

MOTION:

**BOARD OF ZONING APPEALS
REGULAR MEETING
Monday, June 12, 2023 - 6:00 PM**

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

MINUTES

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. MOMENT OF SILENCE**

The Board observed a moment of silence.

4. PLEDGE OF ALLEGIANCE

The Board recited the Pledge of Allegiance.

5. APPROVAL OF AGENDA

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

RESULT: Approve

MOVER: Joseph Craddock

SECONDER: Carroll Yeaman

AYES: Allan Easley, Carroll Yeaman, Hershel Stone, Joseph Craddock, Ryland Brumfield

NOES: None

ABSTAIN: None

6. APPROVAL OF MINUTES

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

- a. May Board Meeting Minutes Approval (Staff Contact: Robin Vaughan)
- a. May Board Meeting Minutes Approval

RESULT: Approve

MOVER: Hershel Stone

SECONDER: Ryland Brumfield

AYES: Allan Easley, Carroll Yeaman, Hershel Stone, Joseph Craddock,

Ryland Brumfield
NOES: None

ABSTAIN: None

7. OLD BUSINESS

There was no old business.

8. NEW BUSINESS

Mrs. Ragsdale stated there would not be a July meeting, there will be an August meeting.

9. CHAIRMAN'S REPORT

There was no Chairman's report.

10. 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.

- a. Public Hearing: Case S-23-004 Carroll Riddle; Special Use Permit for the Placement of a Singlewide Mobile Home (Staff Contact: Emily Ragsdale)
- a. Public Hearing: Case S-23-004 Carroll Riddle; Special Use Permit for the Placement of a Singlewide Mobile Home
Mr. Easley read the zoning precepts and opened the public hearing at 6:05 p.m. Mrs. Ragsdale, Director of Community Development, reported that Carroll Riddle has petitioned for a Special Use Permit on 5.99 acres, located on State Road 750/Green Pond Road in the Callands-Gretna Election District to allow for placement of a single-wide mobile home. Mrs. Ragsdale represented the case. There was no opposition. Mr. Easley closed the public hearing at 6:07 p.m. A motion was made by Mr. Stone, seconded by Mr. Brumfield that the Board of Zoning Appeals grant the Special Use Permit.

RESULT: Approve
MOVER: Hershel Stone
SECONDER: Ryland Brumfield

AYES: Allan Easley, Carroll Yeaman, Hershel Stone, Joseph Craddock,
Ryland Brumfield
NOES: None

ABSTAIN: None

- b. Public Hearing: Case S-23-005 Robert Adkins; Special Use Permit for the Placement of a Singlewide Mobile Home (Staff Contact: Emily Ragsdale)
- b. Public Hearing: Case S-23-005 Robert Adkins; Special Use Permit for the Placement of a Singlewide Mobile Home
Mr. Easley read the zoning precepts and opened the public hearing at 6:08 p.m. Mrs. Ragsdale, Director of Community Development, reported that Robert Adkins has petitioned for a Special Use Permit on 1.0 acres, located on State Road 1258/Meadow Farm Road in the Banister Election District to allow for placement of a single-wide mobile home. Robert Adkins represented the case. There was no opposition. Mr. Easley closed the public hearing at 6:10 p.m. A motion was made by Mr. Craddock, seconded by Mr. Yeaman that the Board of Zoning Appeals grant the Special Use Permit.

RESULT: Approve
MOVER: Joseph Craddock
SECONDER: Carroll Yeaman

AYES: Allan Easley, Carroll Yeaman, Hershel Stone, Joseph Craddock,
Ryland Brumfield
NOES: None

ABSTAIN: None

- c. Public Hearing: Case S-23-006 Phillip Jennings; Special Use Permit for the Placement of a Doublewide Mobile Home (Staff Contact: Emily Ragsdale)
- c. Public Hearing: Case S-23-006 Phillip Jennings; Special Use Permit for the Placement of a Doublewide Mobile Home
Mr. Easley read the zoning precepts and opened the public hearing at 6:11 p.m. Mrs. Ragsdale, Director of Community Development, reported that Phillip Jennings has petitioned for a Special Use Permit on 1.88 acres,

located on State Road 612/Wyatt Farm Road in the Callands-Gretna Election District to allow for placement of a double-wide mobile home. Mrs. Ragsdale represented the case. There was no opposition. Mr. Easley closed the public hearing at 6:13 p.m. A motion was made by Mr. Yeaman, seconded by Mr. Stone that the Board of Zoning Appeals grant the Special Use Permit.

RESULT: Approve
MOVER: Carroll Yeaman
SECONDER: Hershel Stone

AYES: Allan Easley, Carroll Yeaman, Hershel Stone, Joseph Craddock,
Ryland Brumfield
NOES: None

ABSTAIN: None

11. ADJOURNMENT

The meeting was adjourned at 6:15 p.m.

PITTSYLVANIA

COUNTY, VIRGINIA

BOARD OF ZONING APPEALS

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Public Hearing: Case S-23-007 J. D. Shelton, Et Als; Requesting an amendment to the conditions attached to existing Special Use Permit S-19-010.								
Staff Contact(s):	Emily Ragsdale								
Agenda Date:	August 7, 2023	Item Number:	10.a.						
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>S-23-007 JD Shelton App</td> </tr> <tr> <td>2.</td> <td>S-23-007 JD Shelton Map</td> </tr> <tr> <td>3.</td> <td>S-23-007 JD Shelton Amendments</td> </tr> </table>			1.	S-23-007 JD Shelton App	2.	S-23-007 JD Shelton Map	3.	S-23-007 JD Shelton Amendments
1.	S-23-007 JD Shelton App								
2.	S-23-007 JD Shelton Map								
3.	S-23-007 JD Shelton Amendments								
Reviewed By:									

SUMMARY:

SUBJECT

Requested by J. D. Shelton, Et Als, Gloria T. Shelton, Et Als, and Tammy Leigh Shelton Wiles, Et Als, for a Special Use Permit for an amendment to the conditions attached to the existing Special Use Permit S-19-010 that was granted with conditions on September 10, 2019, for recreational uses; ATV trails. The properties are four (4) parcels of land, a total of 450.00 acres, located on Route 360/Old Richmond Road, in the Dan River Election District and shown on the Pittsylvania County Tax Map as GPIN#s 2472-87-3158 (271.00 acres), 2472-79-8579 (56.00 acres), 2482-08-1932 (82.00 acres), and 2482-08-4676 (41.00 acres).

BACKGROUND/DISCUSSION

Special Use Permit S-19-014 was granted with conditions on September 10, 2019 for a recreational use, allowing ATV trails to be operated on the subject properties. The applicants are requesting to amend the conditions placed on the original Special Use Permit to eliminate the required 300-foot setback, amend the restriction placed on the hours of operation to allow them to open at 12:00 p.m. on Sundays and holidays, increase the number of night rides allowed each year to two (2), and allow them to be open on weekday holidays.

Staff has received multiple complaints that the current operation is not abiding by the conditions set forth in the original Special Use Permit including noncompliance with the 300-foot setback requirement, consumption of alcohol by riders, excessive noise and operating after 8:00 p.m. Staff issued violation letters on January 31, 2020, June 5, 2020, and August 12, 2020 regarding noncompliance with the conditions of the Special Use Permit.

On October 6, 2020, the Planning Commission recommended that a similar request from the applicants be denied. The applicants' requested that their application be withdrawn prior to the request being heard by the Board of Zoning Appeals.

A copy of the Final Order for Special Use Permit Case S-19-010 is enclosed in the Board packet.

- **RELATIONSHIP TO THE SURROUNDING LAND USE AND NEIGHBORING AREAS**

Surrounding properties are mostly agricultural and residential uses.

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.

- **SITE DEVELOPMENT PLAN**

N/A

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff recommends DENIAL of Case S-23-007 submitted by J. D. Shelton, Et Als, Gloria T. Shelton, Et Als, and Tammy Leigh Shelton Wiles, Et Als requesting that the conditions attached to Special Use Permit S-19-010 be amended to eliminate the required 300-foot setback, amend the restriction placed on the hours of operation to allow them to open at 12:00 p.m. on Sundays and holidays, increase the number of night rides allowed each year to two (2), and allow them to be open on weekday holidays. The current conditions are inline with conditions placed on other Special Use Permits issued for similar uses.

The Planning Commission recommended by a six (6) to one (1) vote, with opposition, that the application be approved with the following amendments to the conditions:

- 1) 300 foot setbacks
- 2) Two night rides per year
- 3) Open at 12 pm on Sundays
- 4) Holiday riding that does not fall on normal weekend days.

MOTION:

1. Recommend approval of Case S-23-007 as submitted.
2. Recommend approval of Case S-23-007 with conditions by the Planning Commission.
3. Recommend approval of Case S-23-007 with conditions by the Board of Zoning Appeals.
4. Recommend denial of Case S-23-007 as submitted.

STAFF SUMMARY

CASE S-23-007	ZONING REQUEST SUP Condition Amendments	CYCLE July 2023/August 2023
SUBJECT/PROPOSAL/REQUEST J. D. Shelton, Et Als, Gloria R. Shelton, Et Als, and Tammy Leigh Shelton Wiles, Et Als, are requesting an amendment to the conditions attached to Special Use Permit S-19-010, that was granted with conditions on September 10, 2019, for recreational uses; ATV trails. DISTRICT: Dan River		PLANNING COMMISSION: July 6, 2023 BOARD OF SUPERVISORS: August 15, 2023 ADVERTISED: June 21 & 28, July 19 & 26 2023

SUBJECT

Requested by J. D. Shelton, Et Als, Gloria T. Shelton, Et Als, and Tammy Leigh Shelton Wiles, Et Als, for a Special Use Permit for an amendment to the conditions attached to the existing Special Use Permit S-19-010 that was granted with conditions on September 10, 2019, for recreational uses; ATV trails. The properties are four (4) parcels of land, a total of 450.00 acres, located on Route 360/Old Richmond Road, in the Dan River Election District and shown on the Pittsylvania County Tax Map as GPIN#s 2472-87-3158 (271.00 acres), 2472-79-8579 (56.00 acres), 2482-08-1932 (82.00 acres), and 2482-08-4676 (41.00 acres).

BACKGROUND/DISCUSSION

Special Use Permit S-19-014 was granted with conditions on September 10, 2019 for a recreational use, allowing ATV trails to be operated on the subject properties. The applicants are requesting to amend the conditions placed on the original Special Use Permit to eliminate the required 300-foot setback, amend the restriction placed on the hours of operation to allow them to open at 12:00 p.m. on Sundays and holidays, increase the number of night rides allowed each year to two (2), and allow them to be open on weekday holidays.

Staff has received multiple complaints that the current operation is not abiding by the conditions set forth in the original Special Use Permit including noncompliance with the 300-foot setback requirement, consumption of alcohol by riders, excessive noise and operating after 8:00 p.m. Staff issued violation letters on January 31, 2020, June 5, 2020, and August 12, 2020 regarding noncompliance with the conditions of the Special Use Permit.

On October 6, 2020, the Planning Commission recommended that a similar request from the applicants be denied. The applicants' requested that their application be withdrawn prior to the request being heard by the Board of Zoning Appeals.

A copy of the Final Order for Special Use Permit Case S-19-010 is enclosed in the Board packet.

RELATIONSHIP TO THE SURROUNDING LAND USE AND NEIGHBORING AREAS

Surrounding properties are mostly agricultural and residential uses.

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.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends DENIAL of Case S-23-007 submitted by J. D. Shelton, Et Als, Gloria T. Shelton, Et Als, and Tammy Leigh Shelton Wiles, Et Als requesting that the conditions attached to Special Use Permit S-19-010 be amended to eliminate the required 300-foot setback, amend the restriction placed on the hours of operation to allow them to open at 12:00 p.m. on Sundays and holidays, increase the number of night rides allowed each year to two (2), and allow them to be open on weekday holidays. The current conditions are inline with conditions placed on other Special Use Permits issued for similar uses.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case S-23-007 as submitted.
2. Recommend approval of Case S-23-007 with conditions by the Planning Commission.
3. Recommend denial of Case S-23-007 as submitted.

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

A total of 450.00 acres, four (4) parcels of land)
generally located on Route 360/Old Richmond Road)
within the Dan River Election District, and recorded) **PETITION**
as parcel #s 2472-87-3158, 2472-79-8579, 2482-08-1932,)
2482-08-4676 in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioners, J. D. Shelton, Et Als, Gloria T. Shelton, Et Als, and Tammy Leigh Shelton Wiles, Et Als, 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 Petitioners are the owners 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 A-1, Agricultural District.
- (3) Your petitioners now desire to have a Special Use Permit issued for an amendment to the conditions attached to the existing Special Use Permit S-19-010 that was granted with conditions on September 10, 2019, for recreational uses: ATV Trails.

WHEREFORE, your Petitioners respectfully request that the above-referenced parcels 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,


J. D. Shelton


Gloria T. Shelton


Tammy Shelton Wiles

June 13, 2023


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


Dear Mrs. Ragsdale:

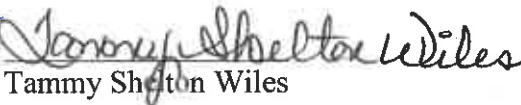
We, J. D. Shelton, Et Als, Gloria T. Shelton, Et Als, and Tammy Leigh Shelton Wiles, Et Als, as Owners, would like to request an amendment to the conditions attached to the existing Special Use Permit S-19-010 that was granted with conditions on September 10, 2019, for recreational uses; ATV Trails.

The four (4) properties are a total of 450.00 acres, located on Route 360/Old Richmond Road, in the Dan River Election District. They are shown on GIS as GPIN #s 2472-87-3158, 2472-79-8579, 2482-08-1932, and 2482-08-4676.

Sincerely,


J. D. Shelton


Gloria T. Shelton


Tammy Shelton Wiles

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-23-007 Applicant J. D. Shelton Date 6-22-23

GPIN	ACCOUNT HOLDER	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2473-71-0347	SHELTON, J D ET ALS	SHELTON, GLORIA T ET ALS	18465 OLD RICHMOND RD	KEELING, VA 24566
2473-82-5056	HANKINS, HENRY DOUGLAS	HANKINS, VIOLET STEELE	330 WESTWOOD DR	SUFFOLK, VA 23434
2482-08-4676	SHELTON, TAMMY LEIGH ET ALS	SHELTON, J D ET ALS	18465 OLD RICHMOND RD	KEELING, VA 24566
2472-57-0526	ALDERSON, BETTY WOODALL		3869 MOUNT TABOR RD	KEELING, VA 24566
2472-94-5874	HUDGINS, KENNETH J	HUDGINS, LINDA D	2448 RINGGOLD CHURCH RD	RINGGOLD, VA 24586
2472-91-7350	ILLINOIS MUNICIPAL RETIREMENT FUND	C/O LARSON & MCGOWIN LLC	PO BOX 1288	MOBILE, AL 36633
2473-50-8825	WHITE JANE W DECLARATION OF TRUST DTD 9/26/03	GUERRANT, WILLIAM C JR TRUSTEE	5962 SLATESVILLE RD	KEELING, VA 24566
2473-92-6066	HANKINS, JAMES FITZGERALD	HANKINS, MINA KOONS	128 CLARENDON CIRCLE	DANVILLE, VA 24541
2472-75-1857	CMJ FARMS LLC		802 NEW HOPE CHURCH RD	APEX, NC 27523
2472-82-3869	WHITNEY, WILLIAM C	WHITNEY, DARLENE F	18156 OLD RICHMOND RD	KEELING, VA 24566
2482-04-5891	ANDERSON, ROBERT W	ANDERSON, REBECCA L	18828 OLD RICHMOND RD	KEELING, VA 24566
2482-15-6438	EASTWOOD, C. WILLIAM; PROPERTIES, LLC		P O BOX 337747	GREELEY, CO 80633
2482-12-7151	CLOVERDALE LUMBER CO INC		5863 S BOSTON HWY	SUTHERLIN, VA 24594
2482-07-9026	WHITE, PAUL M LIFE TENANT ET ALS	WHITE, VICKI S LIFE TENANT ET ALS	18941 OLD RICHMOND RD	KEELING, VA 24566

S-23-007 JD SHELTON

Legend

-  Assessed Parcels
-  Parcels
-  County Boundary



Title:

Date: 6/29/2023



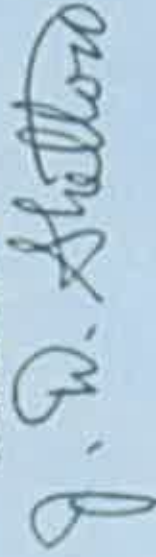
DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it may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

We, J. D. Shelton, Et Als, Gloria T. Shelton, Et Als, and Tammy Leigh Shelton Wiles, Et Als, as owners, would like to amend the conditions attached to Special Use Permit S-19-010 that was granted with conditions on September 10, 2019, as follows:

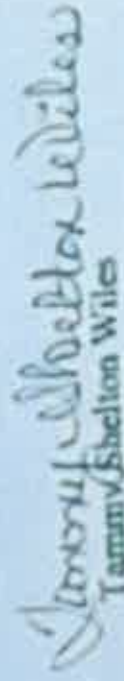
- (1) Eliminate the 300-foot setback.
- (2) Open at 12:00 p.m. on Sunday and holidays.
- (3) Two night rides per year.
- (4) Open on weekday holidays.

Sincerely,

J. D. Shelton



Gloria T. Shelton



Tammy Leigh Shelton Wiles

PITTSYLVANIA

COUNTY, VIRGINIA

BOARD OF ZONING APPEALS

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Public Hearing: Case S-23-008 Larry and Lucinda Burnett; Requesting a Special Use Permit for offsite parking in accordance with Pittsylvania County Code § 35-179								
Staff Contact(s):	Emily Ragsdale								
Agenda Date:	August 7, 2023	Item Number:	10.b.						
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>S-23-008 Larry Burnett App</td> </tr> <tr> <td>2.</td> <td>S-23-008 Larry Burnette Map</td> </tr> <tr> <td>3.</td> <td>S-23-008 Larry Burnette Site Plan</td> </tr> </table>			1.	S-23-008 Larry Burnett App	2.	S-23-008 Larry Burnette Map	3.	S-23-008 Larry Burnette Site Plan
1.	S-23-008 Larry Burnett App								
2.	S-23-008 Larry Burnette Map								
3.	S-23-008 Larry Burnette Site Plan								
Reviewed By:									

SUMMARY:

SUBJECT

Requested by Larry and Lucinda Burnett, for a Special Use Permit for the offsite parking in accordance with Pittsylvania County Code § 35-179. The property is two (2) parcels, totaling 105.9 acres, located on State Road 62/Milton Highway, in the Dan River Election District and shown on the Tap Map as GPIN #s 2366-45-0252 and 2366-36-2178.

BACKGROUND/DISCUSSION

Larry and Lucinda Burnett are requesting a Special Use Permit on behalf of Blue Ridge Rock Festival to allow the subject properties to be used for an offsite parking facility for the Blue Ridge Rock Festival that will be held at VIRginia International Raceway September 6-10, 2023. PCC § 35-179 requires a Special Use Permit for offsite parking. Offsite parking is considered any parking facility that is not located on the same parcel, or an adjacent parcel under common ownership, as the use that is generating the need for parking facilities. The property is currently used for parking facilities that serve the Danville-Pittsylvania County Fairgrounds. This property was used as a parking facility for Blue Ridge Rock Festival in 2022. County Staff issued a violation letter on August 19, 2022, notifying the property owners and Blue Ridge Rock Festival that offsite parking on the subject properties would require a Special Use Permit; however, there

was not adequate time for a Special Use Permit to be granted. Blue Ridge Rock Festival is proposing to use the subject properties in 2023. This location has been included in traffic control plans submitted to the Virginia Department of Transportation and was approved as part of the traffic plans reviewed by VDOT for the event in 2022.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

Included in the packet.

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff recommends APPROVAL of Case S-23-008 with the following conditions:

- 1. Camping shall be prohibited. This includes the use of motor vehicles, recreational vehicles and tents.
- 2. Restroom facilities shall be provided on the premises.
- 3. Solid waste receptacles shall be provided on the premises and any solid waste shall be disposed of in accordance with Pittsylvania County Code Chapter 17, Solid Waste.
- 4. Remain in compliance with all applicable Virginia Department of Health regulations.

The Planning Commission recommended by a seven (7) to zero (0) vote, with no opposition, that the petitioners' request be granted.

MOTION:

- 1. Recommend approval of Case S-23-006 as submitted.
- 2. Recommend approval of Case S-23-006 subject to conditions by Staff.
- 3. Recommend approval of Case S-23-006 subject to conditions by the Board of Zoning Appeals.
- 4. Recommend denial of Case S-23-006 as submitted.

STAFF SUMMARY

CASE S-23-008	ZONING REQUEST SUP	CYCLE July 2023/August 2023
SUBJECT/PROPOSAL/REQUEST Requested by Larry and Lucinda Burnett, for a Special Use Permit for the offsite parking.		PLANNING COMMISSION: July 6, 2023 BOARD OF SUPERVISORS: August 15, 2023 ADVERTISED: June 21 & 28, July 19 & 26 2023
DISTRICT: Dan River		

SUBJECT

Requested by Larry and Lucinda Burnett, for a Special Use Permit for the offsite parking in accordance with Pittsylvania County Code § 35-179. The property is two (2) parcels, totaling 105.9 acres, located on State Road 62/Milton Highway, in the Dan River Election District and shown on the Tap Map as GPIN #s 2366-45-0252 and 2366-36-2178.

BACKGROUND/DISCUSSION

Larry and Lucinda Burnett are requesting a Special Use Permit on behalf of Blue Ridge Rock Festival to allow the subject properties to be used for an offsite parking facility for the Blue Ridge Rock Festival that will be held at VIRginia International Raceway September 6-10, 2023. PCC § 35-179 requires a Special Use Permit for offsite parking. Offsite parking is considered any parking facility that is not located on the same parcel, or an adjacent parcel under common ownership, as the use that is generating the need for parking facilities. The property is currently used for parking facilities that serve the Danville-Pittsylvania County Fairgrounds. This property was used as a parking facility for Blue Ridge Rock Festival in 2022. County Staff issued a violation letter on August 19, 2022, notifying the property owners and Blue Ridge Rock Festival that offsite parking on the subject properties would require a Special Use Permit; however, there was not adequate time for a Special Use Permit to be granted. Blue Ridge Rock Festival is proposing to use the subject properties in 2023. This location has been included in traffic control plans submitted to the Virginia Department of Transportation and was approved as part of the traffic plans reviewed by VDOT for the event in 2022.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

Included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of Case S-23-008 with the following conditions:

1. Camping shall be prohibited. This includes the use of motor vehicles, recreational vehicles and tents.
2. Restroom facilities shall be provided on the premises.

3. Solid waste receptacles shall be provided on the premises and any solid waste shall be disposed of in accordance with Pittsylvania County Code Chapter 17, Solid Waste.
4. Remain in compliance with all applicable Virginia Department of Health regulations.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-23-006 as submitted.
2. Recommend approval of Case S-23-006 subject to conditions by Staff.
3. Recommend approval of Case S-23-006 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-23-006 as submitted.

ATTACHMENTS:

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

**PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT**

I/We, Larry Thomas Burnett et als and Lucinda Burnett et als, 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:

Larry Thomas Burnett et als and
Lucinda Burnett et als

1. Property Owner's Name: _____ Phone: 434-251-7750
Address: 1861 MILTON HWY RINGGOLD, VA
_____ ZIP 24586

2. Location of Property: 1861 MILTON HWY RINGGOLD, VA 24586

3. Tax Map Parcel Number: 2366-45-0252 & 2366-36-2178

4. Election District: Dan River

5. Size of Property: 105.9 acres _____ acres/square feet

Size of Proposed Special Use: 25.44 acres _____ acres/square feet

6. Existing Land Use: Agricultural and parking for Fairgrounds

Existing Zoning: A-1 & M-1

7. Proposed Land Use: Parking for Festival

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.

cara@blueridgerockfest.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.*

Larry Burnett
Lucinda Burnett

Applicant

Sworn to and subscribed before me in my presence this 25th day of May, 2023, in my City and State
aforesaid, by Whitney Sides Burnett Notary Public. My commission Expires: 4-30-2025

WHITNEY SIDES BURNETT
NOTARY PUBLIC
REG. #7681181
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES APRIL 30, 2025

OFFICE USE ONLY: Application No.: S-23-008

Application Deadline: 5-31-2023 P. C. Hearing Date: 7-6-2023

Received By: ESB Date Received: 5-26-2023

B.Z.A. Hearing Date: 6-7-2023 Action: _____

\$350.00
CHK # 2465
DJ

VIRGINIA

BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A 105.9 acre parcel of land,)
 generally located, 1861 MILTON HWY)
 within the Dan River) **PETITION**
 Election District, and recorded as)
 parcel # 2366-45-0732 & 2366-26-2176 in the)
 Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

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

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

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,

Larry Burnett
Lucinda B. Burnett
 Petitioner

Sworn to and subscribed before me in my presence this 25th day of May, 2023, in my City and State aforesaid, by Whitney Sides Burnett Notary Public. My commission Expires: April 30, 2025

WHITNEY SIDES BURNETT
 NOTARY PUBLIC
 REG #7681181
 COMMONWEALTH OF VIRGINIA
 MY COMMISSION EXPIRES APRIL 30, 2025

June 22, 2023


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

Dear Mrs. Ragsdale:

We, Larry and Lucinda Burnett, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 25.44 acres, located 1861 Milton Highway, in the Dan River Election District. The properties are shown on the Tax Maps as GPIN #s 2366-45-0252 & 2366-36-2178.

We would like a Special Use Permit to allow for off-site parking.

Sincerely,



Lucinda Burnett

PITTSYLVANIA

COUNTY, VIRGINIA

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

SIGN AFFIDAVIT

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

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

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

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

Sec. 25-819. MAINTENANCE AND REMOVAL OF SIGNS.

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

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

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

Case S-23-00B Applicant Lucinda Burnett Date 5-25-2023





Sworn to and subscribed before me in my presence this 25th day of May 2023, in my City and State aforesaid, by
Whitney Sides Burnett Notary Public. My commission Expires: April 30, 2025

WHITNEY SIDES BURNETT
NOTARY PUBLIC
REG. #7681181
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES APRIL 30, 2025

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2366-43-4133	FERRELL, BARRY ANTONIO	210 MAYA LN	RINGGOLD, VA 24586
2366-76-5758	BURNETT, LARRY THOMAS ET ALS	2400 CAVALIER DR	RINGGOLD, VA 24586
2366-43-3433	VALENTINE, HILDA	P O BOX 7731	LARGO, MD 20792
2366-33-8504	LEWIS, LOUVANIA	2185 MILTON HWY	RINGGOLD, VA 24586
2366-54-0338	PAULING, FRANCIS IRENE	269 MAYA LANE	RINGGOLD, VA 24586
2366-25-4833	CONLEY, SALOME LIPSCOMB LIFE TENANT ET ALS	C/O RAYNELL STOKES	PALMYRA, VA 22963
2366-25-8547	COBBS, CHRISTOPHER L	P O BOX 33	RINGGOLD, VA 24586
2366-33-7648	VALENTINE, CARESSA DIANE	2157 MILTON HWY	RINGGOLD, VA 24586
2366-33-9828	WILLIAMS, MELINDA ELIZABETH	PO BOX 7731	LARGO, MD 20792
2366-33-7820	VALENTINE, EDWARD L	140 MAYA LANE	RINGGOLD, VA 24586
2366-45-0252	BURNETT, LARRY THOMAS ET ALS	2400 CAVALIER DR	RINGGOLD, VA 24586
2366-25-9144	WALTERS, ELMIRA	C/O DARLENE WARD	GLOUCESTER, VA 23061
2366-26-9032	DANVILLE/PITTSYLVANIA COUNTY FAIR ASSOCIATION INC	2400 CAVALIER RD	RINGGOLD, VA 24586
2366-54-4427	PAULING, FRANCIS IRENE	310 MAYA LN	RINGGOLD, VA 24586
2366-89-5110	CLOVERDALE LUMBER CO INC	5863 S BOSTON HWY	SUTHERLIN, VA 24594
2366-37-7761	143 ACRES LLC	6141 SOUTH BOSTON HWY	SUTHERLIN, VA 24594
2366-25-5987	COBBS, VENUS L	C/O JOHN COBBS	RINGGOLD, VA 24586
2366-44-6192	FLIPPEN, PHILLIP J	278 MAYA LN	RINGGOLD, VA 24586
2366-34-0847	WALTERS, SYLVESTER EARL	PO BOX 211	RINGGOLD, VA 24586

S-23-008 LARRY BURNETT

Legend

-  Assessed Parcels
-  Parcels
-  Route Numbers
-  County Boundary



Title:

Date: 6/29/2023

Feet



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.



LOT A
(1,033)

Patron
Ingress/Egress

SHUTTLE
QUEUE

Restrooms

LOT D
(364)

LOT B
(1,464)

LOT E
(663)

Shuttle Route

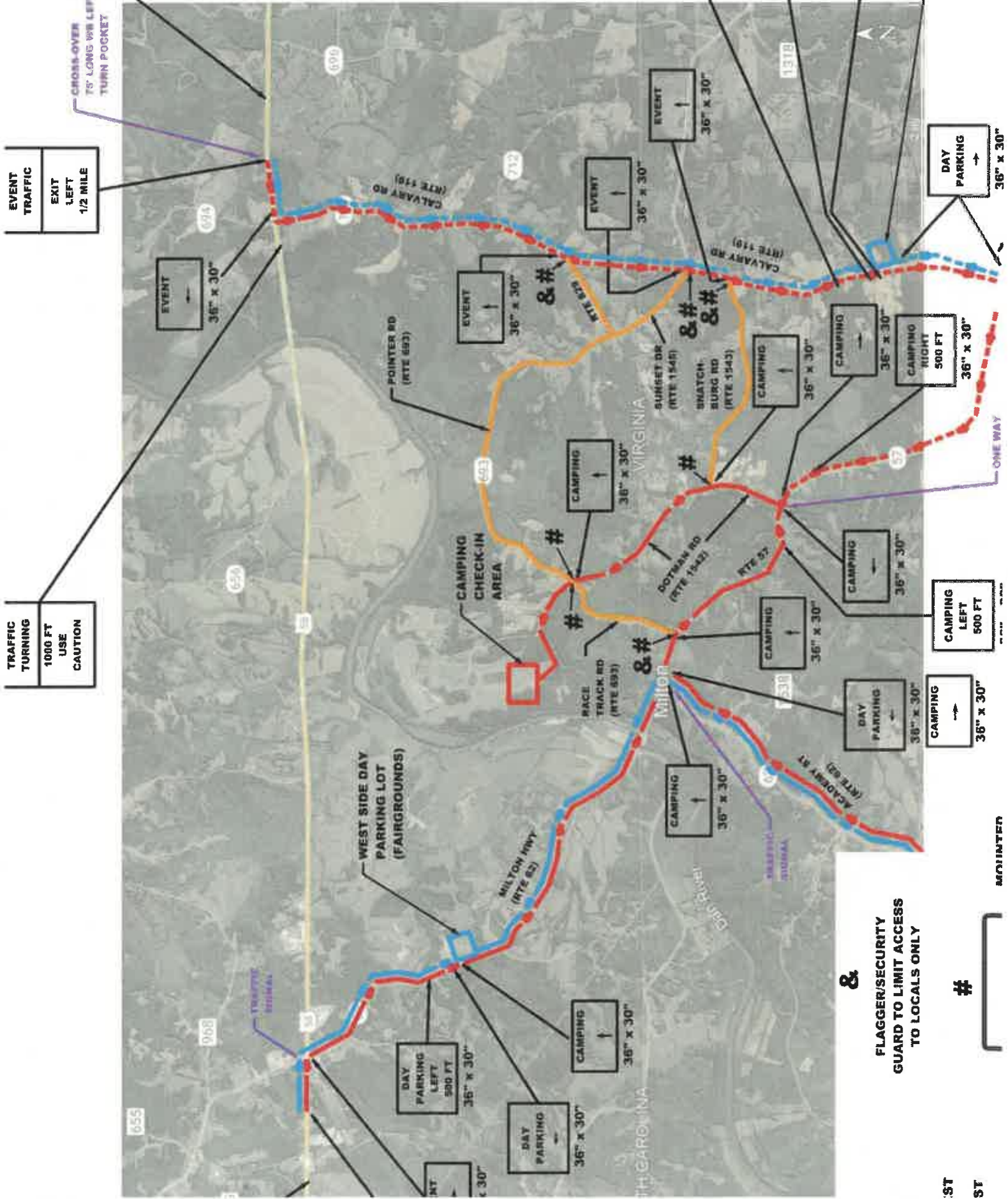
LOT E
(1,419)

EVENT
TRAFFIC LEFT LN
THRU
TRAFFIC RIGHT LN
NEXT 1 MILE

EVENT
TRAFFIC EXIT LEFT 1/2 MILE

TRAFFIC TURNING
1000 FT USE CAUTION

CROSS-OVER 75' LONG W/ LEFT TURN POCKET



&
FLAGGER/SECURITY GUARD TO LIMIT ACCESS TO LOCALS ONLY

#
MOUNTED

ST
ST