



**BOARD OF ZONING APPEALS
REGULAR MEETING
Monday, September 11, 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. August 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-23-009 Michael Blackwell; Special Use Permit for a Public Garage in accordance with Pittsylvania County Code § 35-179 (Staff Contact: Emily Ragsdale)

- b. Public Hearing: Case S-23-010 Joseph Reynolds; Special Use Permit for the Placement of a Doublewide Mobile Home in accordance with Pittsylvania County Code § 35-223 (Staff Contact:)
- c. Public Hearing: Case S-23-011 Joy Hardy; Special Use Permit for a Private Club 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:	August Board Meeting Minutes Approval		
Staff Contact(s):	Robin Vaughan		
Agenda Date:	September 11, 2023	Item Number:	6.a.
Attachment(s):	1.	BZA Minutes 08072023	
Reviewed By:			

SUMMARY:

FINANCIAL IMPACT AND FUNDING SOURCE:

RECOMMENDATION:

MOTION:

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

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

MINUTES

1. CALL TO ORDER

Mr. Easley called the meeting to order at 6:00 p.m.

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. Stone, and by a unanimous vote, the agenda was approved as presented.

6. APPROVAL OF MINUTES

- a. June Board Meeting Minutes Approval (Staff Contact: Robin Vaughan)
- a. June Board Meeting Minutes Approval
Upon motion of Mr. Stone, seconded by Mr. Brumfield, and by a unanimous vote, the minutes were approved as presented.

7. OLD BUSINESS

The next bimonthly zoning ordinance update will be held on Thursday August 10, 2023 at 5:30 p.m. The meeting in October will be the final meeting and will be a review of the ordinance. This would be the time to discuss with the Berkley Group. From that point on, we will move into the public hearing phase and public input phase. We will then move into the adoption phase in early 2024.

8. NEW BUSINESS

Mrs. Ragsdale stated there will be three cases for the month of September.

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.

PUBLIC HEARING

- 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)
- 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.

Mr. Easley read the zoning precepts and opened the public hearing at 6:06 p.m. Mrs. Ragsdale, Director of Community Development, reported that JD Shelton, Gloria Shelton & Tammy Shelton Wiles had petitioned for 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. JD Shelton and Tammy Shelton Wiles represented the petition. She stated that they would like to eliminate the 300-foot setbacks, open at 12 pm on Sundays and Holidays, and would like to have two (2) night rides per year and would like to be open on weekday holidays. Mr. Shelton stated that they are working on the loud bikes and they are turning people away that are too loud and have aftermarket mufflers. Mr. Shelton stated that they have spoken with several church members from Mount Tabor and the Pastor and they have no problem with Red Oak opening at 12:00 p.m. on Sundays as their service is over at 11:30 a.m. Mr. Stone noted that the number of EMS calls has decreased this year from the past years. Mr. Stone asked if Mr. Shelton had done any studies to see how his revenue impacts the county and how it potentially creates jobs for the community. Ms. Wiles stated that they had not done any research regarding this. Several residents signed up to speak. First was Phyllis Bledsoe who opposes the amendments. She stated she submitted a FOIA (Freedom Of Information Act) request with the Sheriff's Department for verification on calls regarding Red Oak. She said the Sheriff's Department requested extra time on this request, so she only had a portion of the information that she requested. She stated that the Sheriff's Department has checked the noise levels at her property and Tanner Owen's property. She had requested the readings of these days and said events. She also requested to know what type of equipment was used and when it was purchased and or replaced. She said there have been

discrepancies, and she is still waiting for this information. She stated she requested information on 911 calls made through 2019 through today and gave a brief summary. She stated the main concern is the noise. Tanner Owen spoke next in opposition of the amendments. He stated that people continue to ride with loud pipes, and he can hear them in his home 3,000 feet away. He stated that the preacher or deacon board of Mount Tabor Church have not heard anything about Red Oak opening at 12:00 p.m. He stated that they are racing after they have been told not to. He said the noise is a nuisance and a real problem. Stephen Hodnett spoke next, stating that he really can't hear any of the noise being discussed and the board is more than welcome to come to his house to see if they can hear it. He said that he does not have any complaints. Tim Alderson was next to speak, stating he had concerns due to the noise levels also. He said he has met with JD three times in the last month. Once at his home and twice at Red Oak. He stated that last weekend was fairly peaceful. He said there was one loud machine there this past weekend. He stated all of the comments in his letter have to do with the loud machines. He said that two (2) out of three (3) vehicles on Route 360 are carrying 4-wheelers. He said he is not against the facilities, he would like to see the loud machines policed, due to it not happening now. He also said that most of the noise they hear at night is coming from Pine Lane. Sunny Singh spoke next, stating he is a small business owner and he is here to support a small business. Mr. Shelton and Ms. Wiles came back to the podium to address questions and concerns. Mr. Brumfield said that the main concern with the neighbors seems to be the noise. He asked what could be done to reduce the noise. Ms. Wiles said that they are working on this at the present time, Mr. Shelton has spoken with Sheriff Taylor and he said they are doing all that they can do. Mr. Stone asked how long they had been in business. Ms. Wiles said they opened in 2018. Mr. Stone asked how many riders they get per weekend, Ms. Wiles said 200 - 300 per weekend. Mr. Stone said that he has noticed on Red Oak Facebook page that it states stock exhaust, (no modified, gutted or chopped exhaust). Do not partake alcohol or illegal drugs while operating off-road units. Mr. Stone says that people should not get angry when asked to leave if they have modified mufflers, they should check the Facebook page for that information and it should be enforced. Ms. Wiles asked what decibel they need to have set as a limit so when they receive their meter they will know how to regulate. Mr. Merricks said he has done his own research, and most ATVs from the factory run at 80 - 96 decibels, so the meter should be used according to the manufacturers' instructions to measure the levels. Mr. Easley stated that the Shelton's should police the property for loud mufflers since there have been complaints from the neighbors. Mr. Easley wanted to make sure that the applicants

understood that they were asking for their conditions to be revised, that opens it up for the board to change any conditions that are currently in place. The Shelton's said they did understand this. Mr. Easley closed the public hearing at 6:45 p.m. The Board discussed the petition as the Committee of the Whole. Mr. Easley first read the amendments that the applicants were requesting.

The applicants are requesting the following: 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. Mr. Merricks stated that the conditions were originally placed on the Special Use Permit for a reason, they tried to protect the community, but also allow the Shelton's to use their property for their business. He said he has not heard anything tonight that justifies changing any of the existing conditions. He said that they may want to add some wording to these and add a few more. As far as the existing conditions, he feels they need to stay in place. Mr. Brumfield said that he has no problem with two (2) night rides per year as there has been no opposition to this condition. He also has no problem with them being open on weekday holidays. Mr. Merricks stated that most businesses are open on holidays but at the same time, there are families that like to enjoy the holidays as well and enjoy their time outside and they cannot do this due to the noise. Mr. Merricks said that factory mufflers only are allowed and that they should be 100 decibels or less. Chris Dadak stated that it is hard coming up with conditions that are enforceable as the Zoning Administrator. He said that testing of each vehicle would be difficult to enforce from a practical perspective and unfortunately, noise issues are hard to enforce unless there is consistent feedback from the community and consistent decibel testing by law enforcement. Mr. Easley stated that what they want to do is have a positive motion for an application to amend conditions, and add to or take away from them, and then read a motion to amend the conditions that are currently in place. The current conditions are as follows: (1) Primitive camping only. - (2) Night rides allowed once a year until 2:00 a.m. - (3) Hours of operation shall be limited to 10:00 a.m. to 6:00 p.m., Eastern Standard Time, and 10:00 a.m. to 8:00 p.m., Daylight Savings Time. - (4) Factory mufflers only. - (5) Control erosion. - (6) Days of operation shall be Thursday through Sunday; No Sunday operation before 1:00 p.m. - (7) Never ride under the influence of alcohol or drugs. - (8) Maintain setback of 300 feet. - (9) Comply with Health Department Regulations. - (10) Comply with Noise Ordinance. - (11) Maintain vegetative buffer. Mr. Easley would like for (1) primitive camping only, recreational vehicles prohibited - (2) Two night rides per year, with a five working day notice to the Community

Development Office before each ride. Mr. Merricks would like to add that the Special Use Permit be reviewed in two years for compliance with conditions. That no competitions are to be allowed, which includes racing on the property. The recently acquired property GPIN # 2473-71-0347, approximately 80 acres cannot be used under this Special Use Permit. Mr. Easley then read a positive motion for the amendments to the eleven (11) conditions that the board will vote on for Special Use Permit S-19-010 that was granted on September 10, 2019 for recreational use and ATV trails. (1) Primitive camping only, which would include tents only and no RV's. - (2) Night rides allowed twice a year until 2 am, with written notice being presented to the Zoning Office within five working days prior to the ride. - (3) Hours of operation shall be limited to 10 am - 6 pm Eastern Standard Time and 10 am - 8 pm Daylight Savings Time. - (4) Factory Mufflers only. - (5) Control Erosion (6) Days of Operation shall be Thursday - Sunday, no Sunday Operation before 1 pm. (7) Never ride under the influence of alcohol or drugs. (8) Maintain a setback of three hundred (300) feet. (9) Comply with Virginia Department of Health regulations. (10) Comply with Noise Ordinance. (11) Maintain vegetative buffer. (12) The Special Use Permit will be review in two (2) years to make sure the applicants are in compliance. (12) There will be no competitions. (13) The property located at GPIN # 2473-71-0347 will not be included in this Special Use Permit. A motion was made by Mr. Merricks, seconded by Mr. Stone that the Board of Zoning Appeals make the amendments to the Special Use Permit.

RESULT: Approve
MOVER: Mr. Merricks
SECONDER: Mr. Stone

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

ABSTAIN: None

- 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)
- 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

Mr. Easley opened the public hearing at 7:12 p.m. Mrs. Ragsdale, Director of Community Development, reported that Larry and Lucinda Burnett has petitioned for a Special Use Permit on 105.9 acres, located on State Road

62/Milton Highway, in the Dan River Election District, to allow for offsite parking. Cara Fischer represented the case. There was no opposition. Mr. Easley closed the public hearing at 7:14 p.m. A motion was made by Mr. Craddock, seconded by Mr. Yeaman that the Board of Zoning Appeals grant the Special Use Permit 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.

RESULT: Approved
MOVER: Craddock
SECONDER: Yeaman

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

ABSTAIN: None

11. ADJOURNMENT

The meeting was adjourned at 7:17 p.m.

STAFF SUMMARY

<u>CASE</u> S-23-009	<u>ZONING REQUEST</u> SUP	<u>CYCLE</u> August 2023/September 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> Michael Blackwell is requesting a Special Use Permit for the repair of automobiles/public garage.		PLANNING COMMISSION: August 1, 2023
DISTRICT: Chatham-Blairs Election District		BOARD OF ZONING APPEALS: September 11, 2023
		ADVERTISED: July 19 & 26, 2023/August 23 & 30, 2023

SUBJECT

Requested by Michael Blackwell, for a Special Use Permit for a public garage in accordance with Pittsylvania County Code § 35-179. The property is 8.50 acres, located on State Road 863/Laniers Mill Road, in the Chatham-Blairs Election District and shown on the Tax Map as GPIN # 1490-91-6567.

BACKGROUND/DISCUSSION

The subject property is zoned A-1, Agricultural District. Under Pittsylvania County Code § 35-179, a Special Use Permit is required for public garages under the A-1 zoning classification. The applicant is 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 A-1, Agricultural District, and R-1, Residential Suburban Subdivision District zoned properties.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-23-009 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-23-009 as submitted.
2. Recommend approval of Case S-23-009 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-23-009 as submitted.

ATTACHMENTS:

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

**PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT**

I, Michael Blackwell, 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: Michael Blackwell
Address: 1467 Laniers Mill Road, Danville, VA 24540 Telephone: (434) 251-9596

2. Location of Property: State Road 863/Laniers Mill Road Total Amt: \$ 350.00

Taken By: Cash 7/24/23
OB

3. Tax Map Number 1490-91-6567

4. Election District: Chatham-Blairs

5. Size of Property: 8.50 Acres

6. Existing Land Use: Single Family Dwelling

Existing Zoning: A-1, Agricultural District

7. Proposed Land Use: Repair of automobiles/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 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.


Michael Blackwell

OFFICE USE ONLY
Application Deadline: 06/29/23
Received By: ESR
B.Z.A. Meeting Date: 09/11/23

Application No. S-23-009
P.C. Meeting Date: 08/01/23
Date Received: 06/09/2023
Action: _____

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

A 8.50 acre parcel of land)
generally located on State Road 863/Laniers Mill)
Road within the Chatham-Blairs Election District,) **PETITION**
and recorded as parcel # 1490-91-6567)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Michael Blackwell, 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 a public garage.

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

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

Respectfully submitted,


Michael Blackwell

July 11, 2023

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

Dear Mrs. Ragsdale:

I, Michael Blackwell, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 8.50 acres, located on State Road 863/Laniers Mill Road, in the Chatham-Blairs Election District. The property is shown on the Tax Maps as GPIN # 1490-91-6567.

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

Sincerely,


Michael Blackwell



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.

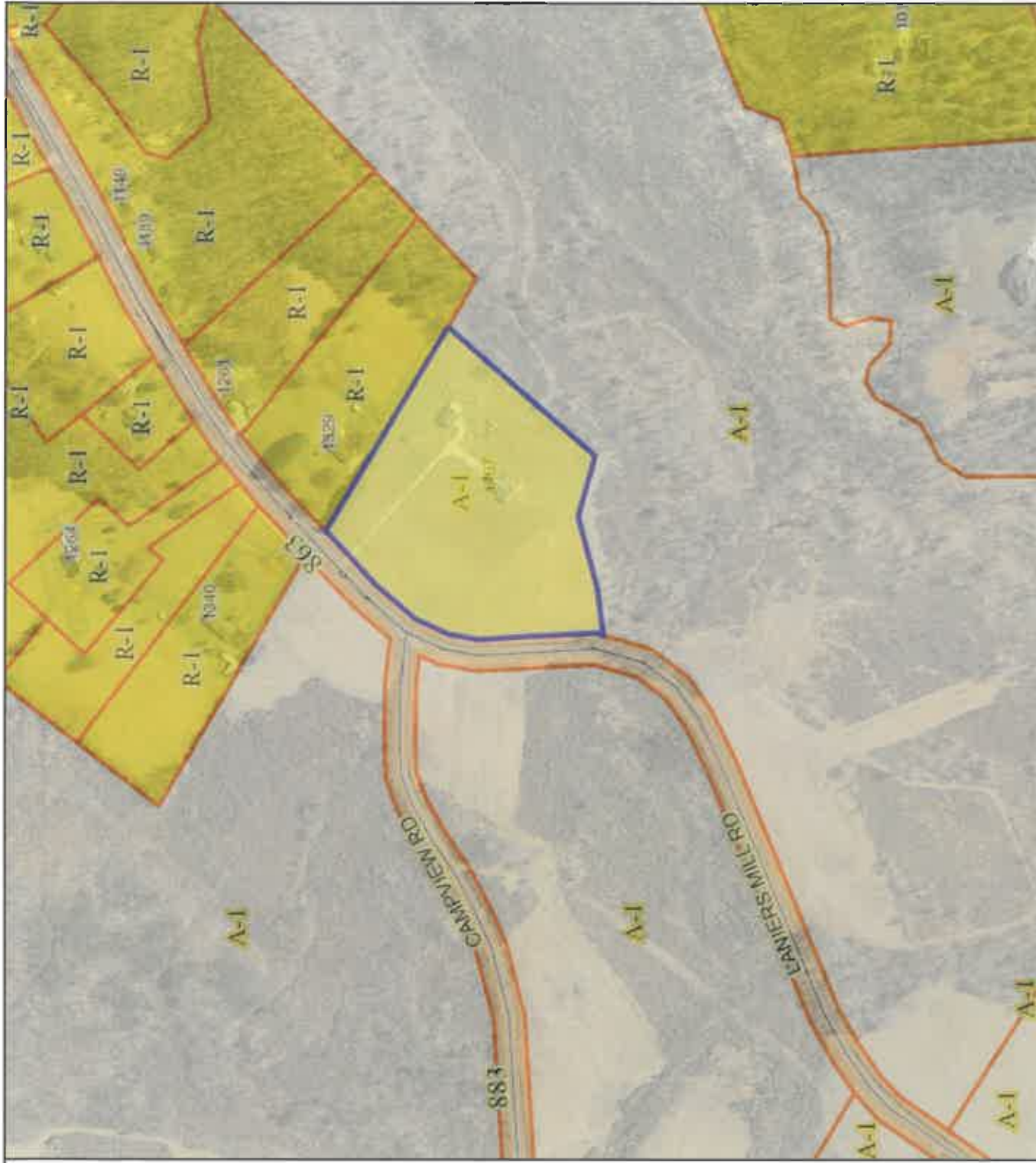
Case S-23-009 Applicant Michael D. Blackwell Date 7/24/2023

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2400-01-2143	ROBERTSON, JUDY GILES	7021 MOUNT CROSS RD	DANVILLE, VA 24540
1490-81-3014	ROBERTSON, JUDY GILES	7021 MOUNT CROSS RD	DANVILLE, VA 24540
1490-72-3192	ROBERTSON, JUDY GILES	7021 MOUNT CROSS RD	DANVILLE, VA 24540
2400-01-0807	ASHWORTH, MICHAEL HENRY	1329 LANIERS MILL ROAD	DANVILLE, VA 24540
1490-92-3208	SCOTT, WILSON J	1340 LANIERS MILL RD	DANVILLE, VA 24540

S-23-009 MICHAEL BLACKWELL

Legend

- Assessed Parcels
- Parcels
- Route Numbers
- 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: 7/11/2023

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.

STAFF SUMMARY

<u>CASE</u> S-23-010	<u>ZONING REQUEST</u> SUP	<u>CYCLE</u> August 2023/September 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> Joseph Reynolds is requesting a Special Use Permit for the placement of a double-wide mobile home.		PLANNING COMMISSION: August 1, 2023
DISTRICT: Tunstall Election District		BOARD OF ZONING APPEALS: September 11, 2023
		ADVERTISED: July 19 & 26, 2023/August 23 & 30, 2023

SUBJECT

Requested by Joseph Reynolds, for a Special Use Permit for the placement of a doublewide mobile home in accordance with Pittsylvania County Code § 35-223. The property is 0.88 acres, located on State Road 851/Peach Orchard Road, in the Tunstall Election District and shown on the Tax Map as GPIN # 1349-78-6031.

BACKGROUND/DISCUSSION

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

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-23-010 as submitted.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-23-010 as submitted.
2. Recommend approval of Case S-23-010 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-23-010 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, Joseph Reynolds, 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: Joseph Reynolds
Address: 265 Yellowbird Place, Cascade, VA 24069 Telephone: (434) 203-8246
2. Location of Property: State Road 851/Peach Orchard Road Total Amt: \$ 350.00
Taken By: _____
3. Tax Map Number 1349-78-6031
4. Election District: Tunstall
5. Size of Property: 0.88 Acres
6. Existing Land Use: Vacant

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Placement of a Double-Wide Mobile Home

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 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.

Joseph Reynolds

OFFICE USE ONLY

Application Deadline: 06/29/23
Received By: ESR
B.Z.A. Meeting Date: 09/11/23

Application No. S-23-010
P.C. Meeting Date: 08/01/23
Date Received: 06/13/2023
Action: _____

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

A 0.88 acre parcel of land)
generally located on State Road 851/Peach Orchard)
Road within the Tunstall Election District,) **PETITION**
and recorded as parcel # 1349-78-6031)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Joseph Reynolds, 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 R-1, Residential Suburban Subdivision District.
- (3) Your petitioner now desires to have a Special Use Permit issued to allow for placement of a double-wide mobile home.

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

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

Respectfully submitted,

Joseph Reynolds

July 26, 2023

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

Dear Mrs. Ragsdale:

I, Joseph Reynolds, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 0.88 acres, located on State Road 851/Peach Orchard Road, in the Tunstall Election District. The property is shown on the Tax Maps as GPIN # 1349-78-6031.

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

Sincerely,

Joseph Reynolds



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-23-010 Applicant _____ Date _____

GPIN	ACCOUNT HOLDER	ADDRESS	ACCOUNT_CSZ
1349-79-6013	CARTER, MICHAEL A	1696 PEACH ORCHARD RD	AXTON, VA 24054
1349-77-6105	HYLTON, STEVE M	1489 PEACH ORCHARD RD	AXTON, VA 24054
1349-77-3846	SIMMONS, PATTIE J	1585 PEACH ORCHARD RD	AXTON, VA 24054
1349-78-5120	REYNOLDS, JOSEPH BRIAN	265 YELLOWBIRD PLACE	CASCADE, VA 24069

S-23-010 JOSEPH REYNOLDS

Pittsylvania County Public GIS Viewer

We are performing maintenance on our servers. We will be back online soon.

Virginia Cities and Counties

Tax Parcels (All)

Zoning Districts

Agricultural

Business, Limited

Business, General

Conservation

Double-Zoned

Light Industrial

Heavy Industrial

Mobile Home Park

Residential Suburban Subdivision

Residential Combined Subdivision

Residential Estates

Residential Multi-Family

Residential Planned Development

Town Zoning

Unknown

Tax Parcels (group layer)

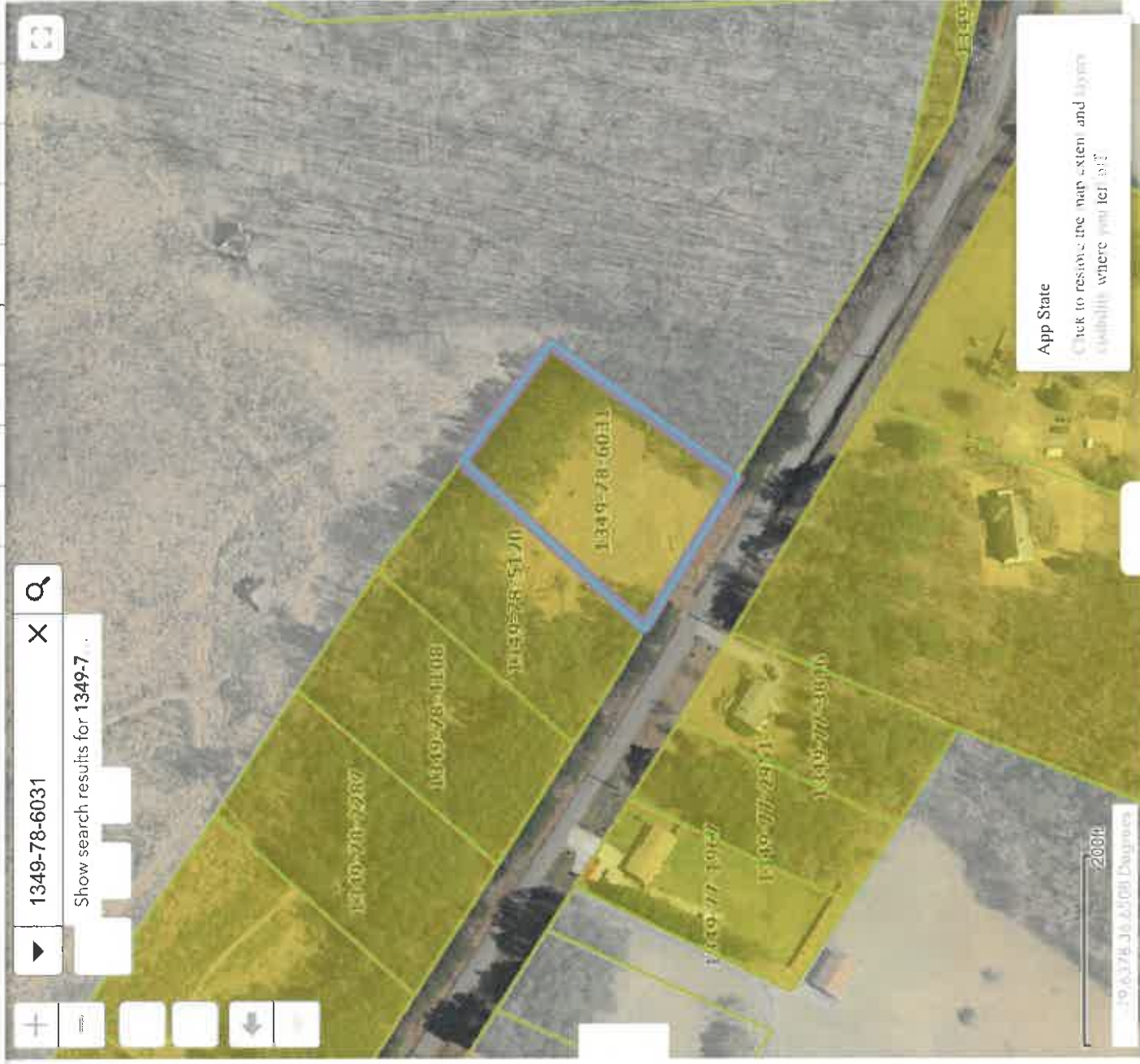
Addressing (group layer)

Administrative (group layer)

Base Map (group layer)

Community Development (group layer)

Show search results for 1349-7



App State

Click to restore the map extent and display details where you left off.

STAFF SUMMARY

<u>CASE</u> S-23-011	<u>ZONING REQUEST</u> SUP	<u>CYCLE</u> August 2023/September 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> Joy Hardy is requesting a Special Use Permit for a public club.		PLANNING COMMISSION: August 1, 2023
DISTRICT: Westover Election District		BOARD OF ZONING APPEALS: September 11, 2023
		ADVERTISED: July 19 & 26, 2023/August 23 & 30, 2023

SUBJECT

Requested by Joy Hardy, for a Special Use Permit for a public club. The properties are 23.39 acres, located on State Road 878/Duncan Drive, in the Westover Election District and shown on the Tap Map as GPIN #s 1378-80-0136 & 1377-89-0905.

BACKGROUND/DISCUSSION

The applicants are requesting a Special Use Permit to operate a private club on the subject property. The subject property is zoned A-1, Agricultural District. According to Pittsylvania County Code § 35-179, Private Clubs are allowed by Special Use Permit. The club, known as the SPCA of Pittsylvania County, has operated at this location for several years. Staff learned that the property was being used as a private club when members contacted Staff about regulations that might apply to a club event that they were planning to have on the property.

The property is occupied by a single-family dwelling that is occupied by the applicant. A site plan has been included in the packet.

FUTURE LAND USE DESIGNATION

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

ZONING OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

Included in the packet.

RECOMMENDATION

Staff recommends APPROVAL of the request with the following conditions:

1. Any outdoor club events or outdoor music must end by 10:00 p.m. Monday-Thursday and by midnight (12:00 a.m.) Friday-Sunday.
2. Must remain in compliance with the Pittsylvania County Noise Ordinance.
3. Must remain in compliance with all applicable Virginia Department of Health regulations.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-23-011 as submitted.
2. Recommend approval of Case S-23-011 subject to conditions by the Planning Commission.

3. Recommend denial of Case S-23-011 as submitted.

ATTACHMENTS:

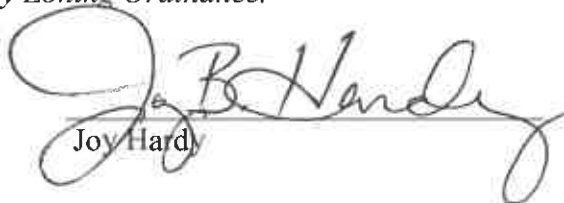
- A. Application
- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners

**PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT**

I, Joy Hardy, 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: Joy Hardy
Address: 740 Duncan Drive, Danville, VA 24541 Telephone: (434) 549-3127
2. Location of Property: State Road 878/Duncan Drive Total Amt: \$ 350.00
Taken By: Ch#3832
3. Tax Map Number's 1378-80-0136 & 1377-89-0905
4. Election District: Westover
5. Size of Property: 23.39 Acres
6. Existing Land Use: Single Family Dwelling & Vacant Lot
Existing Zoning: R-1, Residential Suburban Subdivision District
7. Proposed Land Use: Public Club
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.


Joy Hardy

OFFICE USE ONLY
Application Deadline: 06/29/23
Received By: ESR
B.Z.A. Meeting Date: 09/11/23

Application No. S-23-011
P.C. Meeting Date: 08/01/23
Date Received: 06/09/2023
Action: _____

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

Two parcels of land totaling 29.39 acres)
generally located on State Road 878/Duncan Drive)
within the Westover Election District.) **PETITION**
and recorded as parcel #s 1378-80-0136 & 1377-89-0905)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

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

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,


Joy Hardy

July 11, 2023

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

Dear Mrs. Ragsdale:

I, Joy Hardy, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 23.39 acres (two parcels), located on State Road 878/Duncan Drive, in the Westover Election District. The property is shown on the Tax Maps as GPIN #s 1378-80-0136 & 1377-89-0905.

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

Sincerely,

A handwritten signature in cursive script that reads "Joy B. Hardy". The signature is written in black ink and is positioned above a horizontal line. Below the line, the name "Joy Hardy" is printed in a simple, sans-serif font.

Joy Hardy



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

Case S-23-011 Applicant  Date 7/19/2023

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
1377-69-3156	JENNINGS, JAMES L JR	521 DUNCAN DRIVE	DANVILLE, VA 24541
1378-73-8291	SANDY OAKS FARMS LLC	260 RAGSDALE RD	DANVILLE, VA 24541
1378-70-6444	BENNINGTON, MICHAEL J	824 DUNCAN DR	DANVILLE, VA 24541
1378-80-1354	PARRISH, JEAN B LIFE TENANT	260 OLD FARM RD	DANVILLE, VA 24541
1378-80-0136	HARDY, JOY BRUMMETT	740 DUNCAN DRIVE	DANVILLE, VA 24541
1377-89-0905	BRUMMETT, JOY LYNN	740 DUNCAN DR	DANVILLE, VA 24541
1377-79-7279	HIGDON, WILLIAM T JR	616 DUNCAN DRIVE	DANVILLE, VA 24541
1377-89-5245	HARDY, JOY B	740 DUNCAN DR	DANVILLE, VA 24541

S-23-011 JOY HARDY

ArcGIS Web Map



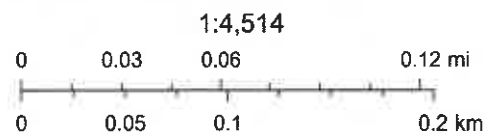
7/27/2023, 8:52:08 AM

Virginia Cities and Counties

- County
- Tax Parcels (All)
- Assessed Parcels

Assessed Parcels Labels

- General Location Parcels
- Addresses



Esri Community Maps Contributors, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Virginia Geographic Information Network (VGIN)

ArcGIS Web AppBuilder

2nd ANNUAL



benefitting
SPCA of Pittsylvania County

Saturday, Oct. 14
2 - 9 pm



Rocky Branch Farm
740 Duncan Drive, Danville, VA

Join us for family fun, adoptable animals, food, & more!

Suggested Donation: \$10 (under 12 free)





PARCEL INFORMATION

OWNER OF BOTH PARCELS: JOY BRUMMETT HARDY

PARCEL ID: 1378-80-0136 - 20.22 AC. ①

PARCEL ID: 1377-89-0905 - 3.17 AC. ②

SITE ADDRESS: 740 DUNCAN DR.
 DANVILLE VA 24541
 02 WESTOVER MAGISTERIAL DISTRICT

PROPOSED SCOPE OF WORK:
 FUNDRAISING EVENT FOR (1) DAY
 IN OCTOBER 2023

FOR:
 SPCA OF PITTSYLVANIA COUNTY
 P.O. BOX 936
 CHATHAM VA 24531
 TAX EXEMPT NO.: 80-0281882
 PHONE NO.: 434-432-0080
 EMAIL: SPCAOPPC@GMAIL.COM

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

ZONE CODE CHANGE REQUEST:
 (R-1) RESIDENTIAL SUBURBAN
 SUBDIVISION DISTRICT

SPECIAL USE PERMIT: NON-PROFIT FUNDRAISER EVENT

CONCEPT PLAN

NOT TO SCALE

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

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

PROPOSED CONCEPT PLAN FOR:

JOY HARDY - SPCA FUNDRAISER (PUP-A-PALOOZA)

740 DUNCAN DR.
 DANVILLE VA 24541
 434-549-3127

SHEET

SK-1 of 1

DATE
 JUNE 2, 2023

FILE
 2023-39

SCALE
 AS NOTED