



**PLANNING COMMISSION
REGULAR MEETING
Thursday, November 9, 2023 - 7:00 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. HEARING OF THE CITIZENS

Each person addressing the Board under Hearing of the Citizens shall be a resident or land owner of the County, or the registered agent of such resident or land owner. Each person shall step up, give his/her name and district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes. No person shall be permitted to address the Board more than once during Hearing of the Citizens. All remarks shall be addressed to the Board as a body and not to any individual member thereof. Hearing of the Citizens shall last for a maximum of forty-five (45) minutes. Any individual that is signed up to speak during said section who does not get the opportunity to do so because of the aforementioned time limit, shall be given speaking priority at the next Board meeting. Absent Chairman's approval, no person shall be able to speak who has not signed up.

6. APPROVAL OF AGENDA

7. APPROVAL OF MINUTES

- a. October Board Meeting Minutes Approval (Staff Contact: Emily Ragsdale)

8. CHAIRMAN'S REPORT

9. PUBLIC HEARING

Pursuant to Article V, Division 7 of the Pittsylvania County Zoning Ordinance, we the Planning Commission have been empowered to hear and decide specific applications in support of said ordinance and to

make recommendations to the Board of Supervisors or the Board of Zoning Appeals. In accomplishing this important task, we are charged with promoting the health, safety, and general welfare of the citizens of Pittsylvania County. We must insure that all our decisions and recommendations be directed to these goals and that each be consistent with the environment, the comprehensive plan and in the best interest of Pittsylvania County, its citizens and its posterity. Anyone here to speak to the board regarding zoning cases will be limited to (3) three minutes.

- a. Case R-23-028 John and Tina Stein; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Oakes) (Staff Contact:)
- b. Case R-23-029 Jared and Sarah Moser; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Waters) (Staff Contact: Emily Ragsdale)
- c. Case R-23-031 Sharon Smith; Rezoning from RMF, Residential Multi-Family District, to RC-1, Residential Combined Subdivision District (Oakes) (Staff Contact: Emily Ragsdale)
- d. Case R-23-035 River City Enterprises; Rezoning from M-2, Industrial District, Heavy Industry, to B-2, Business District, General (Brown) (Staff Contact: Emily Ragsdale)
- e. Case CP-23-001; Amending the Comprehensive Plan Future Land Use Map From Industrial to Mixed Commercial/Industrial (Brown) (Staff Contact:)
- f. Case S-23-013 Susan Tedder; Special Use Permit for a School in accordance with Pittsylvania County Code § 35-366 (Brown) (Staff Contact:)
- g. Case S-23-017 Network Towers; Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-179 (Harker) (Staff Contact: Emily Ragsdale)
- h. Case S-23-020 David Roach; Special Use Permit for the placement of singlewide manufactured home in accordance with Pittsylvania County Code § 35-223 (Henderson) (Staff Contact: Emily Ragsdale)

10. OLD BUSINESS

11. NEW BUSINESS

- a. Case V-23-001 Gary Durham; Variance to Section 35-369. MINIMUM YARD DIMENSIONS. (C.) Rear Setback. (Waters) (Staff Contact:)
- b. Case V-23-002 William and Erin Shelhorse; Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (B.) Side Setback. (Waters) (Staff Contact:)

12. ADJOURNMENT

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION EXECUTIVE SUMMARY

Action Item

Agenda Title:	October Board Meeting Minutes Approval		
Staff Contact(s):	Emily Ragsdale		
Agenda Date:	November 9, 2023	Item Number:	7.a.
Attachment(s):	1.	10032023 PC Minutes	
Reviewed By:			

SUMMARY:

FINANCIAL IMPACT AND FUNDING SOURCE:

RECOMMENDATION:

MOTION:

**PLANNING COMMISSION
REGULAR MEETING
Tuesday, October 3, 2023 - 7:00 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. HEARING OF THE CITIZENS

Each person addressing the Board under Hearing of the Citizens shall be a resident or land owner of the County, or the registered agent of such resident or land owner. Each person shall step up, give his/her name and district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes. No person shall be permitted to address the Board more than once during Hearing of the Citizens. All remarks shall be addressed to the Board as a body and not to any individual member thereof. Hearing of the Citizens shall last for a maximum of forty-five (45) minutes. Any individual that is signed up to speak during said section who does not get the opportunity to do so because of the aforementioned time limit, shall be given speaking priority at the next Board meeting. Absent Chairman's approval, no person shall be able to speak who has not signed up.

HEARING OF THE CITIZENS

Several residents spoke during Hearing of the Citizens. First to speak was Kim Greer. She feels that residents' voices should be heard. She asked the board to stand for what is right when voting on the Special Use Permit for Southside Investments, LLC. Next to speak was Jane Kendrick. She has studied the Planning Commissions objective and responsibility and that they have to consider the negative impacts on communities. She says this country was founded by brave individuals who stood up for what they believed in and that is what they have done. She said the room was full at the Board of Supervisors meeting when they approved the rezoning case for Southside Investments, LLC, the citizens made intelligent, pointed arguments and they were disregarded. She says you cannot ask citizens to come to these meetings until there is a response to what citizens are saying. She is asking the board to listen and

consider what people are bringing forth to them. David Willis was the last to speak. He says that people are outraged and that this development is not wanted. He is sad that people's voices are not being heard.

6. APPROVAL OF AGENDA

A motion was made by Mr. Webb, seconded by Mrs. Mease and by a six (6) to zero (0) vote, the agenda was approved as presented.

RESULT: Approve

MOVER: Fred Webb

SECONDER: Janet Mease

AYES: Colette Henderson, Gary Oakes, Janet Mease, Nathan Harker, Fred Webb, Justin Brown

NOES: None

ABSTAIN: None

7. APPROVAL OF MINUTES

A motion was made by Mrs. Mease, seconded by Mrs. Henderson and by a six (6) to zero (0) vote, the minutes were approved as presented.

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

RESULT: Approve

MOVER: Janet Mease

SECONDER: Colette Henderson

AYES: Colette Henderson, Gary Oakes, Janet Mease, Nathan Harker, Fred Webb, Justin Brown

NOES: None

ABSTAIN: None

8. CHAIRMAN'S REPORT

Mr. Harker gave thanks and compliments to the staff. He has been approached several times in the past months about building permits or just getting a question answered about rezoning, they say they always get the help they need, so he thanked staff for being helpful.

9. PUBLIC HEARING

Pursuant to Article V, Division 7 of the Pittsylvania County Zoning Ordinance, we the Planning Commission have been empowered to hear and decide specific applications in support of said ordinance and to make recommendations to the Board of Supervisors or the Board of Zoning Appeals. In accomplishing this important task, we are charged

with promoting the health, safety, and general welfare of the citizens of Pittsylvania County. We must insure that all our decisions and recommendations be directed to these goals and that each be consistent with the environment, the comprehensive plan and in the best interest of Pittsylvania County, its citizens and its posterity. Anyone here to speak to the board regarding zoning cases will be limited to (3) three minutes.

PUBLIC HEARING

- a. Public Hearing: Case R-23-026 Board of Supervisors Pittsylvania County, Virginia; Rezoning from A-1, Agricultural District, to M-2, Industrial District, Heavy Industry. (Waters) (Staff Contact: Emily Ragsdale)
- a. Public Hearing: Case R-23-026 Board of Supervisors Pittsylvania County, Virginia; Rezoning from A-1, Agricultural District, to M-2, Industrial District, Heavy Industry. (Waters)

Mr. Harker read the zoning precepts and opened the public hearing at 7:15 p.m. Mrs. Ragsdale, Director of Community Development, reported that The Board Of Supervisors Pittsylvania County, Virginia had petitioned to rezone 32.26 acres from A-1, Agricultural District, to M-2, Industrial District, Heavy Industry to allow for a public facility (correctional facility). Dave Arnold represented the petition and presented a PowerPoint presentation. Mrs. Mease asked about security since there is a school nearby, and she had been approached by residents. Mr. Arnold says that security is greatly enhanced from decades ago. He said there will be no guard towers clearly visible, and they will rely heavily on security. He stated that recreational areas are going to be secure, and they will be located at the back of the facility. Sheriff Taylor said this jail will have the latest technology and will be much more secure than what the county has today. He also said the current jail sits in a heavily populated, high traffic area, and they have experienced very few issues over the years. Mrs. Henderson asked about the projection of new hires for the project. Sheriff Taylor stated it will be based on one Deputy per three beds, and if overpopulation occurs they will get one emergency custody position for one Deputy per five additional bed spaces. Mr. Brown read a letter of recommendation during Mr. Waters absence since this case is in his district. There was no opposition to the petition. Mr. Harker closed the public hearing at 7:35 p.m. A motion was made by Mr. Webb, seconded by Mr. Oakes to recommend the Board of Supervisors grant the rezoning request. Motion passed by a six (6) to zero (0) vote.

RESULT: Approve

MOVER: Fred Webb

SECONDER: Gary Oakes

AYES: Colette Henderson, Gary Oakes, Janet Mease, Nathan Harker, Fred Webb, Justin Brown

NOES: None

ABSTAIN: None

- b. Public Hearing: Case R-23-027 Connie Sue Gardner Horsley; Rezoning from A-1, Agricultural District, and R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. (Oakes)
(Staff Contact: Emily Ragsdale)
- b. Public Hearing: Case R-23-027 Connie Sue Gardner Horsley; Rezoning from A-1, Agricultural District, and R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. (Oakes)
Mr. Harker opened the public hearing at 7:36 p.m. Mrs. Ragsdale, Director of Community Development, reported that Connie Sue Garder Horsley had petitioned to rezone 43.00 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for the placement of a double wide mobile home. Alexis Broadnax represented the petition. There was no opposition to the petition. Mr. Harker closed the public hearing at 7:38 p.m. A motion was made by Mr. Oakes, seconded by Mrs. Mease to recommend the Board of Supervisors grant the rezoning request. Motion passed by a six (6) to zero (0) vote.

RESULT: Approve

MOVER: Gary Oakes

SECONDER: Janet Mease

AYES: Colette Henderson, Gary Oakes, Janet Mease, Nathan Harker, Fred Webb, Justin Brown

NOES: None

ABSTAIN: None

- c. Public Hearing: Case S-23-012 Southside Investing, LLC; Special Use Permit for commercial uses such as a grocery anchored shopping center, restaurants, offices, assisted living/dementia care facility, and a hotel for service to the residents of the planned area and its adjacent communities in accordance with Pittsylvania County Code § 35-295 (Oakes) (Staff Contact: Emily Ragsdale)
- c. Public Hearing: Case S-23-012 Southside Investing, LLC; Special Use Permit for commercial uses such as a grocery anchored shopping center, restaurants, offices, assisted living/dementia care facility, and a hotel for service to the residents of the planned area and its adjacent communities

in accordance with Pittsylvania County Code § 35-295 (Oakes)

Mr. Harker opened the public hearing at 7:39 p.m. Mrs. Ragsdale, Director of Community Development, reported that Southside Investing, LLC, had petitioned for a Special Use Permit on 313.72 acres to allow for commercial uses (grocery anchored shopping center, restaurants, offices, assisted living/dementia care facility, and a hotel for service to the residents and the planned area and its adjacent communities). Tom Gallagher was present to represent the petition. He said that from a mixed use standpoint, these type SUPs are critical for development and for the county. He stated the project will take approximately ten (10) years to complete and will be built in stages. He also said the design and permitting process will take twelve (12) to eighteen (18) months. Several residents spoke in opposition to the petition.

Michael Kendrick spoke first. He said residents were led to believe that nothing would move forward with this project until a highway study was done and DEQ, and all of a sudden a couple weeks ago he sees in the paper that they are moving forward with the Special Use Permit. He asked that the board hold off on granting the Special Use Permit until the studies are complete. Kim Greer spoke next. She said that most of the adjacent property owners are not there tonight as they are simply tired of the fight. She said they were told in September that they could speak out against the case, so that is why they are here. She said she was respectfully asking that the request by Southside Investing, LLC, not be approved at this time. She said she lives on Martin Drive and has always been concerned about the traffic and she would like to know what VDOT has to say before Southside gets the green light to start building the homes, businesses and the hotel. She does not want a hotel in her rural neighborhood. Jane Kendrick was next to speak. She said the Planning Commission website says any negative impact can be mitigated, and they cannot ensure with a vote to approve a special use permit, there will be no negative impacts nor can they say with 100% certainty that there is plan by Southside or the Planning Commission or anyone else to mitigate those negative circumstances, because there are no studies. She asked that they vote on this at a future date. David Willis spoke next. He said that this area floods every time we get a heavy rain and an environmental study needs to be done before a city is built there. He asked that they hold off on voting until the studies have been done. Kenneth Wood was last to speak. He said he was late getting involved in this and he has been very open-minded. He has attended some of the meetings, he understands how important this is to the county. He said that the board shouldn't go against the people and should find out what the constituents want. He said he went out and knocked on doors and listened to people and he came here open-minded, but he has yet to talk to one person that said, yes we want this in

our community. He said they should listen to the people before they vote. He said he understands the county needs it, but he's going to say that the people have spoken. Mr. Gallagher came back to answer questions and address concerns. He stated that from a timing standpoint, the approval is needed to move forward with the grocery store and the hotel operators to get them on board as soon as possible. He said the Traffic Impact Analysis from VDOT is not complete, but when complete they will control the process in terms of how this builds out and when. He said they cannot obtain any permits without VDOT signing off on it. He also said that DEQ and environmental studies are not typically done before projects are approved with DEQ. He stated they are proceeding at their own risk. Mr. Harker asked if Mrs. Ragsdale could read aloud each of the conditions that staff has recommended. He says that one, four, five and six should answer most of the questions of the residents that spoke tonight. Mrs. Ragsdale summarized the conditions for the board. Mr. Oakes said that the board does listen and he has talked to numerous people and most of them don't care, but a lot of people are against it. He said more people have told him that they are for it, than against it. Mr. Harker closed the public hearing at 8:12 p.m. A motion was made by Mr. Oakes, seconded by Mr. Brown to recommend the Board of Zoning Appeals grant the Special Use Permit with the conditions recommended by staff.

1. Prior to the approval of the first subdivision plat, the Applicant will submit to the County a traffic impact analysis performed in accordance with the Virginia Administrative Code (24 VAC 30-155). The traffic impact analysis shall (i) identify any traffic issues associated with access from the Property to the existing transportation network, (ii) outline solutions to potential problems, (iii) address the sufficiency of the future transportation network within a radius to be determined by VDOT, in the vicinity of the Property, and (iv) present improvements and anticipated timelines for improvements to be incorporated into the development of the Property. The scope of the analysis will be mutually agreed upon with the Virginia Department of Transportation ("VDOT"). The Applicant shall perform any transportation improvements as required by VDOT, in accordance with the deadlines established in any permits, to mitigate for impacts to the public transportation system which will occur because of this Project. All required permits will be obtained from VDOT prior to construction. For all improvements to the existing transportation system and for all proposed streets that VDOT will be asked to maintain, the Applicant will arrange for a firm not otherwise related to the Applicant or contractor to provide inspection services for construction.

Inspection and testing methodology and frequency shall be accomplished in accordance with the VDOT Materials Division's Manual of Instructions and the VDOT Road and Bridge Specifications. A report shall be submitted to VDOT summarizing the inspections steps taken, certifying the results of the inspection, and testing as accurate, and confirming that the streets or improvements were built to the approved specifications and pavement design, and signed and stamped by a professional engineer licensed to practice as such in the Commonwealth of Virginia.

2. The Applicant will maintain a setback of not less than one hundred feet (100') on the exterior lots of the Property.

3. On the site development plan or subdivision plat for each phase of the Property, the Applicant will identify tree save areas and will maintain at a minimum a thirty foot (30') vegetative buffer on the perimeter of the Property that adjoins property that is not included in the rezoning application. If the Applicant is required to disturb areas within the minimum thirty foot (30') vegetative buffer to construct any improvements, then the Applicant will install supplemental plantings consisting of staggered rows of planted trees and large shrubs that are intended for screening. At least fifty percent (50%) of the trees and/or shrubs used in the staggered rows shall be evergreen in nature. All planted vegetation shall be of varieties native or adaptable to the region that are expected to reach a minimum height of at least to fifteen (15) feet (or minimum of 10 feet if specifically designed for screening) in height at maturity and will be no less than six (6) feet at the time of planting.

4. 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.

5. 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.

6. 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, hours of construction activity, and clearly defined construction phases and proposed safety precautions for publicly accessible areas during construction.

7. All parking requirements of the Pittsylvania County Code §35-80 - 35-85 shall be met and shown on all submitted site plans for each use.

8. Gravel parking lots shall not be permitted.

9. All signage shall meet the requirements of Pittsylvania County Code §

35-95 -35-101.

10. Lighting shall meet the following requirements:

A. Site and area lighting. Light levels shall not exceed 0.5 foot-candles at any point along the property perimeter or perimeters adjacent to residential zones and uses, except for light levels of up to 2.0 footcandles along the perimeter of property adjacent to commercial or industrial zones or uses.

B. Pole-Mounted Fixtures. Pole-mounted light fixtures used for site and area lighting must be subject to the following design guidelines:

i. Pole-mounted lighting with a pole height of 15 feet or less must not exceed 15.0 foot-candles. The light must be so shaded, shielded or directed that the light intensity or brightness will not be unreasonably objectionable to surrounding areas.

ii. Pole-mounted lighting with a pole height of greater than 15 feet and not exceeding 35 feet in height must be a down-type, mounted horizontally and angled perpendicular to the ground.

iii. Building mounted lighting fixtures must not exceed 15.0 foot-candles and must not exceed 35 feet mounting height. The light must be shaded, shielded, or directed so that the light intensity or brightness will not cause glare or exceed site and area lighting limits at the property perimeter.

C. Landscape Light Fixtures. Landscape light fixtures, including ground lighting for signs, flag poles and statues, must be equipped with shields or shutters to eliminate glare. The light must be so shaded, shielded or directed that the light intensity or brightness will not negatively impact surrounding areas.

D. Blinking, Flashing and Temporary Lighting. Lights must not blink, flash, oscillate, or flutter including changes in light intensity, brightness or color.

E. Site Lighting Plan. A site lighting plan shall be submitted including the following information:

i. Locations of all exterior light fixtures.

ii. Details for illumination devices, fixtures, lamps, supports, reflectors and other devices (e.g., fixture type, mounting height, output).

iii. Photometric data of illumination cast on horizontal surfaces. Vertical photometric data must be provided in either a grid or contour line format measuring footcandles on the ground.

Motion passed by a six (6) to zero (0) vote.

RESULT: Approve

MOVER: Gary Oakes

SECONDER: Justin Brown

AYES: Colette Henderson, Gary Oakes, Janet Mease, Nathan Harker, Fred Webb, Justin Brown
NOES: None
ABSTAIN: None

- d. Public Hearing: Case S-23-015 Crown Castle; Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-295. (Webb) (Staff Contact: Emily Ragsdale)
- d. Public Hearing: Case S-23-015 Crown Castle; Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-295. (Webb)

Mr. Harker opened the public hearing at 8:13 p.m. Mrs. Ragsdale, Director of Community Development, reported that Crown Castle had petitioned for a Special Use Permit on 289.47 acres, to allow for the placement of a cell tower. Jonathan Yates represented the petition. There was no opposition. Mr. Harker closed the public hearing at 8:19 p.m. A motion was made by Mr. Webb, seconded by Mrs. Mease, that the Board of Zoning Appeals grant the Special Use Permit.

RESULT: Approve
MOVER: Fred Webb
SECONDER: Janet Mease
AYES: Colette Henderson, Gary Oakes, Janet Mease, Nathan Harker, Fred Webb, Justin Brown
NOES: None
ABSTAIN: None

- e. Public Hearing: Case S-23-016 Arcola Towers; Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-179 (Henderson) (Staff Contact: Emily Ragsdale)
- e. Public Hearing: Case S-23-016 Arcola Towers; Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-179 (Henderson)

Mr. Harker opened the public hearing at 8:20 p.m. Mrs. Ragsdale, Director of Community Development, reported that Arcola Towers had petitioned for a Special Use Permit on 120.31 acres, to allow for the placement of a cell tower. Jonathan Yates represented the petition. There was no opposition. Mr. Harker closed the public hearing at 8:27 p.m. A motion was made by Mrs. Henderson, seconded by Mrs. Mease, that the Board of Zoning Appeals grant the Special Use Permit.

RESULT: Approve
MOVER: Colette Henderson

SECONDER: Janet Mease

AYES: Colette Henderson, Gary Oakes, Janet Mease, Nathan Harker, Fred Webb, Justin Brown

NOES: None

ABSTAIN: None

- f. Public Hearing: Case Z-23-001 Atkinsons, LLC; Requesting a sign permit for an off-site, illuminated 10' x 30' (300 square feet), double-sided (total of four (4) panels) sign in accordance with Pittsylvania County Code § 35-100 (Waters) (Staff Contact: Emily Ragsdale)
- f. Public Hearing: Case Z-23-001 Atkinsons, LLC; Requesting a sign permit for an off-site, illuminated 10' x 30' (300 square feet), double-sided (total of four (4) panels) sign in accordance with Pittsylvania County Code § 35-100 (Waters)

Mr. Harker opened the public hearing at 8:28 p.m. Mrs. Ragsdale, Director of Community Development, reported that Atkinsons, LLC, has petitioned for a sign permit on 1.83 acres to allow for an off-site advertisement sign. Joann Atkinson represented the petition. There was no opposition. Mr. Harker closed the public hearing at 8:29 p.m. A motion was made by Mr. Webb, seconded by Mr. Brown to recommend that the Board of Zoning Appeals grant the sign permit.

RESULT: Approve

MOVER: Fred Webb

SECONDER: Justin Brown

AYES: Colette Henderson, Gary Oakes, Janet Mease, Nathan Harker, Fred Webb, Justin Brown

NOES: None

ABSTAIN: None

10. OLD BUSINESS

Mrs. Ragsdale reminded the board that Zoning Ordinance update meeting will be held October 11, 2023 at 5:30 p.m.

11. NEW BUSINESS

There was no business.

12. ADJOURNMENT

The meeting was adjourned at 8:32 p.m.

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case R-23-028 John and Tina Stein; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Oakes)		
Staff Contact(s):			
Agenda Date:	November 9, 2023	Item Number:	9.a.
Attachment(s):	1.	R-23-028 John Stein App	
	2.	R-23-028 John Stein Map	
	3.	R-23-028 John Stein Plat	
Reviewed By:			

SUMMARY:

SUBJECT

Requested by John and Tina Stein, to rezone property located off State Road 41/Franklin Turnpike, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1472-59-9646. The applicant is requesting to rezone 11.08 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow the property to be subdivided.

BACKGROUND/DISCUSSION

John and Tina Stein are requesting to rezone 11.08 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The property is currently zoned R-1, Residential Suburban Subdivision District. Currently, the 11.08 tract is land locked and accessed by a shared public driveway. The Pittsylvania County Code § 35-224 requires that all lots have a minimum of 75' of road frontage on a state-maintained road. The lack of road frontage on a state-maintained road restricts the lot's ability to be subdivided. The applicant would like to create a new one (1) acre tract, requiring that the property be rezoned to A-1, Agricultural District before this would be allowed. Pittsylvania County Code § 35-182 does not require a minimum road frontage for properties zoned A-1, Agricultural District.

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

permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff recommends APPROVAL of Case R-23-028, submitted by John and Tina Stein, requesting to rezone a total of 11.08 acres located off Route 41/Franklin Turnpike, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1472-59-9646. The subject property is adjacent to properties currently zoned A-1, Agricultural District and the rezoning would be consistent with the County's Comprehensive Plan.

MOTION:

1. Recommend approval of Case R-23-028 as submitted.
2. Recommend denial of Case R-23-028 as submitted.

STAFF SUMMARY

<u>CASE</u> R-23-028	<u>ZONING REQUEST</u> R-1 to A-1	<u>CYCLE</u> November 2023/December 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> John & Tina Stein are requesting to rezone property from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. DISTRICT: Tunstall		PLANNING COMMISSION: November 13, 2023 BOARD OF SUPERVISORS: December 19, 2023 ADVERTISED: October 25, 2023 & November 1 & 22, 2023

SUBJECT

Requested by John and Tina Stein, to rezone property located off State Road 41/Franklin Turnpike, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1472-59-9646. The applicant is requesting to rezone 11.08 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow the property to be subdivided.

BACKGROUND/DISCUSSION

John and Tina Stein are requesting to rezone 11.08 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The property is currently zoned R-1, Residential Suburban Subdivision District. Currently, the 11.08 tract is land locked and accessed by a shared public driveway. The Pittsylvania County Code § 35-224 requires that all lots have a minimum of 75' of road frontage on a state-maintained road. The lack of road frontage on a state-maintained road restricts the lot's ability to be subdivided. The applicant would like to create a new one (1) acre tract, requiring that the property be rezoned to A-1, Agricultural District before this would be allowed. Pittsylvania County Code § 35-182 does not require a minimum road frontage for properties zoned A-1, Agricultural District.

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

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case R-23-028, submitted by John and Tina Stein, requesting to rezone a total of 11.08 acres located off Route 41/Franklin Turnpike, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1472-59-9646. The subject property is adjacent to properties currently zoned A-1, Agricultural District and the rezoning would be consistent with the County's Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-23-028 as submitted.
2. Recommend denial of Case R-23-028 as submitted.

ATTACHMENTS:

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

**PITTSYLVANIA COUNTY
APPLICATION FOR REZONING**

John & Tina Stein, as owners of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Name: John & Tina Stein
Address: 13602 Franklin Turnpike, Dry Fork, VA 24549

2. Location of Property: Route 41/Franklin Turnpike

Telephone: 434-429-4661

3. Tax Map Numbers: 1472-59-9646

4. Election District: Tunstall

Total Amount: \$376.77

Taken By: CS# 496

5. Size of Property: 11.08 acres



6. Existing Land Use: Single-family dwelling

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: To allow for property to be sub-divided

Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

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

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



John Stein

OFFICE USE ONLY
Application Deadline: 10/26/23
Received By: ESR
B.O.S. Meeting Date: 12/19/23

Application No. R-23-028
P.C. Meeting Date: 11/09/23
Date Received: 09/19/23
Action: _____

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

11.08 acres of land, generally located)
on Route 41/Franklin Turnpike within)
the Tunstall Election District and recorded)
as parcel ID # 1472-59-9649 in the)
Pittsylvania County tax records.)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

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

- (1) The Petitioners are the Owners of the above-referenced parcel.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District.
- (3) Your petitioners now desire to have the property rezoned to A-1, Agricultural District.

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

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

Respectfully submitted,


John Stein

October 23, 2023

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

Dear Mrs. Ragsdale:

John & Tina Stein as owners, would like to apply to the Planning Commission/Board of Supervisors to rezone 11.08 acres, GPIN # 1472-59-9646, located on Route 41/Franklin Turnpike, in the Tunstall Election District.

We are requesting to rezone this parcel from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District to allow for the property to be sub-divided.

Sincerely,



John Stein

PITTSYLVANIA

COUNTY, VIRGINIA

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

SIGN AFFIDAVIT

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

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

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

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

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

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

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

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

Case R-23-028 Applicant  Date 10/26/23

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
1472-69-1024	TAYLOR, MARY A	289 KATIE HILL RD	DRY FORK, VA 24549
1472-69-2176	O'NEILL, BRIAN ALAN SR	301 KATIE HILL RD	DRY FORK, VA 24549
1473-50-9102	RHODES, DELBERT	204 HUNTERS TRACE	SNOW HILL, NC 28580
1472-69-9587	FORD, JOHN BYRON III	3297 LISCOMB RD	MONETA, VA 24121
1472-59-2423	PRITCHETT, MARIE D TRUSTEE	12316 MILLSTREAM DR	BOWIE, MD 20715
1472-59-4124	BRUMFIELD, ROBERT L JR	13600 FRANKLIN TPKE	DRY FORK, VA 24549
1472-69-6143	BARBER, IRA MELVIN JR	357 KATIE HILL RD	DRY FORK, VA 24549
1472-59-9022	DILLARD, ANGELA CARTER LIFE TENANT	249 KATIE HILL RD	DRY FORK, VA 24549
1472-58-6865	KHAN, ASIF B	2434 N MAIN ST	DANVILLE, VA 24540

R-23-028 JOHN STEIN

Pittsylvania County Public GIS Viewer

Instructional videos



Layers

- Virginia Towns
- Virginia Cities and Counties
- Tax Parcels (All)
- Tax Parcels (group layer)
- Addressing (group layer)
- Administrative (group layer)
- Base Map (group layer)
- Community Development (group layer)
- Economic Development (group layer)
- Emergency Services
- Parks and Recreation (group layer)
- Population Demographics (group layer)
- Public Utilities (group layer)
- Schools (group layer)
- Tax Map Grids (group layer)
- Transportation (group layer)
- Voter Services (group layer)
- Waste Collection (group layer)

Layers

- Virginia Towns
- Virginia Cities and Counties
- Tax Parcels (All)
- Tax Parcels (group layer)
- Addressing (group layer)
- Administrative (group layer)
- Base Map (group layer)
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- Schools (group layer)
- Tax Map Grids (group layer)
- Transportation (group layer)
- Voter Services (group layer)
- Waste Collection (group layer)

1472-59-9646

Show search results for 1472-5...

App State
Click to restore the map extent and layers visibility where you left off.

200ft

79.5432 36.7389 Degrees



LOCATION MAP N.T.S.

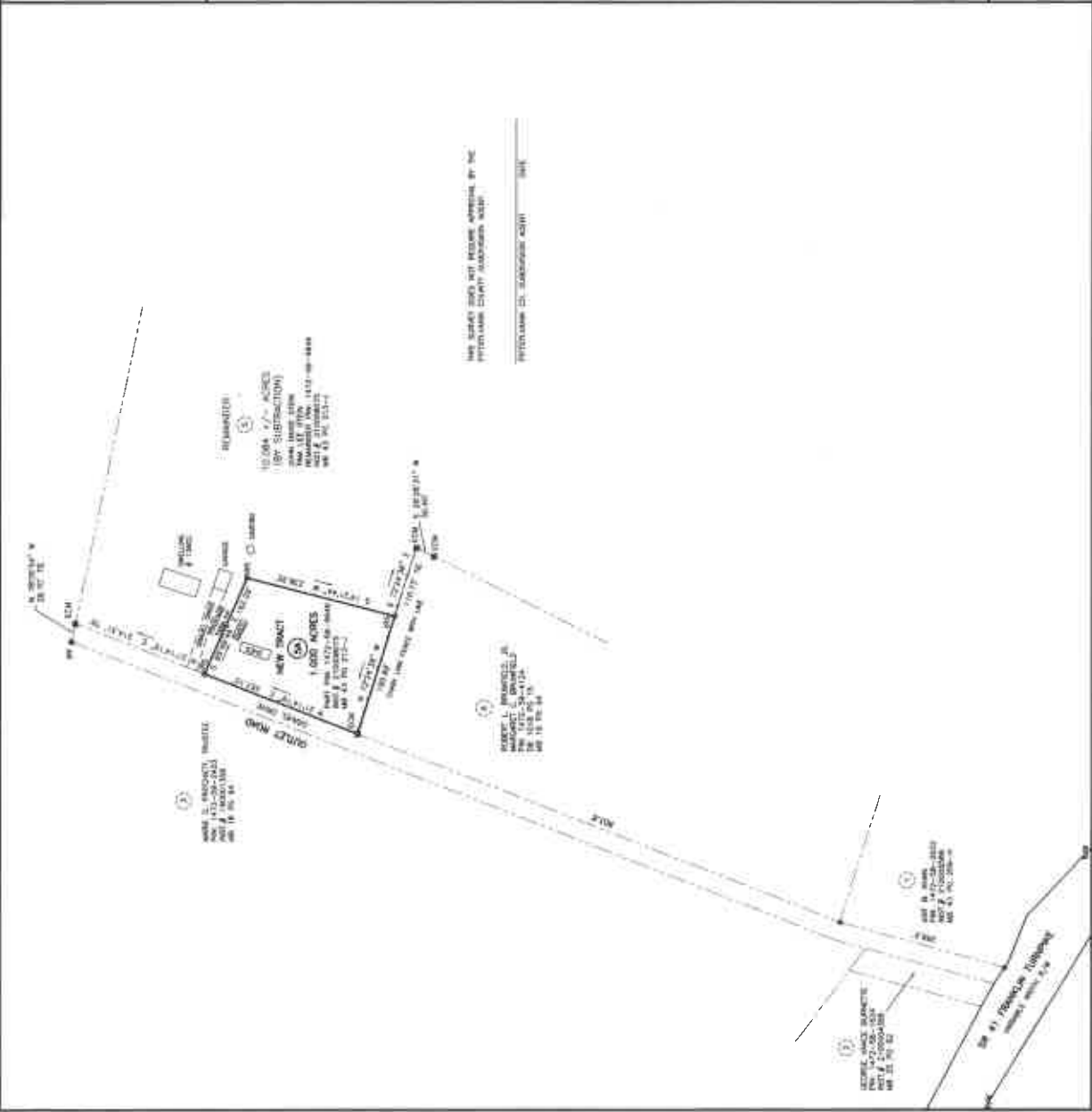
LEGEND

- IRON ROD PLUMB
- IRON ROD SET
- EXISTING CONCRETE MONUMENT
- EOM
- ▲ CHAINED PLUMB
- PLUMB
- R/W
- RIGHT-OF-WAY

PLAT NORTH
49 43 PG 213-4

THIS BOUNDARY SURVEY IS BASED ON A CURRENT FIELD SURVEY. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF ANY RECORDS AND THE SURVEYOR HAS NOT NECESSARILY INDICATED ALL ENCUMBRANCES ON THE PROPERTY. THIS PROPERTY IS NOT LOCATED WITHIN A FEMA DEFINED FLOOD HAZARD ZONE AS OF 6-29-2010. SEE COMMUNITY PANEL 574-000-0000.

THE PLAT IS BASED ON THE LOCATION OF MONUMENTS OR MARKERS AS SHOWN ON THE PREVIOUS PLAT, WHICH WERE NOT VISIBLE AT THE TIME OF ANY INSPECTION.



PITTSYLVANIA COUNTY VIRGINIA

SITUATED IN
TUNSTALL MAGISTERIAL DISTRICT
BEING PART PM : 1472-59-9646
PLAT OF SURVEY SHOWING
NEW TRACT 5A
PLAT OF SURVEY

FOR :
**JOHN DAVID STEIN &
TINA LEE STEIN**
DATE : OCTOBER 20, 2023

SCALE : 1"=100'

FILE: 23102

CRANE SURVEYING PLLC
143 HALEY HILL DRIVE
DANVILLE, VA 24060
434-255-2115
psa@cranesurveying.com

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case R-23-029 Jared and Sarah Moser; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Waters)								
Staff Contact(s):	Emily Ragsdale								
Agenda Date:	November 9, 2023	Item Number:	9.b.						
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td colspan="2">R-23-029 Jared Moser App</td> </tr> <tr> <td>2.</td> <td colspan="2">R-23-029 Jared Moser Map</td> </tr> </table>			1.	R-23-029 Jared Moser App		2.	R-23-029 Jared Moser Map	
1.	R-23-029 Jared Moser App								
2.	R-23-029 Jared Moser Map								
Reviewed By:									

SUMMARY:

SUBJECT

Requested by Jared and Sarah Moser, to rezone property located on or off of State Road 863/Laniers Mill Road and Stated Road 746/Golf Club Road, in the Chatham-Blairs Election District and shown on the Tax Maps as GPIN #s 2400-35-1174, 2400-45-1265 and 2400-73-1017. The applicant is requesting to rezone three (3) parcels, totaling 52.13 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for the placement of an accessory structure and agricultural uses.

BACKGROUND/DISCUSSION

Jared and Sarah Moser are requesting to rezone 52.13 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The property is currently zoned R-1, Residential Suburban Subdivision District. The properties are currently zoned R-1, Residential Suburban Subdivision District. Under the current zoning classification, an agricultural use would only be allowed as an incidental use. Section 35-51 of the Pittsylvania County Zoning Ordinance states that "incidental agricultural is permitted in any district that allows residential uses provided that such agricultural use shall not occupy over five (5) acres." In order for the property to be used for agricultural uses with the current R-1 zoning classification, the property must be occupied by a dwelling. The applicants are requesting to rezone the property to bring the use of the properties into compliance with the current Ordinance requirements. Additionally, R-1,

Residential Suburban Subdivision District, does not allow an accessory structure to be placed on a property without a dwelling. The applicants are proposing to construct an accessory structure to be used for agricultural purposes on one of the parcels that is currently vacant. This will only be allowed if the properties are rezoned.

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

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff recommends APPROVAL of Case R-23-029, submitted by Jared and Sarah Mose, requesting to rezone a total of 52.13 acres located on State Road 863/Laniers Mill Road, in the Chatham-Blairs Election District and shown on the Tax Maps as GPIN #s 2400-35-1174, 2400-45-1265 & 2400-73-1017. The subject property is adjacent to properties currently zoned A-1, Agricultural District.

MOTION:

- 1. Recommend approval of Case R-23-029 as submitted.
- 2. Recommend denial of Case R-23-029 as submitted.

STAFF SUMMARY

<u>CASE</u> R-23-029	<u>ZONING REQUEST</u> R-1 to A-1	<u>CYCLE</u> November 2023/December 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> Jared & Sarah Moser is requesting to rezone property from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District.		PLANNING COMMISSION: November 13, 2023 BOARD OF SUPERVISORS: December 19, 2023 ADVERTISED: October 25, 2023 & November 1 & 22, 2023
DISTRICT: Chatham-Blairs		

SUBJECT

Requested by Jared and Sarah Moser, to rezone property located on or off of State Road 863/Laniers Mill Road and Stated Road 746/Golf Club Road, in the Chatham-Blairs Election District and shown on the Tax Maps as GPIN #s 2400-35-1174, 2400-45-1265 and 2400-73-1017. The applicant is requesting to rezone three (3) parcels, totaling 52.13 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for the placement of an accessory structure and agricultural uses.

BACKGROUND/DISCUSSION

Jared and Sarah Moser are requesting to rezone 52.13 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The property is currently zoned R-1, Residential Suburban Subdivision District. The properties are currently zoned R-1, Residential Suburban Subdivision District. Under the current zoning classification, an agricultural use would only be allowed as an incidental use. Section 35-51 of the Pittsylvania County Zoning Ordinance states that “incidental agricultural is permitted in any district that allows residential uses provided that such agricultural use shall not occupy over five (5) acres.” In order for the property to be used for agricultural uses with the current R-1 zoning classification, the property must be occupied by a dwelling. The applicants are requesting to rezone the property to bring the use of the properties into compliance with the current Ordinance requirements. Additionally, R-1, Residential Suburban Subdivision District, does not allow an accessory structure to be placed on a property without a dwelling. The applicants are proposing to construct an accessory structure to be used for agricultural purposes on one of the parcels that is currently vacant. This will only be allowed if the properties are rezoned.

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

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case R-23-029, submitted by Jared and Sarah Mose, requesting to rezone a total of 52.13 acres located on State Road 863/Laniers Mill Road, in the Chatham-Blairs Election District and shown on the Tax Maps as GPIN #s 2400-35-1174, 2400-45-1265 & 2400-73-1017. The subject property is adjacent to properties currently zoned A-1, Agricultural District.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-23-029 as submitted.
2. Recommend denial of Case R-23-029 as submitted.

ATTACHMENTS:

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


**PITTSYLVANIA COUNTY
APPLICATION FOR REZONING**

Jared & Sarah Moser, as owners of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Name: Jared & Sarah Moser
Address: 386 Laniers Mill Road, Danville, VA 24540

2. Location of Property: State Road 863/Laniers Mill Road & State Road 745/Golf Club Road
Telephone: 434-251-7375

3. Tax Map Numbers: 2400-35-1174, 2400-45-1265 & 2400-73-1017

4. Election District: Chatham-Blairs Total Amount: \$376.77
Taken By: CK# 3029


5. Size of Property: 52.13 acres

6. Existing Land Use: Single family dwelling & vacant lots
Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: To build a garage and use for agricultural uses
Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

<u> X </u> Letter of Application	<u> </u> Site Development Plan or Waiver	<u> X </u> Legal Forms
<u> </u> 11"x 17" Concept Plan	<u> X </u> Application Fee	<u> </u> List of Adjoining Properties
<u> </u> Plat Map	<u> </u> Copy of Deed	<u> </u> 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.



Jared Moser

OFFICE USE ONLY
Application Deadline: 09/28/23
Received By: ESR
B.O.S. Meeting Date: 12/19/23

Application No. R-23-029
P.C. Meeting Date: 11/09/23
Date Received: 09/14/23
Action: _____

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

52.13 acres of land, generally located)
on State Road 863/Laniers Mill Road &)
State Road 745/Golf Club Rd)
within the Chatham-Blairs Election District)
and recorded as parcel ID #s 2400-35-1174,)
2400-45-1265 & 2400-73-1017)
in the Pittsylvania County tax records.)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:


WHEREAS, your Petitioners, Jared & Sarah Moser, respectfully files this Petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioners are the Owners of the above-referenced parcels.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District.
- (3) Your petitioners now desire to have the property rezoned to A-1, Agricultural District.

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

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

Respectfully submitted,



Jared Moser

October 10, 2023

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

Dear Mrs. Ragsdale:

Jared & Sarah Moser as owners, would like to apply to the Planning Commission/Board of Supervisors to rezone 52.13 acres, GPIN #s 2400-35-1174, 2400-45-1265 & 2400-73-1017 located on State Road 863/Laniers Mill Road & State Road 745/Golf Club Road, in the Chatham-Blairs Election District.

We are requesting to rezone these parcels from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District to allow for a garage and agricultural uses.

Sincerely,



Jared Moser

PITTSYLVANIA

COUNTY, VIRGINIA

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

SIGN AFFIDAVIT

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

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

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

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

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

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

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

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

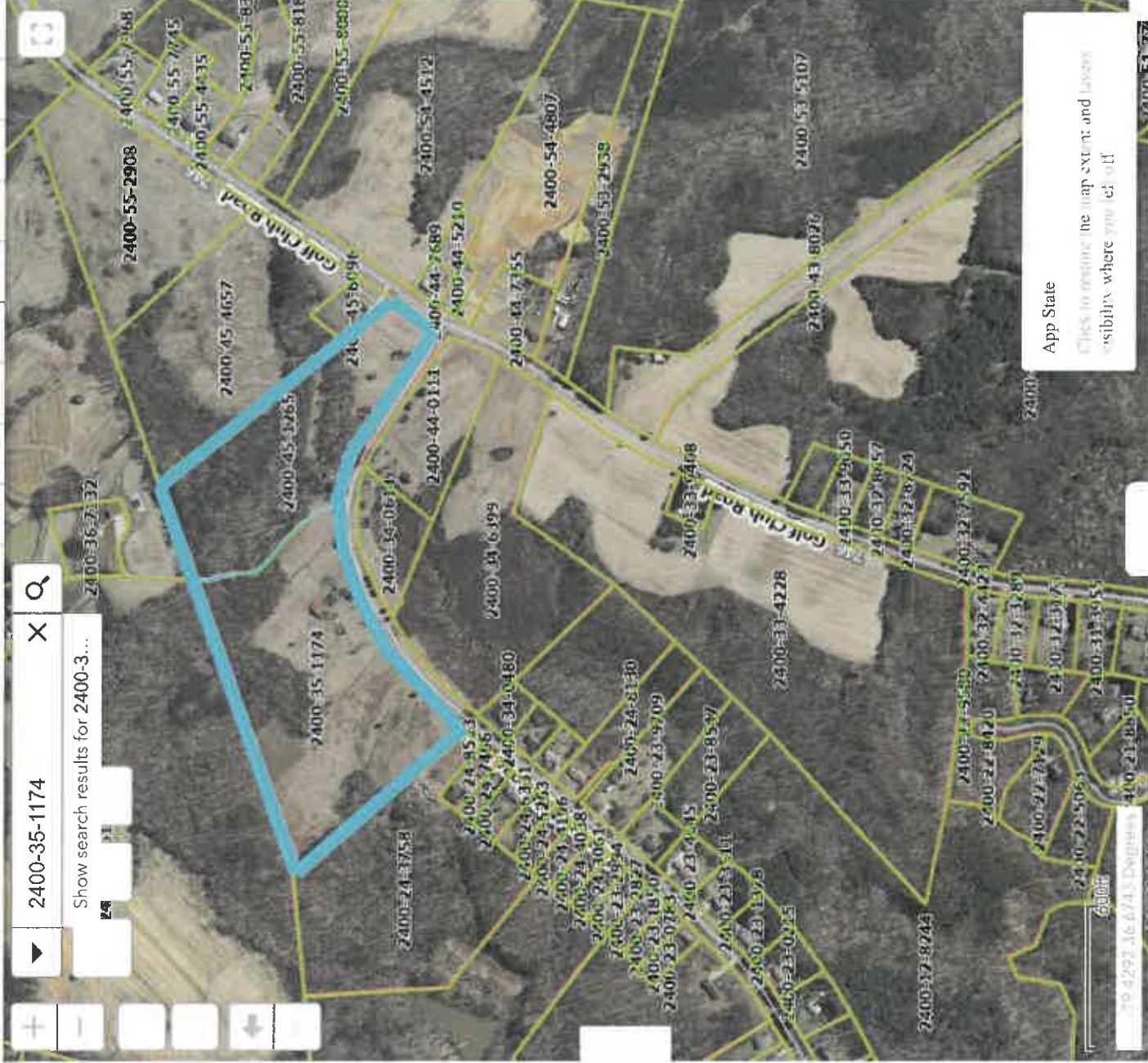
Case R-23-029 Applicant Jared Moore Date 10-20-23

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2400-34-0614	THOMPSON, JACK R	280 LAKE WOOD TRAIL	MARTINSVILLE, VA 24112
2400-46-5692	JONES, DAVID LEE	262 LANIERS MILL RD	DANVILLE, VA 24540
2400-26-6114	MOSER, JARED D	386 LANIERS MILL RD	DANVILLE, VA 24540
2400-24-3758	HUDSON, PHILLIP GREGORY ET ALS	313 NORTHMONT BLVD	DANVILLE, VA 24540
2400-34-6399	METZ, ANDREW D	187 LONG BEACH BLVD	CLARKSVILLE, VA 23927
2400-34-0480	DODSON, JEFFREY N	521 LANIERS MILL RD	DANVILLE, VA 24540
2400-74-2976	NEAL HOLBROOK FARM LLC	2300 AINSDALE ROAD	CHARLOTTE, NC 28226
2400-91-7860	RIGNEY, JAMES F JR REV LIV TR DTD 3/24/22 ET ALS	780 RIDGECREST DR	DANVILLE, VA 24540
2400-53-5107	BAILEY, RICHARD N	2240 GOLF CLUB RD	DANVILLE, VA 24540

R-23-029 JARED MOSER

Pittsylvania County Public GIS Viewer

Instructional videos



Base Map (group layer)

Community Development (group layer)

Economic Development (group layer)

Emergency Services

Parks and Recreation (group layer)

Population Demographics (group layer)

Public Utilities (group layer)

Schools (group layer)

Tax Map Grids (group layer)

Transportation (group layer)

Route Numbers

Streets

Railways

Border Railways

Danville Airport

Voter Services (group layer)

Waste Collection (group layer)

Zoning (group layer)

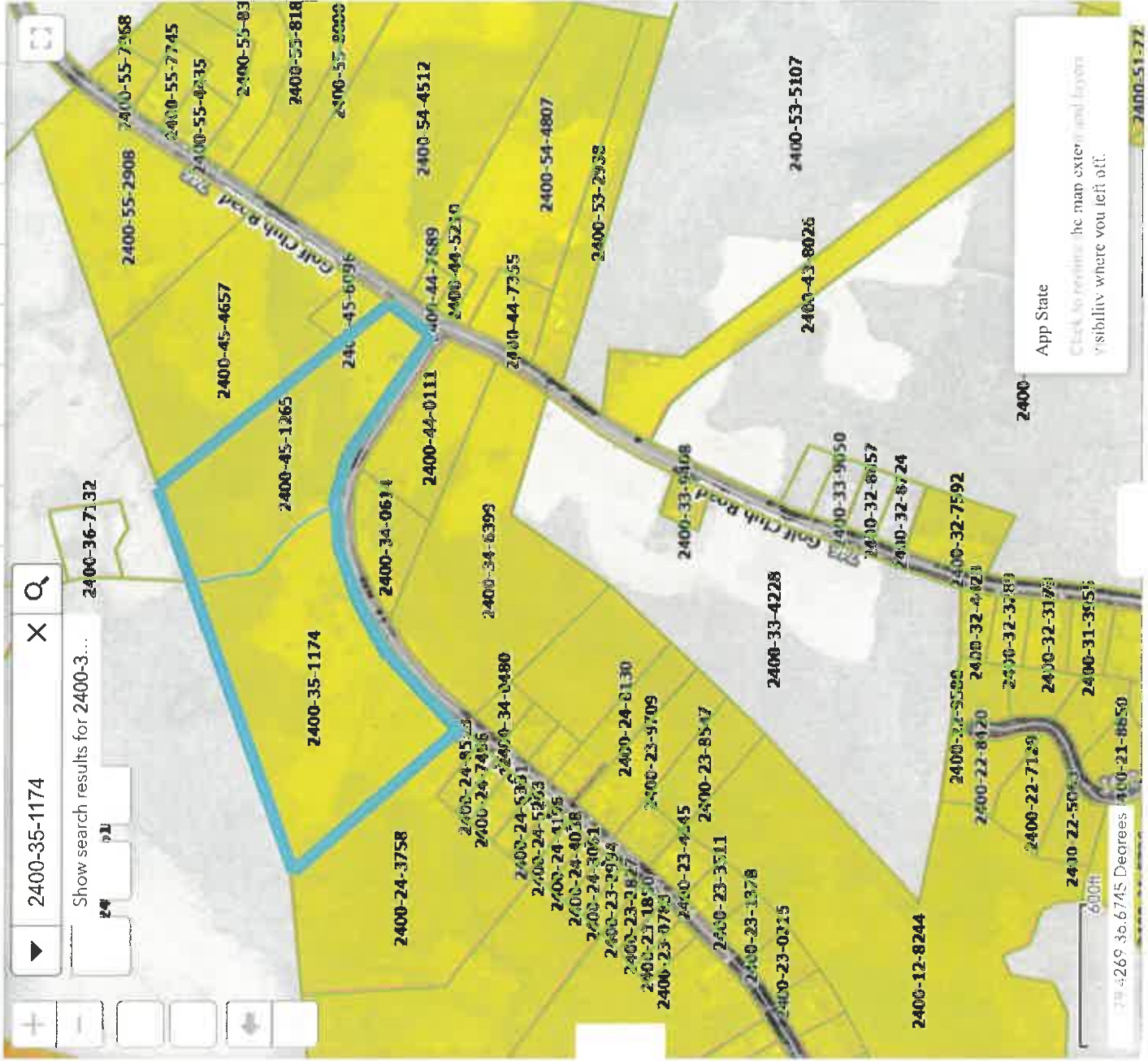
Zoning Districts

App State

Click to restore the map extent and layers visibility where you left off

Pittsylvania County Public GIS Viewer

- Base Map (group layer)
- Community Development (group layer)
- Economic Development (group layer)
- Emergency Services
- Parks and Recreation (group layer)
- Population Demographics (group layer)
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- Schools (group layer)
- Tax Map Grids (group layer)
- Transportation (group layer)
- Route Numbers
- Streets
- Railways
- Border Railways
- Danville Airport
- Voter Services (group layer)
- Waste Collection (group layer)
- Zoning (group layer)
- Zoning Districts



PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case R-23-031 Sharon Smith; Rezoning from RMF, Residential Multi-Family District, to RC-1, Residential Combined Subdivision District (Oakes)						
Staff Contact(s):	Emily Ragsdale						
Agenda Date:	November 9, 2023	Item Number:	9.c.				
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>R-23-031 Sharon Smith App</td> </tr> <tr> <td>2.</td> <td>R-23-031 Sharon Smith Map</td> </tr> </table>			1.	R-23-031 Sharon Smith App	2.	R-23-031 Sharon Smith Map
1.	R-23-031 Sharon Smith App						
2.	R-23-031 Sharon Smith Map						
Reviewed By:							

SUMMARY:

SUBJECT

Requested by Sharon Smith, to rezone property located on US Highway 58 /Martinsville Highway, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1358-48-0201. The applicant is requesting to rezone 1.512 acres, from RMF, Residential Multi-Family District, to RC-1, Residential Combined Subdivision District to allow for the placement of a doublewide manufactured home.

BACKGROUND/DISCUSSION

Sharon Smith is requesting to rezone 1.512 acres, from RMF, Residential Multi-Family District, to RC-1, Residential Combined Subdivision District, to allow a doublewide mobile home. The property is currently zoned RMF, Residential Multi-Family District which does not allow for manufactured houses. There were previously two singlewide manufactured homes on the subject property, but neither have been occupied for more than two (2) years. Due to the current RMF zoning designation, the two manufactured homes are considered legal non-conforming uses. Pittsylvania County Code § 35-161 states that nonconforming uses are deemed abandoned if the use is discontinued for a period of two (2) or more years. Since the homes have not been occupied in the last two (2) years, the property must be rezoned in order for a doublewide to be placed on the property. If the rezoning is approved, the single-wides will have to be removed from the property prior to a building permit being issued for the new doublewide.

Once the property is rezoned to RC-1, all uses listed under Section 35-267 are a permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

Staff recommends APPROVAL of Case R-23-031, submitted by Sharon Smith, requesting to rezone a total of 1.512 acres located on US Highway 58, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1358-48-0201. The subject property is adjacent to properties currently zoned RC-1, Residential Multi-Family District and the rezoning would be consistent with the County's Comprehensive Plan.

MOTION:

- 1. Recommend approval of Case R-23-031 as submitted.
- 2. Recommend denial of Case R-23-031 as submitted.

STAFF SUMMARY

<u>CASE</u> R-23-031	<u>ZONING REQUEST</u> RMF to RC-1	<u>CYCLE</u> November 2023/December 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> Sharon Smith is requesting to rezone property from RMF, Residential Multi-Family District, to RC-1, Residential Combined Subdivision District. DISTRICT: Tunstall		PLANNING COMMISSION: November 13, 2023 BOARD OF SUPERVISORS: December 19, 2023 ADVERTISED: October 25, 2023 & November 1 & 22, 2023

SUBJECT

Requested by Sharon Smith, to rezone property located on US Highway 58 /Martinsville Highway, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1358-48-0201. The applicant is requesting to rezone 1.512 acres, from RMF, Residential Multi-Family District, to RC-1, Residential Combined Subdivision District to allow for the placement of a doublewide manufactured home.

BACKGROUND/DISCUSSION

Sharon Smith is requesting to rezone 1.512 acres, from RMF, Residential Multi-Family District, to RC-1, Residential Combined Subdivision District, to allow a doublewide mobile home. The property is currently zoned RMF, Residential Multi-Family District which does not allow for manufactured houses. There were previously two singlewide manufactured homes on the subject property, but neither have been occupied for more than two (2) years. Due to the current RMF zoning designation, the two manufactured homes are considered legal non-conforming uses. Pittsylvania County Code § 35-161 states that nonconforming uses are deemed abandoned if the use is discontinued for a period of two (2) or more years. Since the homes have not been occupied in the last two (2) years, the property must be rezoned in order for a doublewide to be placed on the property. If the rezoning is approved, the singlewides will have to be removed from the property prior to a building permit being issued for the new doublewide.

Once the property is rezoned to RC-1, all uses listed under Section 35-267 are a permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

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

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case R-23-031, submitted by Sharon Smith, requesting to rezone a total of 1.512 acres located on US Highway 58, in the Tunstall Election District and shown on the Tax Maps as

GPIN # 1358-48-0201. The subject property is adjacent to properties currently zoned RC-1, Residential Multi-Family District and the rezoning would be consistent with the County's Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-23-031 as submitted.
2. Recommend denial of Case R-23-031 as submitted.

ATTACHMENTS:

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

**PITTSYLVANIA COUNTY
APPLICATION FOR REZONING**

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

1. Property Owner's Name: Sharon Smith
Address: 2505 Oak Hill Road, Danville, VA 24541

2. Location of Property: US Highway 58

Telephone: 434-489-8025

3. Tax Map Numbers: 1358-48-0201

4. Election District: Tunstall

Total Amount: \$334.12

Taken By: Cash

5. Size of Property: 1.51 acres

6. Existing Land Use: Vacant

Existing Zoning: RMF, Residential Multi-Family District

7. Proposed Land Use: To allow for placement of a double-wide mobile home

Proposed Zoning: RC-1, Residential Combined Subdivision District

8. Are conditions being proffered: Yes X No

9. Check completed items:

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

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

Sharon Smith

OFFICE USE ONLY

Application Deadline: 09/28/23

Received By: ESR

B.O.S. Meeting Date: 12/19/23

Application No. R-23-031

P.C. Meeting Date: 11/09/23

Date Received: 09/25/23

Action: _____

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

1.51 acres of land, generally located)
on US Highway 58 within)
the Tunstall Election District)
and recorded as parcel ID # 1358-48-0201)
in the Pittsylvania County tax records.)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

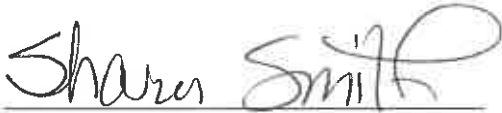
WHEREAS, your Petitioner, Sharon Smith, respectfully files this Petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioner is the Owner of the above-referenced parcel.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as RMF, Residential Multi Family District.
- (3) Your petitioner now desires to have the property rezoned to RC-1, Residential Combined Subdivision District.

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

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

Respectfully submitted,



Sharon Smith

September 28, 2023

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

Dear Mrs. Ragsdale:

Sharon Smith as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 1.51 acres, GPIN # 1358-48-0201 located on US Highway 58, in the Tunstall Election District.

I am requesting to rezone this parcel from RMF, Residential Multi Family District, to RC-1, Residential Combined Subdivision District to allow for placement of a double-wide mobile home.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Smith". The signature is written in black ink and is positioned above a horizontal line.

Sharon Smith



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 B-23-031 Applicant Shawn Smith Date Oct. 30, 23

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
1358-47-1743	HUTCHERSON, RICHARD D	580 LONG CIRCLE	CASCADE, VA 24069
1358-48-1290	LEFTWICH, PERRY LEE	13073 MARTINSVILLE HWY	CASCADE, VA 24069
1358-38-9201	HUDSON, GENNY LEA	588 SAN AMBROSIO STREET	PUNTA GORDA, FL 33983
1358-38-9838	DUNNAVANT, KATHERINE S ET ALS	307 BARTHEL DRIVE	CARY, NC 27513-1737

R-23-031 SHARON SMITH

Pittsylvania County Public GIS Viewer

Virginia Cities and Counties

1358-48-0201 X Q
Show search results for 1358-4...

Map navigation controls: +, -, Home, Full Screen, Print, Refresh, Close

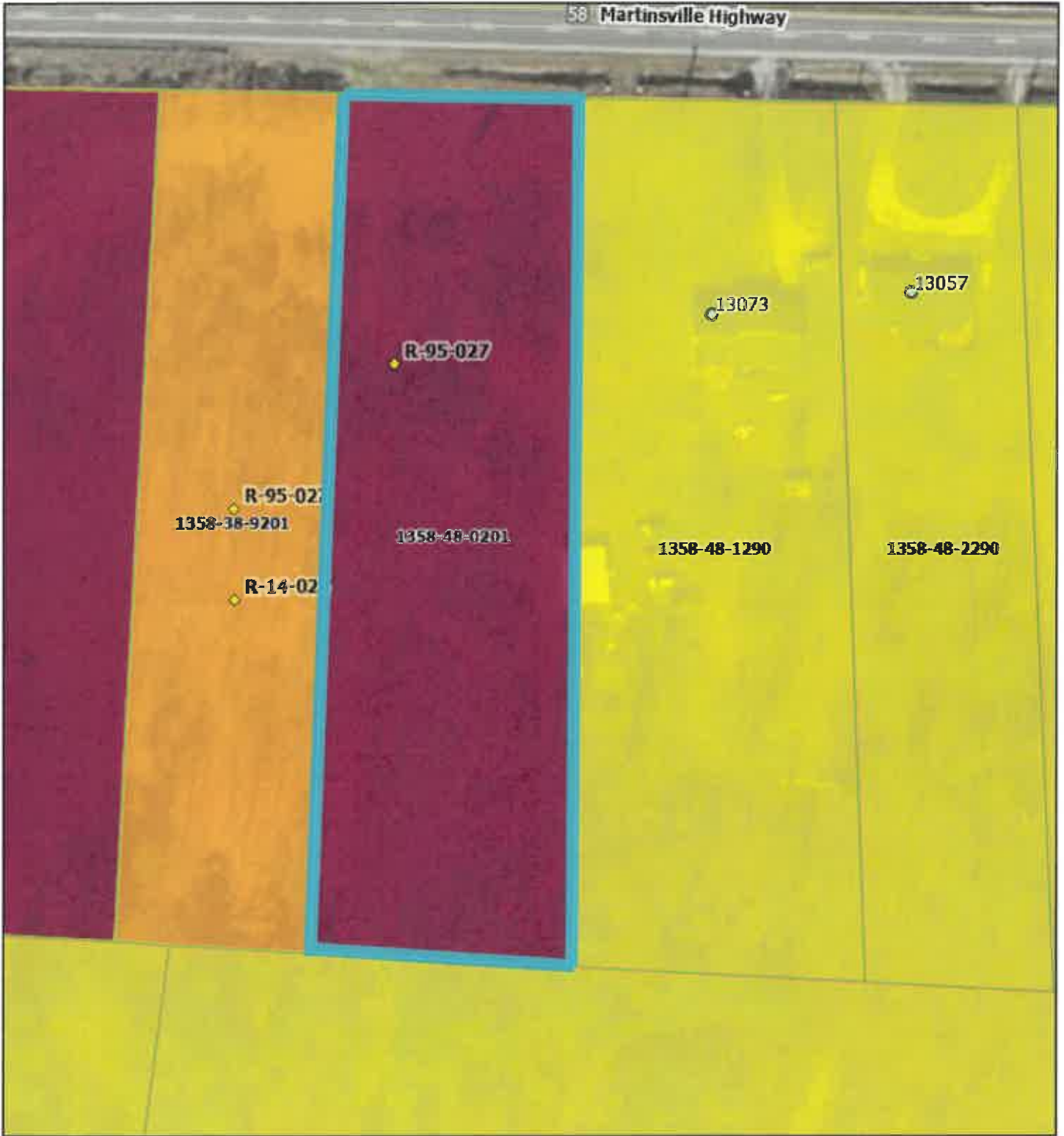
Martinsville Highway

Esri Community Maps Contributors, VGIN, © OpenStreetMap contributors, Imagery © Mapbox

- Tax Parcels (All)
- Tax Parcels (group layer)
- Addressing (group layer)
- Administrative (group layer)
- Base Map (group layer)
- Community Development (group layer)
- Economic Development (group layer)
- Emergency Services
- Parks and Recreation (group layer)
- Population Demographics (group layer)
- Public Utilities (group layer)
- Schools (group layer)
- Tax Map Grids (group layer)
- Transportation (group layer)
- Voter Services (group layer)
- Polling Locations
- Election Districts 2021
- Voting Precincts 2022
- Waste Collection (group layer)
- Zoning (group layer)
- Zoning Districts
- VBMP 2002 Aerial Imagery
- VBMP 2011 Aerial Imagery
- VBMP 2015 Aerial Imagery
- VBMP 2019 Aerial Imagery

100ft
.79,6180 36.6237 Degrees

ArcGIS Web Map



9/25/2023, 4:50:17 PM

Virginia Cities and Counties

County

Tax Parcels (All)

Assessed Parcels

Assessed Parcels Labels

Addresses

Route Numbers

Streets

ALL OTHER

Rezoning

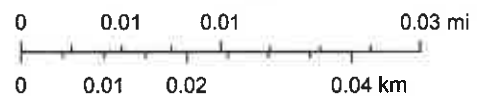
Active

Zoning Districts

Residential Suburban Subdivision

Residential Combined Subdivision

1:1,128



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ArcGIS Web AppBuilder

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

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case R-23-035 River City Enterprises; Rezoning from M-2, Industrial District, Heavy Industry, to B-2, Business District, General (Brown)		
Staff Contact(s):	Emily Ragsdale		
Agenda Date:	November 9, 2023	Item Number:	9.d.
Attachment(s):	1.	R-23-035 River City Ent App	
	2.	R-23-035 River City Ent Map	
Reviewed By:			

SUMMARY:

SUBJECT

Requested by River City Enterprises, to rezone property located on State Road 360/Old Richmond Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-04-0302. The applicant is requesting to rezone 10.224 acres, from M-2, Industrial District, Heavy Industry, to B-2, Business District, General to allow for the sales, services, and repair of farm equipment.

BACKGROUND/DISCUSSION

River City Enterprises is requesting to rezone 10.244 acres, from M-2, Industrial District, Heavy Industry, to B-2, Business District General to allow for the sales, service and repair of farm equipment. The property is currently zoned M-2, Industrial District, Heavy Industry, which does not allow for the proposed use. The applicants have had initial conversations with VDOT relating to the ability to meet commercial entrance standards for this location. All access will come from State Road 360/Old Richmond Road.

Once the property is rezoned to B-2, all uses listed under Section 35-365 are a permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to M-2, Industrial District, Heavy Industry, and RC-1, Residential Combined Subdivision District, zoned properties.

SITE DEVELOPMENT PLAN

Attached

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff recommends APPROVAL of Case R-23-035, submitted by River City Enterprises, requesting to rezone a total of 10.244 acres located on State Road 360/Old Richmond Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-04-0302. The rezoning would be consistent with the County's Comprehensive Plan.

MOTION:

1. Recommend approval of Case R-23-035 as submitted.
2. Recommend denial of Case R-23-035 as submitted.

STAFF SUMMARY

<u>CASE</u> R-23-035	<u>ZONING REQUEST</u> M-2 to B-2	<u>CYCLE</u> November 2023/December 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> River City Enterprises is requesting to rezone property from M-2, Industrial District, Heavy Industry, to B-2, Business District General.		PLANNING COMMISSION: November 13, 2023 BOARD OF SUPERVISORS: December 19, 2023 ADVERTISED: October 25, 2023 & November 1 & November 22 & 29, 2023
DISTRICT: Dan River		

SUBJECT

Requested by River City Enterprises, to rezone property located on State Road 360/Old Richmond Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-04-0302. The applicant is requesting to rezone 10.224 acres, from M-2, Industrial District, Heavy Industry, to B-2, Business District, General to allow for the sales, services, and repair of farm equipment.

BACKGROUND/DISCUSSION

River City Enterprises is requesting to rezone 10.244 acres, from M-2, Industrial District, Heavy Industry, to B-2, Business District General to allow for the sales, service and repair of farm equipment. The property is currently zoned M-2, Industrial District, Heavy Industry, which does not allow for the proposed use. The applicants have had initial conversations with VDOT relating to the ability to meet commercial entrance standards for this location. All access will come from State Road 360/Old Richmond Road.

Once the property is rezoned to B-2, all uses listed under Section 35-365 are a permitted use.

FUTURE LAND USE DESIGNATION

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

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to M-2, Industrial District, Heavy Industry, and RC-1, Residential Combined Subdivision District, zoned properties.

SITE DEVELOPMENT PLAN

Attached

RECOMMENDATION

Staff recommends APPROVAL of Case R-23-035, submitted by River City Enterprises, requesting to rezone a total of 10.244 acres located on State Road 360/Old Richmond Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-04-0302. The rezoning would be consistent with the County's Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-23-035 as submitted.
2. Recommend denial of Case R-23-035 as submitted.

ATTACHMENTS:

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

PITTSYLVANIA COUNTY APPLICATION FOR REZONING

I/We, River City Enterprises, LLC, as Owner/Contract Purchaser (circle one) of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Current Owner of Property Wyatt b Thompson (Marie Richardson / Ronald Thompson) Telephone _____
Address 2321 Riverside Dr. Ste. 26 Danville, VA ZIP 24540

2. Location of Property: Bradley Tract Highway 285 (Intersection of Franklin Tpke and Richmond Road) Total Amount: _____
Taken By: _____

3. Tax Map Number: 2338-04-0302

4. Election District: Dan River Election District

5. Size of Property 10.244 acres acres/square feet

6. Existing Land Use: Vacant Land

Existing Zoning: M-2

7. Proposed Land Use: Sales, Service and Repair for Farm Equipment

Proposed Zoning: B-2

8. Are Conditions being Proffered: Yes _____ No x

9. Check-completed items:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> 11" x17" Concept Plan | <input checked="" type="checkbox"/> Legal Forms |
| <input checked="" type="checkbox"/> Site Development Plan | <input checked="" type="checkbox"/> Application Form | <input checked="" type="checkbox"/> Plat Map |
| <input checked="" type="checkbox"/> List of Adjoining Properties | | |

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

Applicant Bruce D. Fumell
Sworn to and subscribed before me in my presence this 20 day of October, 2023, in my City and State aforesaid, by Thomas V. Johnson Notary Public. My commission Expires: 9/30/2024



OFFICE USE ONLY:
Application No.: R-23-035
Application Deadline: 9-28-23 Hearing Date: 11-9-23
Received by: ESR Date Received: 9-28-23
BOS Hearing Date: 12-19-23 Action: _____

VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF
PITTSYLVANIA COUNTY

A 10.244 acre parcel of land,)
generally located intersection of Franklin Tpke and Richmond Road)
within the Dan River)
Election District, and recorded as)
parcel # 2338-04-0302 in the)
Pittsylvania County tax records.)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY

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

- 1) The Petitioner is the owner of the above-referenced parcel of land, or is the contract purchaser filing with the owner's consent.
- 2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as M-2, Industrial District, Heavy Industry District.
- 3) Your petitioner now desires to have this property rezoned as B-2, Business District, General District for the purpose of Sales, Service and Repair for Farm Equipment.

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

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

Respectfully submitted,

River City Enterprises, LLC

Petitioner

Thomas Valentine

*Committee of Origin
City of Charlottesville*

Sworn to and subscribed before me in my presence this 20 day of October, 2023, in my City and State
aforesaid, by Krista S. Farrell Notary Public. My commission Expires: 9/30/2024



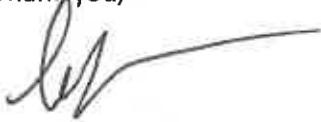
October 20, 2023

Re: Pittsylvania County, Application for Rezoning

To Whom It May Concern:

Please find enclosed our application to rezone the piece of land on Tax Map Parcel 2338-04-0302 from M-2, Industrial District, Heavy Industry to B-2, Business District, General. The purpose of the rezoning is the relocation of our Kubota dealership, Beverage Tractor, to the site. We plan to use the site for the sale, service, and repair for farm equipment at the site.

Thank you,

A handwritten signature in black ink, appearing to read 'Tee Valentine', with a long horizontal line extending to the right.

Tee Valentine, Managing Member

River City Enterprises LLC

AGREEMENT OF PURCHASE AND SALE

THIS AGREEMENT ("Agreement"), dated as of the 18 day of October, 2023, by and between River City Enterprises, LLC, a Virginia Limited Liability Company, or permitted assigns ("Purchaser") and Wyatt & Thompson ("Seller"), recites and provides:

RECITALS

A. Seller is the owner of certain real property containing 10.244 acres, more or less, known as Bradley Tract – Highway 265, Parcel C (the "Property"). Tax Parcel ID: 2338-04-0302, zoned M-2.

B. Seller wishes to sell and Purchaser wishes to purchase the Property on the terms and conditions set forth herein.

AGREEMENT

NOW, THEREFORE, in consideration of their mutual promises hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto covenant and agree as follows:

1. **Contract** This Agreement shall constitute a binding contract for the purchase and sale of the Property, on the terms and conditions set forth herein.

2. **Purchase Price** The purchase price (the "Purchase Price") for the Property shall be \$300,000.00 payable all in cash at settlement by certified or cashiers check, attorneys trust account check or wire transfer, subject to the prorations described herein.

3. **Deposit** Purchaser will deposit refundable earnest money of \$10,000.00 (the "Deposit"), which will be held in an escrow account by Purchaser's Attorney within three (3) business days after full execution of the Purchase and Sale Agreement in escrow pending settlement. The Deposit shall be (i) applied to the Purchase Price at Settlement (as defined herein) if Settlement occurs, or (ii) returned to Purchaser in the event of Seller's default or failure of a condition hereunder and termination of this Agreement in accordance with the terms hereof, or (iii) returned to Purchaser if Purchaser notifies Seller prior to the expiration of the Feasibility Period that Purchaser was not satisfied by the results of his inspections and terminates this Agreement as provided in this Agreement.

4. **Feasibility** During the Sixty (60) calendar day period following the latest of the dates on which Purchaser and Seller have executed this Agreement (the "Feasibility Period"), Purchaser, its agents, employees and contractors shall have the right to enter onto the Property for purposes of conducting surveys, soil tests, market studies, engineering tests, and such other tests, investigations, studies, and inspections as Purchaser deems necessary or desirable to evaluate the Property, provided that (i) all such tests, investigations, studies, and inspections shall be conducted at Purchaser's sole risk and expense, (ii) Purchaser shall give Seller reasonable prior notice of its entry onto the Property, and (iii) Purchaser shall indemnify and hold Seller and the other owners

harmless from and against any losses, liabilities, costs, or expenses (including reasonable attorney's fees) arising out of Purchaser's entry onto the Property, other than as a result of the Seller's negligence or willful misconduct. If Purchaser is not satisfied, in its sole discretion, with all aspects of the Property, he shall have the right, upon written notice to Seller prior to the expiration of the Feasibility Period, to terminate this Agreement, in which event the Deposit shall be returned to Purchaser. Purchaser requests and Seller agrees to grant two (2) Thirty (30) day extensions at the end of the initial sixty (60) day Feasibility Period. Purchaser agrees to deposit an additional \$2,500.00 per extension. The two deposits for the extension periods shall be non-refundable should Purchaser terminate this Agreement.

5. **Delivery of Documents** Within two (2) days after full execution of this Agreement, Seller shall deliver to Purchaser copies of all existing agreements, surveys, engineering, architectural or zoning documents, tests, or reports, and title insurance policies or reports, if any, and all other information relevant to the use and development of the Property which are in Seller's possession or under Seller's control and not previously delivered to Purchaser. Prior to Settlement, Seller shall upon request of Purchaser provide such other documents and information relating to the Property as Purchaser may reasonably request and which are in Seller's possession or under Seller's control.

6. **Settlement**

(a) **Time and Place.** Settlement of the purchase and sale of the Property shall occur within Fifteen (15) days of the expiration of the Feasibility Period or Extension periods. Settlement shall be made at the offices of Grisham & Barnhardt by Ty Grisham, 310 4th Street NE, Suite 104, Charlottesville, VA 22902. Contact Amanda at 434-293-2939 or amanda@grisham-barnhardt.com. Exclusive possession of the Property shall be delivered to Purchaser, or its designee, at Settlement.

(b) **Purchaser's Deliveries** At Settlement, the Purchaser shall pay to Seller the Purchase Price.

(c) **Seller's Deliveries** Seller shall deliver the following to Purchaser or its designee in form and substance satisfactory to Purchaser: (i) a general warranty deed with English covenants of title (the "Deed") conveying good and marketable fee simple title to the Property, described according to Purchaser's survey or duly recorded subdivision plat, free and clear of all liens, encumbrances, conditions and restrictions; (ii) an affidavit as to mechanics' liens and parties; (iii) a Certificate of Non-Foreign Status as required by Section 1445 of the Internal Revenue Code of 1986 and any other certificates required by any governmental authority or agency; (iv) a Virginia Department of Taxation Form R-5 or R-5E, as applicable; and (v) all organizational documents, resolutions, certificates and other materials reasonably required by Purchaser to confirm Seller's authority to sell the Property, including but not limited to a certificate of fact from the Virginia State Corporation Commission, operating agreement and a company resolution authorizing the sale of the Property.

(d) **Costs** The Seller shall pay the costs of preparing the Deed, one-half of any settlement fee and the Grantor's Tax thereon. The Purchaser shall pay for all transfer taxes for

recording the Deed, one-half of any settlement fee, the examination of title to the Property and all premiums charged by the Purchaser's title insurance company. Real estate taxes, rents, utilities, assessments and any other related fees shall be prorated between Seller and Purchaser as of Settlement, according to the number of days of the year or appropriate billing period, as applicable, which the Property is owned or to be owned by each party. Each party shall pay its own legal, accounting and other expenses incurred in connection with this Agreement or Settlement hereunder.

7. **Conditions Precedent to Obligation of Purchaser** This Agreement and all of Purchaser's obligations hereunder are further subject to satisfaction of the following conditions:

(a) **Title** Any objections to title reported by Purchaser under Paragraph 8 below shall have been resolved to Purchaser's satisfaction and there shall have been no adverse change in title.

(b) **Seller's Representations and Deliveries** All representations and warranties of Seller made herein shall be true and correct as of the date of Settlement and Seller shall have taken all action and delivered all documents and materials required by this Agreement.

(c) **No Litigation** As of Settlement, there shall be no litigation, proceeding or investigations pending, or to the knowledge of Purchaser or Seller threatened, which might prevent or adversely affect the use of the Property or which questions the validity of any action taken or to be taken by Seller or Purchaser hereunder.

(d) **Property** Seller shall convey fee simple title to the Property.

(e) **Condition of Property** The Property shall be in the same physical condition at Settlement as of the date hereof.

If the foregoing conditions are not satisfied on or before Settlement, Purchaser shall have the right to (i) terminate this Agreement or (ii) waive any or all of such conditions and proceed to purchase the Property with no reduction in the Purchase Price.

8. **Title and Survey Objections** The Purchaser shall have until expiration of the Feasibility Period to report to Seller in writing any survey or title defects or other objections regarding the Property that are disclosed by Purchaser's examinations which, in the opinion of Purchaser or its attorney, adversely affect marketability of title or Purchaser's intended use of the Property. Seller shall advise Purchaser within ten (10) days after receipt of such notice of objections which, if any, of such objections will be corrected by Seller prior to or at the Settlement. If Seller fails to respond within such period, Seller will be deemed to have responded to Purchaser that Seller does intend to correct such objections prior to or at the Settlement. If Seller's response indicates that Seller does not intend to correct any one or more of Purchaser's objections, Purchaser shall have ten (10) days after receipt of Seller's response within which to elect to either (i) terminate this Agreement by notice to Seller or (ii) accept Seller's response and proceed to the Settlement despite such objections without any adjustment to the Purchase Price. If Purchaser elects to so terminate this Agreement, the rights and obligations

of Purchaser and Seller hereunder shall terminate and the Deposit shall be returned to Purchaser. If Seller elects to cure a title defect, Settlement will be delayed by a time equal to the time incurred by Seller in curing such defect, so long as such delay is no greater than thirty (30) days from the date of Settlement set forth in paragraph 6.

If any additional matters of record are discovered or created after the date of the examination of title contemplated hereby, and prior to Settlement, Purchaser shall have the right to further delay Settlement a reasonable time to permit Seller to complete curative action, to terminate this Agreement or waive such matters and proceed to Settlement.

9. **“As Is” Condition** Purchaser agrees to accept the Property at Settlement in its present physical condition, except as otherwise provided herein.

10. **Risk of Loss** The risk of loss or damage to the Property by fire or other casualty prior to Settlement thereon shall be on the Seller. If such loss or damage materially and adversely affects the Purchaser’s intended use and enjoyment of the Property as of Settlement, the Purchaser shall have the option to (i) terminate this Agreement, in which event the parties hereto shall have no further obligations or liabilities to one another hereunder; or (ii) proceed to Settlement and accept an assignment of all insurance proceeds payable as a result of such casualty, together with a reduction of the Purchase Price equal to the deductible under Seller’s insurance policy.

11. **Condemnation** If all or any portion of the Property is subject to actual or threatened taking pursuant to the power of eminent domain prior to Settlement, the Purchaser shall be entitled to elect either to (a) terminate this Agreement in which event the parties shall have no further obligations hereunder, or (b) proceed to Settlement, in which event, at Purchaser’s option (i) all proceeds, awards and other payments arising from any such taking or sale shall be assigned and paid to the Purchaser, or (ii) the Purchase Price paid at Settlement shall be reduced based on the prorata portion of the Property so taken.

12. **Representations and Warranties** The Seller represents and warrants as of the date hereof and shall be deemed to represent and warrant as of Settlement with respect to the Property that:

(a) **Repairs** No governmental agency has served any notice on the Seller regarding, nor does the Seller have knowledge of any needed repairs, alterations or corrections of any existing condition on the Property.

(b) **Government Requirements** The current condition of the Property shall be in conformance with all applicable zoning requirements.

(c) **Utilities** All necessary utility services are available on the Property (including water, electricity, gas, storm and sanitary sewer and telephone).

(d) **No Claims, Order, etc.** There is no claim, action, suit, investigation or proceeding, at law, in equity or otherwise, now pending or, to Seller’s knowledge, threatened

against Seller or the Property to which Purchaser might become a party. Seller is not subject to the terms of any decree, judgment or order of any court, administrative agency or arbitrator, which has or could result in a material adverse effect on the Property or the operation and leasing thereof.

(e) **No Condemnation** Seller has no written notice or actual knowledge of any pending or threatened condemnation of eminent domain proceedings which would affect any of the Property.

(f) **Curb Cuts, Direct Access** No curb cut or street permit or license required for vehicular access to and from the Property to any adjoining street has been revoked or altered. The Property has direct and exclusive access to the adjoining streets and does not require access by easement through the property of another, and the Property is not burdened by the easement rights of others to cross over the Property for access to their property.

(g) **Governmental Order** Seller has received no written notice of any and there has been no violation of any Federal, state, county or other governmental order or requirement of any governmental body of, by, concerning, or caused by a condition existing upon the Property which has not yet been remedied in all respects to the satisfaction of the governmental authority having jurisdiction.

(h) **Mechanics' Liens** No party on behalf of Seller has performed any alteration, repair, construction or other work which would permit the filing of a mechanics' or materialmen's lien against the Property except such parties as have been paid in full for such work or for which payment has been provided.

(i) **No Conflict** Neither the execution nor the delivery of this Agreement or the documents contemplated hereby, nor the consummation of the conveyance of the Property to Purchaser, will conflict with or cause a breach of any of the terms and conditions of, or constitute a default under, any agreement, license, permit or other instrument or obligation by which Seller or the Property is bound.

(j) **Authority** Seller has full power, authorization and approval to enter into this Agreement and to carry out its obligations hereunder. The parties executing this Agreement on behalf of Seller are fully authorized to do so.

(k) **Environmental** To Seller's knowledge, without inquiry or investigation, no toxic or hazardous material have been used, discharged or stored on or about the Property and there are not present at or under the Property any hazardous substances, wastes or materials, underground storage tanks or spilled or leaked petroleum products.

(l) **Restrictive Covenants** Seller has not received any written notice of default under and to Seller's knowledge, Seller and the Property are not in default or in violation under any restrictive covenant, easement or other condition of record applicable to or benefiting the Property.

13. **Purchaser Warranties** Purchaser warrants now and as of the date of the Settlement, that it is duly authorized to execute this contract and to perform its obligations hereunder and under all documents contemplated hereunder to be executed by Purchaser. These representations by Purchaser shall survive settlement.

14. **Default** If Purchaser defaults in his performance of this Agreement, Seller may terminate this Agreement in which event the Escrow Agent shall pay the Deposit to Seller as liquidated damages for Purchaser's default. In the event of Seller's default before Settlement, Purchaser shall be entitled to either (i) terminate this Agreement, in which case Purchaser shall be entitled to the return of the Deposit as its sole remedy and recover from Seller an amount equal to all of Purchaser's out of pocket expenditures incurred in connection with its investigation and study of the Property and in preparation of and in anticipation of Settlement, including its attorneys' fees, (ii) as its only other remedy, sue for specific performance of this Agreement; or (iii) exercise any other remedy available at law or in equity.

15. **Agents and Brokers** Each party hereunder represents and warrants that it did not consult or deal with any broker or agent, real estate or otherwise, with regard to this Agreement or the transactions contemplated hereby, save and except Hauser Realty Group and RC Realty Corporation. Seller shall be solely responsible for commissions and fees due to Hauser Realty Group and RC Realty Corporation connection with this transaction pursuant to a separate, written agreement. Each party hereto agrees to indemnify and hold harmless the other party from all liability, expense, loss, cost or damage, including reasonable attorneys' fees, which may arise by reason of any claim, demand or suit of any agent or broker arising out of facts constituting a breach of the foregoing representations and warranties.

16. **Notices** Any notice, request or demand required or permitted to be given pursuant to this Agreement shall be in writing and shall be deemed sufficiently given if delivered by hand by messenger at the address of the intended recipient, sent prepaid by Federal Express (or a comparable guaranteed overnight delivery service), or deposited in the United States first class mail (registered or certified, postage prepaid, with return receipt requested), addressed as follows:

For the Seller: Wyatt & Thompson
Attn: MARIE RICHARDSON
2321 Riveroute Dr Ste 206
Danville, VA 24540

For the Purchaser: River City Enterprises, LLC
Attn: Tee Valentine
100 10th Street NE, Suite 203
Charlottesville, VA 22902

17. **Assignment** This Agreement may be assigned at the option of the Purchaser to any entity in which Purchaser, owns a majority interest.

18. Miscellaneous

(a) This Agreement constitutes the entire agreement between the parties and may not be modified or changed except by written instrument executed by both Seller and Purchaser. All prior negotiations, understandings and agreements are superseded and are merged herein.

(b) All provisions of this Agreement shall be binding upon and inure to the benefit of the parties and their successors and assigns.

(c) All pronouns shall be construed to be of such gender and number as the context may require.

(d) All headings are for convenience or reference only and do not constitute a part of this Agreement or affect its meaning.

(e) Except as specifically provided to the contrary in this Agreement, the representations and warranties contained herein shall survive Settlement.

(f) This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia.

(g) This Agreement includes the following Schedule:

Exhibit A – Survey of Property

IN WITNESS WHEREOF, each of the parties hereto has caused this Agreement to be executed in its name pursuant to due authority as of the dates set forth below.

SELLER: **Wyatt & Thompson**

By: *Ronald J. Thompson*
Its: General Partner
Date: 10/18/23

PURCHASER: **River City Enterprises, LLC**

By: *Tee Valentine*
Its: Managing Member
Date: 10-18-2023

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 B-23-035 Applicant [Signature] Date 9-28-2023 10/20/2023

Commonwealth Virginia
C. of Charlottesville 10/20

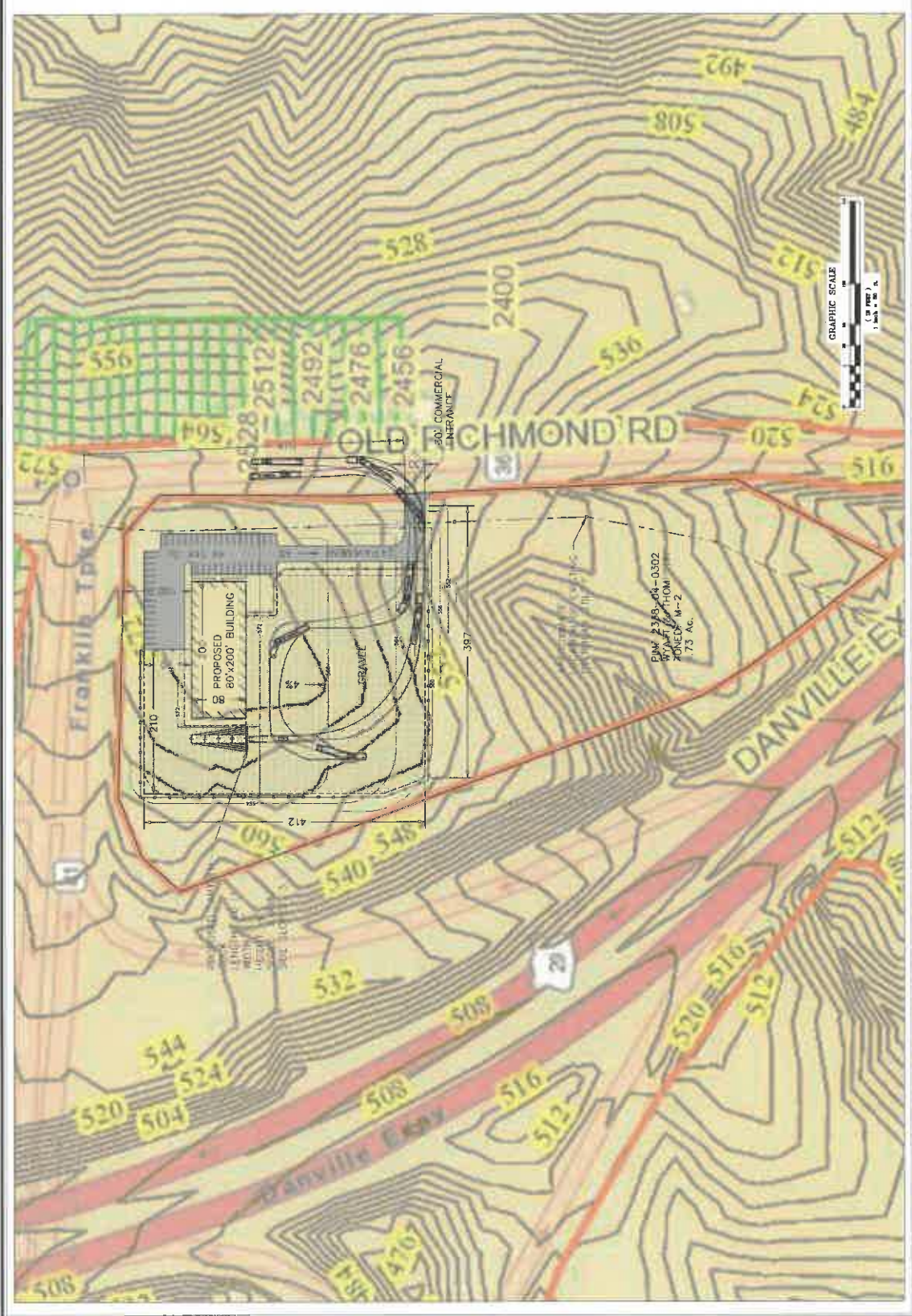
Sworn to and subscribed before me in my presence this 9-28-2023 day of Oct, 2023 in my City and State aforesaid, by Krista S. Farrell Notary Public. My commission Expires: 9/30/2024

Krista S. Farrell
NOTARY PUBLIC
REGISTRATION # 352020
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 09/30/2024

ASSESSED_G	CALC_AREA	ACCOUNT_NAME1	ACCOUNT_NAME2	ACCOUNT_ADDR1	ACCOUNT_ADDR2	ACCOUNT_CSZ	PROPERTY_ADDRESS
2338-03-0100	0.105181	ADAMS, RANDY	<Null>	C/O ADAMS CUSTOM CABINETS INC	306 OLD HWY 360	DANVILLE, VA 24540	280 OLD HWY 360 DANVILLE, VA 24540
2328-92-9649	0.051862	ADAMS, RANDY L	ADAMS, ELIZABETH ANN	126 BECCAN CT	<Null>	DANVILLE, VA 24541	
2338-23-3057	10.195007	APOSTOLIC FAITH TEMPLE	<Null>	124 WITCHER RD	<Null>	RINGGOLD, VA 24586	RINGGOLD, VA 24586
2338-45-0275	34.285028	BARKER, MICHAEL T	BARKER, PHYLLIS K	1235 LITTLE CREEK RD	<Null>	RINGGOLD, VA 24586	RINGGOLD, VA 24586
2338-33-3404	5.289187	BARKER, MICHAEL T	<Null>	845 LITTLE CREEK RD	<Null>	RINGGOLD, VA 24586	813 LITTLE CREEK RD RINGGOLD, VA 24586
2338-08-4655	1.243209	BAUGH, MADELINE ANN	<Null>	3381 OLD RICHMOND ROAD	<Null>	DANVILLE, VA 24540	3381 OLD RICHMOND RD DANVILLE, VA 24540
2338-06-1400	0.874904	BOHANNON, JAMES EDWARD ET ALS	SMITH, CYNTHIA B ET ALS	119 MARY MILES DRIVE	<Null>	DANVILLE, VA 24540	2861 OLD RICHMOND RD DANVILLE, VA 24540
2338-07-2310	1.068078	CAHILL, WILLIAM THOMAS ET ALS	CAHILL, AUDREY R ET ALS	C/O MARSHA DALTON	235 VIRGINIA AVE	DANVILLE, VA 24541	3081 OLD RICHMOND RD DANVILLE, VA 24540
2328-97-6639	5.168472	CAREY, MICHAEL A	<Null>	2865 OLD RICHMOND RD	<Null>	DANVILLE, VA 24540	
2338-06-4018	2.229992	CAREY, MICHAEL C	CAREY, JAMI	154 HARTFORD STREET	<Null>	DANVILLE, VA 24540	3021 OLD RICHMOND RD DANVILLE, VA 24540
2338-33-3699	1.662346	COLVIN, RONALD NICHOLAS	COLVIN, JESSICA WORLEY	881 LITTLE CREEK RD	<Null>	RINGGOLD, VA 24586	881 LITTLE CREEK RD RINGGOLD, VA 24586
2338-09-3035	0.892203	COMPTON, ZACHARY ALEXANDER	<Null>	7129 OLD RICHMOND RD	<Null>	DANVILLE, VA 24540	
2328-93-2214	24.316077	DANCHEM TECHNOLOGIES INC	<Null>	1975 OLD RICHMOND RD	<Null>	DANVILLE, VA 24540	252 OLD HIGHWAY 360 DANVILLE, VA 24540
2338-09-0300	5.865469	DODSON, HUGH G	<Null>	3497 OLD RICHMOND RD	<Null>	DANVILLE, VA 24540	3497 OLD RICHMOND RD DANVILLE, VA 24540
2328-93-7297	0.349412	GUY, WALTER L	<Null>	325 OLD HWY 360	<Null>	DANVILLE, VA 24540	325 OLD HWY 360
2338-08-4940	1.116696	HAIRFIELD, LINDA ADAMS	<Null>	617 HOMESTEAD TRAIL	<Null>	RINGGOLD, VA 24586	3445 OLD RICHMOND RD DANVILLE, VA 24540
2338-08-5797	0.912997	HAIRFIELD, LINDA PAULLETTE ADAMS AYERS	<Null>	C/O LINDA P HAIRFIELD	617 HOMESTEAD TRAIL	RINGGOLD, VA 24586	3401 OLD RICHMOND RD DANVILLE, VA 24540
2328-86-2078	10.641412	HAYMORE, JOHN P	HAYMORE, PAMELA A	149 FORESTDALE DR	<Null>	DANVILLE, VA 24541	
2338-33-4719	1.419818	MANGUM, PERCY	MANGUM, WANDA	897 LITTLE CREEK RD	<Null>	RINGGOLD, VA 24586	897 LITTLE CREEK RD RINGGOLD, VA 24586
2338-02-3622	1.611719	MARSHALL ROBERT REVOCABLE TRUST ET ALS	MARSHALL MARGARET D ESTATE ET ALS	C/O DAVID A LONG JR	6424 WHISPERING PINES RD	CASCADE, VA 24069	
2338-15-0778	46.998832	MARSHALL, DANIEL W III	MARSHALL, STEVEN A	P O BOX 439	<Null>	DANVILLE, VA 24543	2720 OLD RICHMOND RD DANVILLE, VA 24540
2338-08-4516	1.231839	MILLS, MARY ADAMS	MILLS, CHRISTOPHER ALAN	883 COUNTRYSIDE DR	<Null>	RINGGOLD, VA 24586	3345 OLD RICHMOND RD DANVILLE, VA 24540
2328-89-6328	25.795621	OWEN, TANNER LEE	<Null>	1150 HANKINS LANE	<Null>	KEELING, VA 24566	
2328-95-9467	0.00272	RICE, RONALD F JR	RICE, NADINE L	2637 OLD RICHMOND RD	<Null>	DANVILLE, VA 24540	2637 OLD RICHMOND RD DANVILLE, VA 24540
2338-13-1047	4.420206	RIPLEY, CLARA LEE P	<Null>	265 LITTLE CREEK RD	<Null>	DANVILLE, VA 24540	
2338-02-3813	1.448482	RIPLEY, THOMAS E	RIPLEY, CLARA LEE P	265 LITTLE CREEK RD	<Null>	DANVILLE, VA 24540	
2338-08-2171	1.308159	TRT RENTALS LLC	<Null>	6600 FRANKLIN TPKE	<Null>	DRY FORK, VA 24549	3261 OLD RICHMOND RD DANVILLE, VA 24540
2338-07-2960	1.125265	WILSON, SAUNDERS	<Null>	3221 OLD RICHMOND RD	<Null>	DANVILLE, VA 24540	
2328-84-8064	16.833945	WYATT & THOMPSON	<Null>	2321 RIVERSIDE DRIVE	<Null>	DANVILLE, VA 24540	



DATE	
SCALE	
PROJECT	
NO. OF SHEETS	
SHEET NO.	
TITLE	
DATE	
BY	
CHECKED	
APPROVED	





Layers

- Virginia Towns
- Virginia Cities and Counties
- Tax Parcels (All)
- Tax Parcels (group layer)
- Addressing (group layer)
- Administrative (group layer)
- Base Map (group layer)
- Community Development (group layer)
- Economic Development (group layer)
- Emergency Services
- Parks and Recreation (group layer)
- Population Demographics (group layer)
- Public Utilities (group layer)
- Schools (group layer)
- Tax Map Grids (group layer)
- Transportation (group layer)
- Voter Services (group layer)
- Waste Collection (group layer)
- Zoning (group layer)
- Zoning Districts
- VBMP 2002 Aerial Imagery
- VBMP 2011 Aerial Imagery
- VBMP 2015 Aerial Imagery
- VBMP 2019 Aerial Imagery
- VBMP 2023 Aerial Imagery

360ft

App State
 Click to restore the map extent and layers visibility to the way you left it!

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Public Hearing

Agenda Title:	Case CP-23-001; Amending the Comprehensive Plan Future Land Use Map From Industrial to Mixed Commercial/Industrial (Brown)								
Staff Contact(s):									
Agenda Date:	November 9, 2023	Item Number:	9.e.						
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td colspan="2">CP-23-001 BOS</td> </tr> <tr> <td>2.</td> <td colspan="2">Growth Node Area 2023.10.20</td> </tr> </table>			1.	CP-23-001 BOS		2.	Growth Node Area 2023.10.20	
1.	CP-23-001 BOS								
2.	Growth Node Area 2023.10.20								
Reviewed By:									

SUMMARY:

SUBJECT

The Planning Commission will hold a public hearing to gather public input on the proposed amendment of the Comprehensive Plan Future Land Use Designation Map from Industrial to Mixed Commercial/Industrial initiated by the Board of Supervisors of Pittsylvania County for twenty-one (21) parcels, totaling 224.53 acres, located on or off of State Road 360/ Old Richmond Road and US Highway 29/Danville Expressway and shown on the Tax Maps as GPIN #s 2328-95-6960, 2328-95-7822, 2328-95-8280, 2328-95-9467, 2328-95-9585, 2328-97-6639, 2338-03-1793, 2338-04-0302, 2338-05-0056, 2338-05-0135, 2338-05-0256, 2338-05-0676, 2338-05-0773, 2338-05-0888, 2338-05-0980, 2338-05-1413, 2338-05-3600, 2338-05-3666, 2338-05-3775, 2338-05-5127 and 2338-14-7104.

BACKGROUND/DISCUSSION

The Board of Supervisors has initiated a proposed amendment to the Comprehensive Plan Future Land Use Designation Map from Industrial to Mixed Commercial/Industrial for twenty-one (21) parcels, totaling 224.53 acres, located on or off of State Road 360/ Old Richmond Road and US Highway 29/Danville Expressway. The properties are currently designated as suitable for Industrial uses in the Comprehensive Plan. After conversations with Pittsylvania County's Economic Development Department, it was determined that this land is better suited for Commercial uses. In order for future rezonings to be supported, enabling commercial uses in this area, the Future Land Use

Designation in the Comprehensive Plan would have to be changed.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Industrial.

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff recommends APPROVAL of Case CP-23-001 as submitted.

MOTION:

1. Recommend approval of Case CP-23-001 as submitted.
2. Recommend denial of Case CP-23-001 as submitted.

STAFF SUMMARY

<u>CASE</u> CP-23-001	<u>ZONING REQUEST</u> Industrial to Mixed Commercial/Industrial	<u>CYCLE</u> November 2023 PLANNING COMMISSION: November 13, 2023 BOARD OF SUPERVISORS: November 28, 2023 ADVERTISED: October 25, 2023 & November 1 & November 15 & 22, 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> The Board of Supervisors are proposing to amend the Comprehensive Plan Future Land Use Designation Map from Industrial to Mixed Commercial/Industrial DISTRICT: Dan River		

SUBJECT

The Planning Commission will hold a public hearing to gather public input on the proposed amendment of the Comprehensive Plan Future Land Use Designation Map from Industrial to Mixed Commercial/Industrial initiated by the Board of Supervisors of Pittsylvania County for twenty-one (21) parcels, totaling 224.53 acres, located on or off of State Road 360/ Old Richmond Road and US Highway 29/Danville Expressway and shown on the Tax Maps as GPIN #s 2328-95-6960, 2328-95-7822, 2328-95-8280, 2328-95-9467, 2328-95-9585, 2328-97-6639, 2338-03-1793, 2338-04-0302, 2338-05-0056, 2338-05-0135, 2338-05-0256, 2338-05-0676, 2338-05-0773, 2338-05-0888, 2338-05-0980, 2338-05-1413, 2338-05-3600, 2338-05-3666, 2338-05-3775, 2338-05-5127 and 2338-14-7104.

BACKGROUND/DISCUSSION

The Board of Supervisors has initiated a proposed amendment to the Comprehensive Plan Future Land Use Designation Map from Industrial to Mixed Commercial/Industrial for twenty-one (21) parcels, totaling 224.53 acres, located on or off of State Road 360/ Old Richmond Road and US Highway 29/Danville Expressway. The properties are currently designated as suitable for Industrial uses in the Comprehensive Plan. After conversations with Pittsylvania County's Economic Development Department, it was determined that this land is better suited for Commercial uses. In order for future rezonings to be supported, enabling commercial uses in this area, the Future Land Use Designation in the Comprehensive Plan would have to be changed.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Industrial.

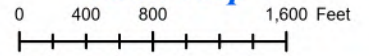
RECOMMENDATION

Staff recommends APPROVAL of Case CP-23-001 as submitted.

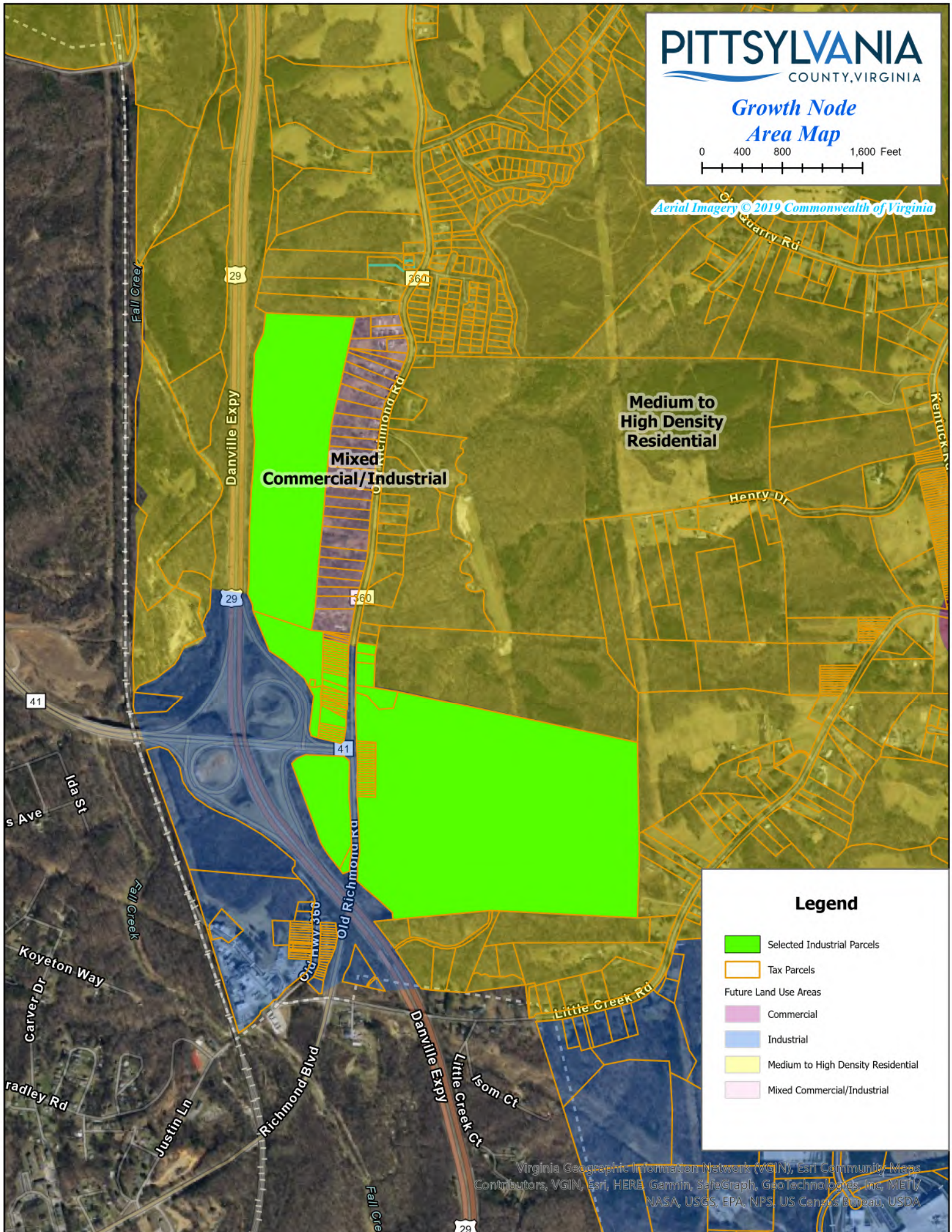
PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case CP-23-001 as submitted.
2. Recommend denial of Case CP-23-001 as submitted.

*Growth Node
Area Map*



Aerial Imagery © 2019 Commonwealth of Virginia



Legend

- Selected Industrial Parcels
- Tax Parcels
- Future Land Use Areas**
 - Commercial
 - Industrial
 - Medium to High Density Residential
 - Mixed Commercial/Industrial

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case S-23-013 Susan Tedder; Special Use Permit for a School in accordance with Pittsylvania County Code § 35-366 (Brown)								
Staff Contact(s):									
Agenda Date:	November 9, 2023	Item Number:	9.f.						
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>S-23-013 Susan Tedder App</td> </tr> <tr> <td>2.</td> <td>S-23-013 Susan Tedder Map</td> </tr> <tr> <td>3.</td> <td>S-23-013 Susan Tedder SitePlan</td> </tr> </table>			1.	S-23-013 Susan Tedder App	2.	S-23-013 Susan Tedder Map	3.	S-23-013 Susan Tedder SitePlan
1.	S-23-013 Susan Tedder App								
2.	S-23-013 Susan Tedder Map								
3.	S-23-013 Susan Tedder SitePlan								
Reviewed By:									

SUMMARY:

SUBJECT

Requested by Susan Tedder, for a Special Use Permit for a school in accordance with Pittsylvania County Code § 35-366. The property is 2.54 acres, located on State Road 1002/Gentlemans Ridge Road in the Dan River Election District and shown on the Tax Map as GPIN # 1349-33-2695.

BACKGROUND/DISCUSSION

The subject property is zoned B-2, Business District, General. Under Pittsylvania County Code § 35-366, a Special Use Permit is required for schools under the B-2 zoning classification. The applicant is proposing to use an existing building on the property that was previously used as an event center. In July, Community Development staff was contacted by the applicant inquiring about converting the property from an event venue to a church and a school. She was informed that the church was permitted by-right but that the school would require a SUP. Staff also informed the applicant that a site plan was required to be submitted with her application and that once staff received the site plan, staff could start the application process. Two other individuals associated with the school came into the office at the end of July inquiring about the process and were told the same thing. They were told that if a SUP was issued by the BZA, they would be required to go through the Change of Use process to meet requirements of the

Uniform Statewide Building Code ("USBC") and Fire Code and then could start the licensing process with the State.

On Tuesday, September 5, 2023, the Pittsylvania County Building Official, Fire Marshall, and Code Enforcement Officer accompanied the Department of Education, Licensing Division, to the property after receiving information that an unpermitted school was operating. When staff arrived, approximately 40-50 students were observed onsite ranging in age from 2-15. Because there were children under the age of 5, the owners were informed by the Department of Education that they were operating an illegal day care under Virginia State Code. Additionally, since the use of the building changed from an event venue to a childcare facility without the Change of Use required by the USBC to ensure that all Building and Fire Codes were met, the building was considered an unsafe structure under the USBC.

In addition to licensing and Building and Fire Code violations, the operation of a school in the B-2, Business District, General, zoning district without a Special Use Permit ("SUP") is a violation of the Zoning Ordinance. If the application is approved and a SUP is granted, a Change of Use will still be needed to ensure all requirements of the USBC and Fire Code are met. The applicant has met with both the Building Official and Fire Marshall to ensure all updates were done and that the property would meet the requirements of the new use group if the SUP is granted.

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 A-1, Agricultural District, zoned properties.

SITE DEVELOPMENT PLAN

Attached

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff recommends APPROVAL of Case S-23-013 with the following conditions:

1. Remain in compliance with all applicable Virginia Department of Education regulations.

MOTION:

1. Recommend approval of Case S-23-013 as submitted.
2. Recommend approval of Case S-23-013 subject to conditions by Staff
3. Recommend approval of Case S-23-013 subject to conditions by the Planning Commission.
4. Recommend denial of Case S-23-013 as submitted.

STAFF SUMMARY

<u>CASE</u> S-23-013	<u>ZONING REQUEST</u> SUP	<u>CYCLE</u> November 2023/December 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> Susan Tedder is requesting a Special Use Permit for a school.	<u>DISTRICT:</u> Dan River Election District	PLANNING COMMISSION: November 13, 2023 BOARD OF ZONING APPEALS: December 19, 2023 ADVERTISED: October 25, 2023 & November 1 & 22, 2023

SUBJECT

Requested by Susan Tedder, for a Special Use Permit for a school in accordance with Pittsylvania County Code § 35-366. The property is 2.54 acres, located on State Road 1002/Gentlemans Ridge Road in the Dan River Election District and shown on the Tax Map as GPIN # 1349-33-2695.

BACKGROUND/DISCUSSION

The subject property is zoned B-2, Business District, General. Under Pittsylvania County Code § 35-366, a Special Use Permit is required for schools under the B-2 zoning classification. The applicant is proposing to use an existing building on the property that was previously used as an event center. In July, Community Development staff was contacted by the applicant inquiring about converting the property from an event venue to a church and a school. She was informed that the church was permitted by-right but that the school would require a SUP. Staff also informed the applicant that a site plan was required to be submitted with her application and that once staff received the site plan, staff could start the application process. Two other individuals associated with the school came into the office at the end of July inquiring about the process and were told the same thing. They were told that if a SUP was issued by the BZA, they would be required to go through the Change of Use process to meet requirements of the Uniform Statewide Building Code (“USBC”) and Fire Code and then could start the licensing process with the State.

On Tuesday, September 5, 2023, the Pittsylvania County Building Official, Fire Marshall, and Code Enforcement Officer accompanied the Department of Education, Licensing Division, to the property after receiving information that an unpermitted school was operating. When staff arrived, approximately 40-50 students were observed onsite ranging in age from 2-15. Because there were children under the age of 5, the owners were informed by the Department of Education that they were operating an illegal day care under Virginia State Code. Additionally, since the use of the building changed from an event venue to a childcare facility without the Change of Use required by the USBC to ensure that all Building and Fire Codes were met, the building was considered an unsafe structure under the USBC.

In addition to licensing and Building and Fire Code violations, the operation of a school in the B-2, Business District, General, zoning district without a Special Use Permit (“SUP”) is a violation of the Zoning Ordinance. If the application is approved and a SUP is granted, a Change of Use will still be needed to ensure all requirements of the USBC and Fire Code are met. The applicant has met with both the Building Official and Fire Marshall to ensure all updates were done and that the property would meet the requirements of the new use group if the SUP is granted.

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 A-1, Agricultural District, zoned properties.

SITE DEVELOPMENT PLAN

Attached

RECOMMENDATION

Staff recommends APPROVAL of Case S-23-013 with the following conditions:

1. Remain in compliance with all applicable Virginia Department of Education regulations.

PLANNING COMMISSION MOTIONS:


1. Recommend approval of Case S-23-013 as submitted.
2. Recommend approval of Case S-23-013 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-23-013 as submitted.

ATTACHMENTS:

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


**PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT**

I, Susan Tedder, 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: Susan Tedder
Address: 589 Gentlemens Ridge Road, Blairs, VA 24527 Telephone: (434) 441-0851
2. Location of Property: State Road 1002/Gentlemens Ridge Road Total Amt: \$ 350.00
Taken By: CK# 2344

3. Tax Map Number's 2440-34-4131
4. Election District: Dan River
5. Size of Property: 2.54 Acres
6. Existing Land Use: School

Existing Zoning: B-2, Business District General
7. Proposed Land Use: School
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.



Susan Tedder

OFFICE USE ONLY
Application Deadline: 09/28/23
Received By: ESR
B.Z.A. Meeting Date: 12/11/23

Application No. S-23-013
P.C. Meeting Date: 11/09/23
Date Received: 09/14/2023
Action: _____

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

One parcel of land totaling 2.54 acres)
generally located on State Road 1002/Gentlemen's Ridge)
Road within the Dan River Election District,) **PETITION**
and recorded as parcel # 2440-34-4131)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Susan Tedder, 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 B-2, Business District General.
- (3) Your petitioner now desires to have a Special Use Permit issued to allow for a school.

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,



Susan Tedder

September 14, 2023

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

Dear Mrs. Ragsdale:

I, Susan Tedder, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 2.54 acres (one parcel), located on State Road 1002/Gentlemen's Ridge Road, in the Dan River Election District. The property is shown on the Tax Maps as GPIN # 2440-34-4131.

I would like a Special Use Permit to allow for a School.

Sincerely,



Susan Tedder



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-23-03 Applicant Sumterden Date 9-15-23

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2440-33-0252	TEDDER, SUSAN WILLIAMS	589 GENTLEMENS RIDGE RD	BLAIRS, VA 24527
2440-15-2123	WILLIAMS, DAVID ALAN	8307 OLD RICHMOND RD	BLAIRS, VA 24527
2440-45-4060	MCCAIN, JANICE GOSNEY	8841 OLD RICHMOND RD	KEELING, VA 24566

S-23-013 SUSAN TEDDER

ArcGIS Web Map



7/18/2023, 4:42:59 PM

1:1,128

Virginia Cities and Counties

- County
- Tax Parcels (All)
- Assessed Parcels

Route Numbers

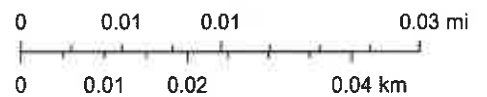
- Streets
- ALL OTHER
- Zoning Districts

Assessed Parcels Labels

- Addresses

Agricultural

- Business, General
- Residential Suburban Subdivision



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



CONCEPT PLAN

NOT TO SCALE

PARCEL INFORMATION

OWNER OF PARCELS: SUSAN TEDDER WILLIAMS

- ① PARCEL ID: 2440-34-4131 - 2.54 AC. (B-2)
- ② PARCEL ID: 2440-33-0252 - 196.74 AC. (A-1)
- ③ PARCEL ID: 2440-24-9290 - 2.0 AC. (R-1)

SITE ADDRESS: 563 GENTLEMENS RIDGE RD.
BLAIRS VA 24527
DAN RIVER MAGISTERIAL DISTRICT

PROPOSED SCOPE OF WORK:

CHANGE OF USE FROM EXISTING WEDDING VENUE
(WHICH INCLUDES CHAPEL, DINING & KITCHEN)
TO A CHURCH, GRADE SCHOOL & PRE-SCHOOL
(300+ PARKING SPACES AVAILABLE)

ZONE CODE: EXISTING - PARCEL ①
(B-2) BUSINESS DISTRICT

ZONE CODE CHANGE REQUEST:
(B-2) BUSINESS DISTRICT

SPECIAL USE PERMIT:
PRIVATE SCHOOL/PRE-SCHOOL

NOTE: AERIAL IMAGE PROVIDED BY GOOGLE EARTH
AND PITTSYLVANIA COUNTY GIS WEBSITE.

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

PROPOSED CONCEPT PLAN FOR:
SUSAN WILLIAMS TEDDER
563 GENTLEMENS RIDGE RD.
BLAIRS VA 24527
MOBILE No. (434) 441-0851

SHEET	SK-1 OF 1
DATE	9/14/2023
FILE	2023-45
SCALE	NOT TO SCALE

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case S-23-017 Network Towers; Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-179 (Harker)								
Staff Contact(s):	Emily Ragsdale								
Agenda Date:	November 9, 2023	Item Number:	9.g.						
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td colspan="2">S-23-017 Network Towers App</td> </tr> <tr> <td>2.</td> <td colspan="2">S-23-017 Network Towers Maps-Plans</td> </tr> </table>			1.	S-23-017 Network Towers App		2.	S-23-017 Network Towers Maps-Plans	
1.	S-23-017 Network Towers App								
2.	S-23-017 Network Towers Maps-Plans								
Reviewed By:									

SUMMARY:

SUBJECT

Requested by Network Towers, for a Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-179. The property is 115.88 acres, located on State Road 640/Renan Road in the Staunton River Election District and shown on the Tax Map as GPIN # 2572-50-5843.

BACKGROUND/DISCUSSION

The applicant is requesting a Special Use Permit to allow a cell tower to be constructed on the subject property. The subject property is zoned A-1, Agricultural District. According to Pittsylvania County Code § 35-179, Towers are allowed by Special Use Permit. The leased area will be 100' x 100' with the fenced compound being 50' x 50'. The proposed tower will be approximately 199 feet tall, consisting of a 195-foot monopole with a 4-foot lightning rod. Verizon Wireless will be the anchor tenant on the tower, with the ability to support equipment for four (4) additional providers.

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 zoned properties.

SITE DEVELOPMENT PLAN

Included.

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff recommends APPROVAL of Case S-23-017.

MOTION:

1. Recommend approval of Case S-23-017 as submitted.
2. Recommend approval of Case S-23-017 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-23-017 as submitted.

STAFF SUMMARY

<u>CASE</u>	<u>ZONING REQUEST</u>	<u>CYCLE</u>
S-23-017	SUP	November 2023/December 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> Network Towers is requesting a Special Use Permit for the placement of a cell tower.		PLANNING COMMISSION: November 13, 2023
DISTRICT: Staunton River Election District		BOARD OF ZONING APPEALS: December 19, 2023
		ADVERTISED: October 25, 2023 & November 1 & 22, 2023

SUBJECT

Requested by Network Towers, for a Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-179. The property is 115.88 acres, located on State Road 640/Renan Road in the Staunton River Election District and shown on the Tax Map as GPIN # 2572-50-5843.

BACKGROUND/DISCUSSION

The applicant is requesting a Special Use Permit to allow a cell tower to be constructed on the subject property. The subject property is zoned A-1, Agricultural District. According to Pittsylvania County Code § 35-179, Towers are allowed by Special Use Permit. The leased area will be 100' x 100' with the fenced compound being 50' x 50'. The proposed tower will be approximately 199 feet tall, consisting of a 195-foot monopole with a 4-foot lightning rod. Verizon Wireless will be the anchor tenant on the tower, with the ability to support equipment for four (4) additional providers.

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 zoned properties.

SITE DEVELOPMENT PLAN

Included.

RECOMMENDATION

Staff recommends APPROVAL of Case S-23-017.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-23-017 as submitted.
2. Recommend approval of Case S-23-017 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-23-017 as submitted.

ATTACHMENTS:

- A. Application
- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition

- F. Sign Affidavit
- G. Adjacent Parcel Owners
- H. Site Plan

PITTSYLVANIA COUNTY
APPLICATION FOR SPECIAL USE PERMIT

I/We, Network Towers II, LLC., 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: Anthony R. Layne Phone: _____
Address: 3213 Piney Grove Rd Gretna, VA

ZIP 24557
2. Location of Property: 4256 Renan Rd Gretna, VA 24557
3. Tax Map Parcel Number: 2572-50-5843
4. Election District: Staunton River
5. Size of Property: 115.88 acres / square feet
Size of Proposed Special Use: 10,000 acres / square feet
6. Existing Land Use: Agricultural
Existing Zoning: A-1 (Agricultural)
7. Proposed Land Use: Telecommunications Facility
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.
saverna@nbcllc.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.

Andrew Patterson
Applicant

Sworn to and subscribed before me in my presence this 25 day of July, 2023, in my City and State
aforesaid, by Jacob Todd Townsend Notary Public. My commission Expires: 09/30/2027

OFFICE USE ONLY: Application No.: S-23-017 Check # 4642

Application Deadline: 9-28-2023 P. C. Hearing Date: 11-9-2023

Received By: E.S.P. Date Received: 9-11-2023

B.Z.A. Hearing Date: 12-11-2023 Action: _____

Jacob Todd Townsend
NOTARY PUBLIC
REGISTRATION # 8063687
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES September 30, 2027

VIRGINIA

:

BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A 115.88 acre parcel of land,)
generally located, 4256 Renan Road)
within the Staunton River)
Election District, and recorded as)
parcel # 2572-50-5843 in the)
Pittsylvania County tax records.)

PETITION

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner Network Towers II, 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 A-1 (Agricultural) District.
- 3) Your petitioner now desires to have a Special Use Permit issued for the purpose of Proposed Wireless Telecommunications Facility.

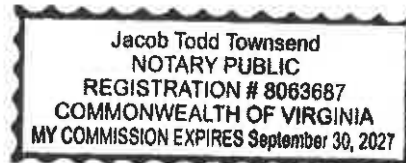
WHEREFORE, your petitioner respectfully requests that the above-referenced parcel of land be issued a Special Use Permit as set out in Number 3.

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,

Dean Patterson
Petitioner

Sworn to and subscribed before me in my presence this 25 day of July, 2023, in my City and State aforesaid, by Jacob Todd Townsend Notary Public. My commission Expires: 09/30/2027



SPECIAL POWER OF ATTORNEY

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

4256 Renan Road

Gretna, VA 24557

Tax Map # 2572-50-5843

I/we Anthony R. Layne, atm/are:

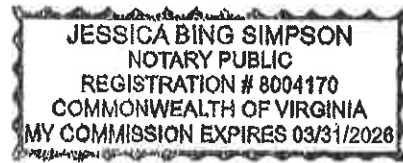
 the applicant for the above-referenced application

 X the owner(s) of the property described above

I/we do hereby make, constitute, and appoint Drew Patterson, authorized agent of Network Towers II, 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 proposed wireless telecommunications facility, 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 proposed wireless telecommunications facility, 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 proposed wireless telecommunications facility, on the Property.

Anthony R. Layne
Owner:



Print Name Anthony R. Layne

Commonwealth of Virginia City/County of Pittsylvania, to-wit:
Subscribed and sworn to before me this 13 day of July, 2023, in my City and State aforesaid, by Jessi Simpson Notary Public.
My Commission Expires: 03/31/2026

Return To:

Sec. 58.1-807(F)
Code of Virginia

LESSEE Site Name: Glenland
LESSEE MGD Location: 5000919232

MEMORANDUM OF LEASE AGREEMENT

THIS MEMORANDUM OF LEASE AGREEMENT is made effective this 17th day of May 2023, by and between **Anthony R. Layne**, an individual, with an address at 3213 Piney Grove Road, Gretna, VA 24557 (hereinafter "Lessor" or "Grantor"), and **Cellco Partnership d/b/a Verizon Wireless**, a Delaware general partnership ("Lessee" or "Grantee") with a mailing address of One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920.

WHEREAS, Lessor and Lessee entered into a Land Lease Agreement ("Lease"), dated May 10, 2023 whereby Lessor conveyed a Lease to Lessee, for a 100' x 100' portion (the "Leased Premises") of a 115.88 acre tract of property located at 4256 Renan Road, Gretna, Pittsylvania County, VA 24557, and also known as Tax Parcel ID No.: 2572-50-5843 (the "Property"), which Property is described in Exhibit "A" attached hereto; and,

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, Lessor and Lessee shall set forth basic terms of the Lease as follows:

1. The Initial Term of the Lease is for five (5) years commencing on the first day of the month after Lessee begins installation on the Premises, with options to renew for four (4) additional five (5) year terms unless terminated in accordance with the provisions of the Lease Agreement.
2. In consideration of the Rent set forth in the Lease, Lessor leases to Lessee a portion of the Property consisting of a 100' by 100' parcel of land containing 10,000 square feet, together with the non-exclusive right for ingress and egress seven (7) days a week, twenty-four (24) hours a day for installation, maintenance and operation of communications facilities. A plat of the Leased Premises is attached hereto as Exhibit "B".
3. A copy of the Lease, as may be amended, is on file with the Lessor and Lessee.
4. The terms, covenants and provisions of the Lease, of which this is a Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Lessor and Lessee.

LESSEE: **CELLCO PARTNERSHIP**
d/b/a Verizon Wireless

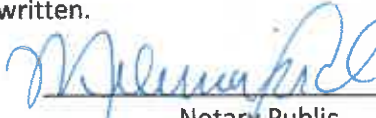
BY: 
Michelle Chu

STATE / COMMONWEALTH OF Maryland : : SS
COUNTY OF Anne Arundel :

CORPORATE ACKNOWLEDGMENT

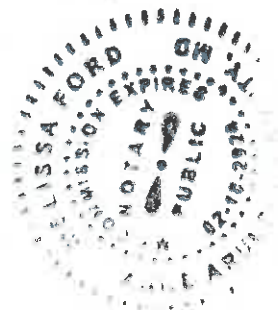
On this 17th day of May, 2023, before me, the subscriber, a Notary Public, in and for the State / Commonwealth Maryland, personally appeared Michelle Chu (name), Director - Network Bldg (title) of **Cellco Partnership**, a Delaware general partnership, and in due form of law acknowledged that he/she is authorized on behalf of said Partnership to execute all documents pertaining hereto and acknowledged to me that he executed the same as his/her voluntary act and deed on behalf of said Partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal in said County and State of the day and year last above written.


Notary Public

My Commission Expires:

MELISSA FORD
Notary Public-Maryland
Anne Arundel County
My Commission Expires
February 10, 2024



follows:

Beginning at iron located in the northeastern margin of the right of way of State Road No. 640, as shown on the aforementioned plat, common front corner between the property herein described and the property now or formerly belonging to Floyd Junior Betterton; thence leaving said margin of said right of way of said road, North 84 degrees 36 minutes East 708.00 feet to iron; thence South 17 degrees 04 minutes East 388.28 feet to white oak tree; thence South 62 degrees 29 minutes West 757.00 feet to iron located in the State Road No. 640; thence in a northerly direction along the northeastern margin of the right of way of State Road No. 640 as it meanders, chord bearing and distance being North 12 degrees 42 minutes West 670.63 feet to iron, the point and place of beginning.

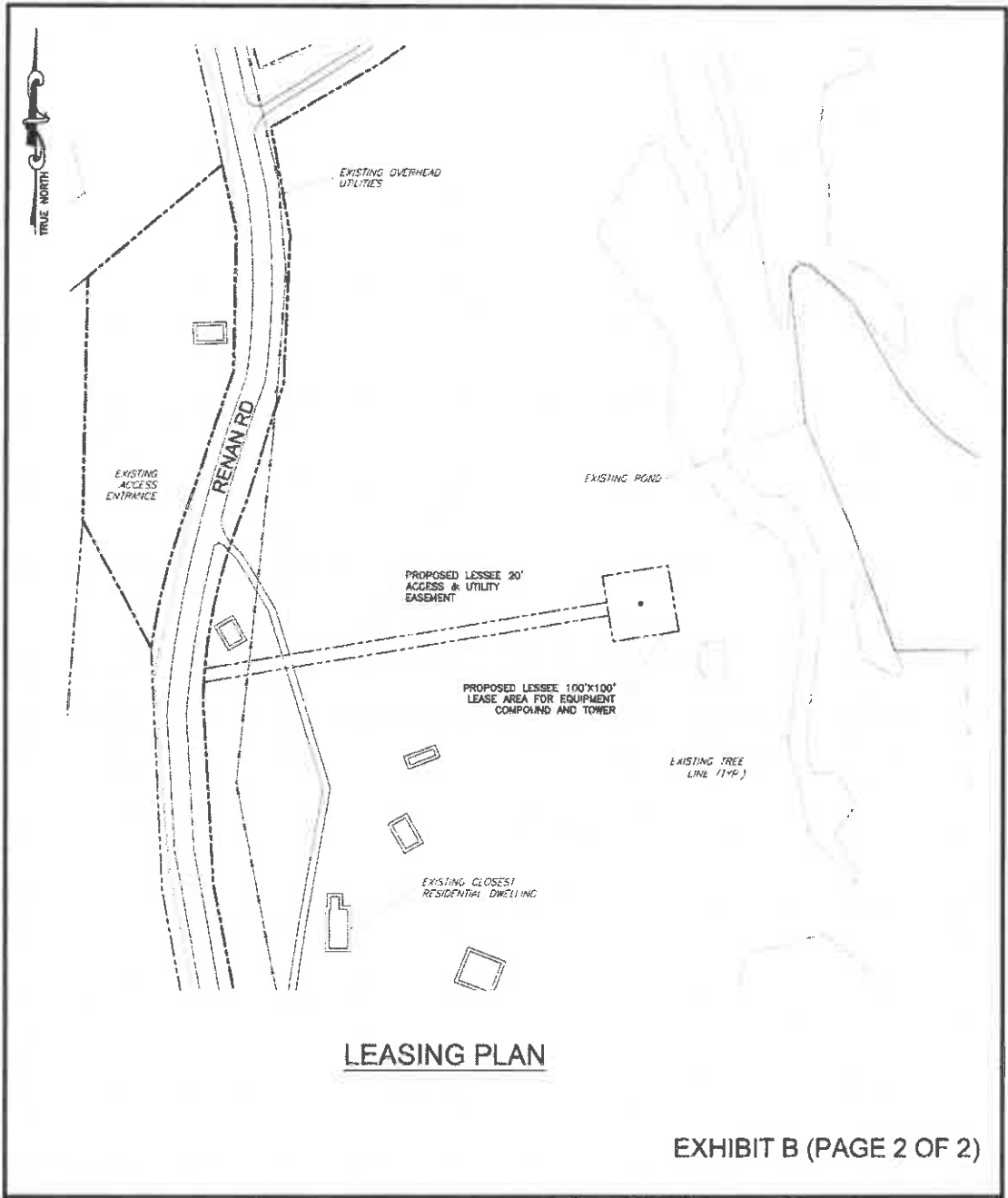
Saving and excepting therefrom, however, the following two (2) parcels:

Being for the first all that certain parcel of land in Staunton River Magisterial District of Pittsylvania County, Virginia, conveyed by Burton H. Layne Estate to the Commonwealth of Virginia by Deed dated January 2, 1974 and recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Deed Book No. 582, Page 712.

Together with the temporary right and easement to use the additional area shown on the plans for the construction of a silt settlement basin opposite right approximate Station 54+72 (the "Temporary Easement"), and further together with the permanent right and easement to use the additional area shown as being required for the proper construction and maintenance of a drainage ditch left opposite approximate Station 72+59 (the "Drainage Easement").


Being for the second all that certain parcel of land, containing 25 acres, more or less, in Staunton Magisterial District, Pittsylvania County, Virginia, which by Deed dated September 4, 1990 and recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Deed Book No. 886, Page 203, which was granted and conveyed by Richard Leroy Miller and Brenda Claire Layne Miller to Richard Leroy Miller, fronting on State Route 640 for a distance of 708 feet, and which is more particularly shown on and described according to a survey by John David Jacobs, C.L.S., entitled "Tract of Land Surveyed For Richard L. Miller and Brenda L. Miller, to be Conveyed to Richard L. Miller," surveyed on August 4, 1990, and which was attached to and recorded with the aforesaid Deed.

Deed: Book No. 886, Page 203.
Parcel ID No: 2572-50-5843



LEASING PLAN

EXHIBIT B (PAGE 2 OF 2)

 <p>TOTALLY COMMITTED.</p> <p><small>NB+C ENGINEERING SERVICES, LLC. 100 EASTSHORE DRIVE, SUITE 200 GLENN ALLEN, VA 22060</small></p>	<p>GLENLAND 4256 RENAN RD GRETNA, VA 24557 PITTSYLVANIA COUNTY</p>	<p>SUBMITTALS</p>		<p>SITE INFORMATION</p>	
		<p>REV 0</p>	<p>DATE 01/11/23</p>	<p>BY AT</p>	<p>VISIT BY: JAD</p>
				<p>SHEET 2</p>	



NT SITE NAME: GLENLAND
NT SITE ID: VA-T23.32

4256 REANAN ROAD
 GRETNA, VA 24657
 PITTSYLVANIA COUNTY

811
 Know what's below.
 Call before you dig.

DRAWING INDEX

T-1	TITLE SHEET
EE-1	BASEMENT EXHIBIT
Z-1	OVERALL SITE PLAN
Z-2	SITE PLAN
Z-3	AERIAL PLAN
C-1	COMPOUND PLAN
C-2	TOWER ELEVATION
S-1	FENCE DETAILS
S-2	ACCESS DRIVE GATE DETAILS
S-3	SIGNAGE DETAILS

VICINITY MAP

DIRECTIONS

FROM RICHMOND, VIRGINIA, GET ON I-65 / US-301 / VA-208 SOUTH AND HEAD TOWARD AMELIA / CHESTERFIELD TOWNSHIP. TURN RIGHT ON VA-208 SOUTH / US-301 BUS WEST AND HEAD TOWARD FARMVILLE / HENSVILLE. KEEP STRAIGHT TOWARD CHARLOTTE CH / DRAHEES BRANCH / HENSVILLE. TURN RIGHT ON VA-49 / CHURCH ST. TURN LEFT ONTO COACH RD. TURN RIGHT ONTO REANAN RD. ARRIVE AT REANAN RD. THE LAST INTERSECTION BEFORE YOUR DESTINATION IS PINEY BROVE RD / VA-426. IF YOU REACH ELBOW RD, YOU'VE GONE TOO FAR. 4256 REANAN RD, GRETNA, VA 24657

CODE COMPLIANCE

- ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES:
- 2018 INTERNATIONAL BUILDING CODE
- 2018 VA LANSFORD STATE ELECTRICAL CODE
- 2017 NATIONAL ELECTRICAL CODE
- 2015 NFPA 70, LIFE SAFETY CODE
- 2015 IPC
- AMERICAN CONCRETE INSTITUTE
- TELECORDIA GR-123
- ANSIF 311

PROJECT TEAM

CLIENT
 NETWORK TOWERS, LLC
 120 EASTSHORE DRIVE, SUITE 300
 GLEN ALLEN, VA 23060
 (804) 363-8971

CONSTRUCTION MANAGEMENT
 NETWORK BUILDING + CONSULTING
 120 EASTSHORE DRIVE, SUITE 300
 GLEN ALLEN, VA 23060
 (804) 290-8704

ENGINEERING FIRM
 NBS-C ENGINEERING SERVICES, LLC
 120 EASTSHORE DRIVE, SUITE 300
 GLEN ALLEN, VA 23060
 (804) 343-8793

SITE INFORMATION

SITE ADDRESS: 4256 REANAN ROAD, GRETNA, VA 24657
 LATITUDE (NAD 83): 37° 52' 29.3807" N
 LONGITUDE (NAD 83): 79° 12' 38.7287" W
 JURISDICTION: PITTSYLVANIA COUNTY
 ZONING: AGRICULTURAL
 PARCEL ID: 29274905845
 PARCEL AREA: 116.68 ACRES
 PROPOSED COMPOUND AREA: 2,500 SQ. FT.
 PROPOSED DISTURBED AREA: 13,000 SQ. FT. (0.26 ACRES)
 PROPOSED IMPERVIOUS AREA: 11,250 SQ. FT. (0.26 ACRES)
 PARKING: 1
 PARCEL OWNER: LANDS ANTIQUA, P.O. BOX 100, 3043 PINEY BROKE RD, GRETNA, VA 24657
 TOWER OWNER: NETWORK TOWERS, LLC, 120 EASTSHORE DRIVE, SUITE 300, GLEN ALLEN, VA 23060
 STRUCTURE TYPE: MONOPOLE
 STRUCTURE HEIGHT: 199.47' (HULL HIGHEST POINT)
 CLASSIFICATION GROUP: U

POWER SUPPLIER
 MECKLENBURG ELECTRIC CO-OP
 CONTRACT NO: 192-27
 ENAIL: TED
 WORK ORDER # TBD

CONSTRUCTION GROUP
 MECKLENBURG ELECTRIC CO-OP
 CONTRACT NO: 192-27
 ENAIL: TED
 WORK ORDER # TBD

REVISIONS

REV	DATE	DESCRIPTION	BY
B	07/20/20	ZIP-COMMENTS	DP

DESIGN RECORD

DESIGNED BY: [Blank]
 CHECKED BY: [Blank]
 DATE: [Blank]

PROFESSIONAL STAMP

APPLICANT
 NETWORK TOWERS, LLC
 120 EASTSHORE DRIVE, SUITE 300
 GLEN ALLEN, VA 23060
 (804) 363-8971

ENGINEER
 THOMAS SWANS, P.E.
 VA PROFESSIONAL ENGINEER LIC. #04689

SHEET TITLE
 TITLE SHEET

SHEET NUMBER
 T-1

APPLICANT

ENGINEER

SITE INFORMATION

DESIGN RECORD

PROFESSIONAL STAMP

ENGINEER

SHEET TITLE

SHEET NUMBER

PROJECT NARRATIVE

NETWORK TOWERS, LLC PLANS TO BUILD A NEW WIRELESS TELECOMMUNICATIONS FACILITY WHICH WILL INCLUDE A NEW 199 MONOPOLE TOWER AND 50-60' FENCED COMPOUND. THE PROPOSED TOWER AND FENCED COMPOUND WILL BE LOCATED INSIDE EXISTING METALWARE OR INFIRMARY BUFFER.

DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FOR INFORMATION ONLY. CONTRACTORS SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES. THE CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

PROJECT NARRATIVE

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REVISIONS

REV	DATE	DESCRIPTION	BY
B	07/20/20	ZIP-COMMENTS	DP

DESIGN RECORD

DESIGNED BY: [Blank]
 CHECKED BY: [Blank]
 DATE: [Blank]

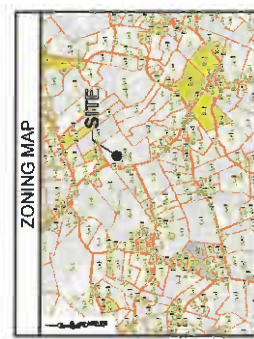
PROFESSIONAL STAMP

ENGINEER
 THOMAS SWANS, P.E.
 VA PROFESSIONAL ENGINEER LIC. #04689

SHEET TITLE
 TITLE SHEET

SHEET NUMBER
 T-1

		CLIENT NETWORK TOWERS, LLC 1500 RIVERVIEW DRIVE, SUITE 200 PITTSBURGH, PA 15101-4999	ENGINEER NB+C ENGINEERING SERVICES, LLC 4528 RENAN ROAD, SUITE 200 GREENTOWN, VA 24627	SITE INFORMATION HT SITE NAME: GLENLAND SITE ADDRESS: 15842 BROOKFIELD BLVD #100772 (811 ADDRESS TBO) 4228 RENAN ROAD GREENTOWN, VA 24627 PITTSBURGH COUNTY	DESIGN RECORD <table border="1"> <tr> <th>REV#</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> <tr> <td>1</td> <td></td> <td>ISSUED</td> <td></td> </tr> </table>	REV#	DATE	DESCRIPTION	BY	1		ISSUED			PROFESSIONAL SEAL TRAVIS G. GWAGER, P.E. VA PROFESSIONAL ENGINEER, LIC. #09679	SHEET TITLE OVERALL SITE PLAN	SHEET NUMBER Z-1
REV#	DATE	DESCRIPTION	BY														
1		ISSUED															



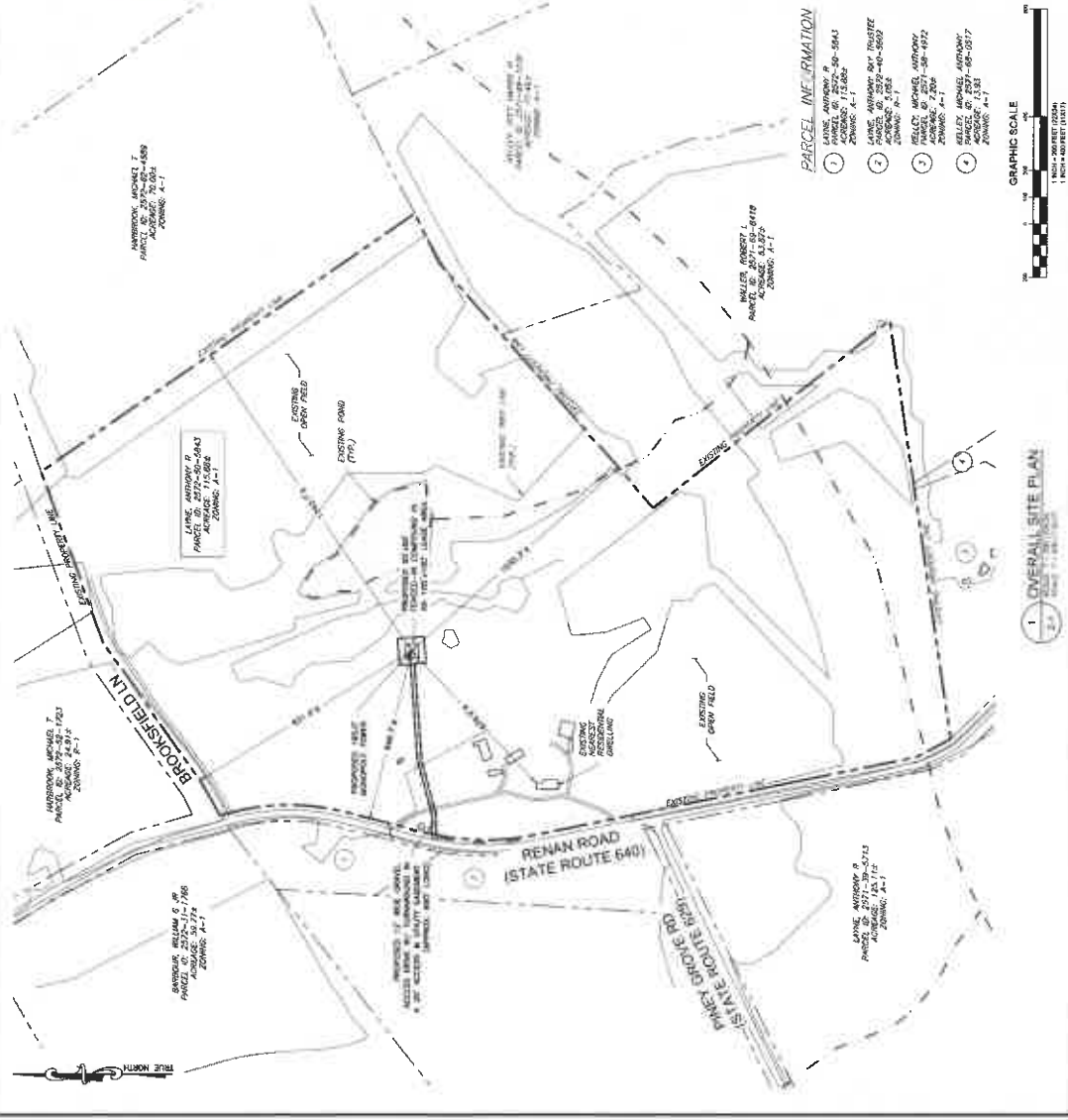
ZONING INFORMATION	
PROJECT: PROJECT 23-064	PROPOSER: NB+C
FRONT YARD SETBACK: 10 FT	REQUIREMENTS: 10 FT
REAR YARD SETBACK: 10 FT	REAR: 10 FT
HEIGHT RESTRICTION: 35 FT MAX	REAR SETBACK: 10 FT

ALL REQUIREMENTS ARE IN ADDITION TO ANY OTHERS NOTED

SETBACKS SHOWN ARE FROM OVERHEAD POWER TO CENTER OF EXISTING PROPERTY LINES

LEGEND	
	PROPERTY LINE (DASHED)
	PROPERTY LINE (SOLID)
	EXISTING ROAD
	EXISTING BUILDING
	EXISTING UTILITY LINE
	EXISTING STORMWATER
	EXISTING RIGHT-OF-WAY
	PROPOSED BUILDING
	PROPOSED LEASE AREA
	PROPOSED OVERHEAD POWER
	PROPOSED SERVICE ROAD

- GENERAL NOTES**
- THIS PLAN IS SUBJECT TO ALL REQUIREMENTS AND RESTRICTIONS OF THE CITY OF PITTSBURGH.
 - THIS FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION.
 - THE FACILITY IS UNMANNED AND DOES NOT REQUIRE PORTABLE WATER OR SANITARY SERVICES.
 - PROPOSED TOWER BUILDING IS LOCATED 678.92 FEET AWAY FROM PROPOSED TOWER CENTER.
 - THIS IS NOT A BOUNDARY SURVEY AND IS NOT TO BE USED TO CONVEY OR RECEIVE RIGHTS IN ANY REAL PROPERTY.
 - LEASED AREA, ACCESS & UTILITY EXHIBIT AND PROPERTY BOUNDARY INFORMATION, THE FEDERAL BUREAU OF SURVEYING, MANUSCRIPT ASSESSMENT, AND THE PROPOSED TELECOMMUNICATIONS SITE IS LOCATED IN BLOCK "C", ACCORDING TO THE FEDERAL MANAGEMENT AGENCY - COMMUNITY MAPS, NO. 51143-1033E DATED 07/29/2016.





NT SITE NAME: GLENLAD
 1500 W. GLENLAD RD.
 NBIC PROJ # 18072
 811 ADDRESS (IBD)
 4258 RENAN ROAD
 GREENTOWN, VA 24657
 PITTSYLVANIA COUNTY

REVISIONS

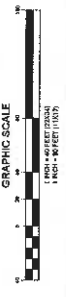
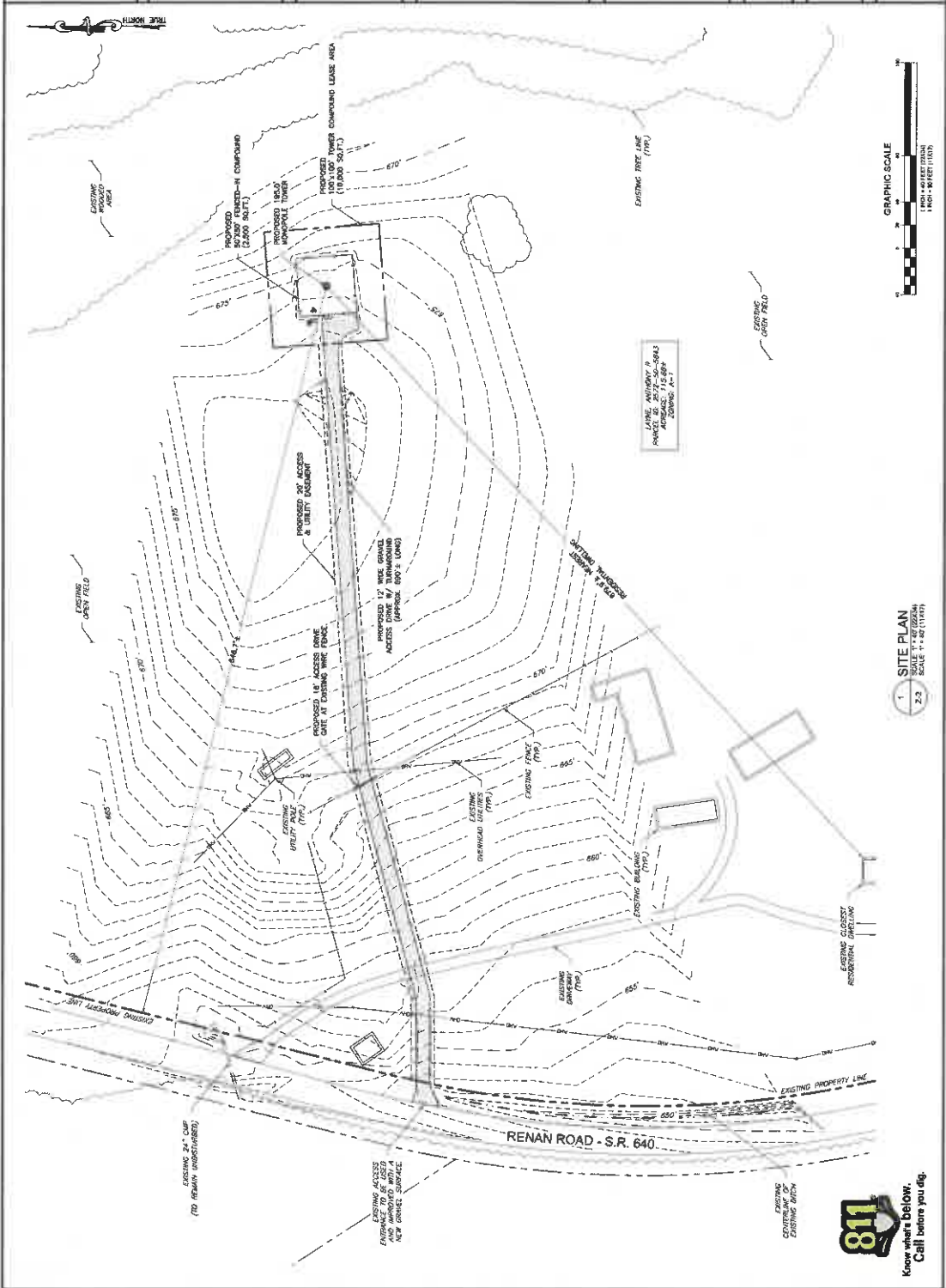
NO.	DATE	DESCRIPTION	BY



TRENT Y. SAWYER, P.E.
 VA PROFESSIONAL ENGINEER LIC. #04689

SITE PLAN

Z-2



1 SITE PLAN
 2-3 SCALE 1" = 40' (20254)
 SCALE 1" = 40' (11497)

Know what's below.
 Call before you dig.



Drew Patterson
Director
Network Towers
120 Eastshore Drive, Suite 300
Glen Allen, VA 23059

September 7, 2023

Emily Ragsdale, Community Development Director
Pittsylvania County Community Development Department
53 Main Street
Chatham, VA 24531

RE: Special Use Permit Application for New Wireless Telecommunication Facility
Parcel Address: 4256 Renan Road, Gretna, VA 24557
Parcel #: 2572-50-5843

Dear Ms. Ragsdale:

The application filed on behalf of the applicant, Network Towers II, LLC., with respect to its proposed telecommunications facility (monopole tower) on the above referenced property:

- Application;
- Applicant narrative and associated filing materials;
- One (1) digital copy of the plan; and
- Special Use Permit Application Fee for New Wireless Telecommunication Facility (\$350.00, check # 4603).

If you have any questions or require any additional information, please contact me at (571) 340-5493.

Sincerely,

Drew Patterson

Director
Network Towers

ORDINANCE REQUIREMENTS

The subject property is zoned A-1, Agricultural. In accordance with the Zoning Ordinance, telecommunications towers are permitted in the A-1, Agricultural District with an approved Special Use Permit "SUP". Wireless Telecommunication Facilities are governed within the Zoning Ordinance, Section 35-128. Towers, Antennas, Satellite Dishes. The applicable requirements in these sections are as follows:

The tower will far exceed all required setbacks to include the primary structure setbacks for the A-1, Agricultural district setbacks. The following are the required and proposed setbacks:

<i>Setback</i>	<i>Required</i>	<i>Proposed</i>
<i>Front</i>	<i>60'</i>	<i>646.9'</i>
<i>Right Side</i>	<i>10'</i>	<i>931.5'</i>
<i>Left Side</i>	<i>10'</i>	<i>1,100'</i>
<i>Rear</i>	<i>40'</i>	<i>1,435.6'</i>

§ 35-179. Uses permitted by special use permit.

The uses listed in this section shall be permitted within the A-1, Agricultural, zoning districts only upon the issuance of a Special Use Permit by the board of zoning appeals.

Towers shall be permitted only by special use permit within the A-1, Agricultural zoning district.

Comprehensive Plan Compliance

Chapter IV Community Facilities and Services: Emergency Management & Communications

§A - 6. Strive to Ensure multiple modes of communications in disaster events.

§B – 5. Maintain high level of confidence in the public radio safety system. Continue to upgrade, maintain FCC compliance, and collaborate with other departments to ensure radio footprint of county system is improved to 100% wherever possible. Continue to promote, demonstrate, clear text communications and implement radio interoperability throughout the county following P25 Standards.

Chapter IV Community Facilities and Services: High Speed Communication Network

The proposed telecommunications tower and facility has been designed to meet the spirit and criteria outlined in Chapter IV of the Pittsylvania County Comprehensive Plan related to wireless telecommunications infrastructure. The proposed facility will allow for more methods of communication during disaster events, improve high level of confidence in public safety systems, and enhance the high speed communication network in Pittsylvania County.

The proposed tower is in an area designated by the comprehensive plan as agricultural and rural residential. This category is characterized by agriculture, farming, forestry, open space and low density residential, commercial or recreational uses. The proposed tower will benefit the County residents and businesses in the area by bringing network coverage and capacity to this underserved area. The tower has been strategically located in relation to existing infrastructure to maximize its impact to the existing wireless network. This site is

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2571-39-5713	LAYNE, ANTHONY R	3213 PINEY GROVE RD	GRETNA, VA 24557
2571-89-1230	KELLEY, OTEY HARRIS III	409 HARMONY RD	GRETNA, VA 24557
2571-69-8418	WALLER, ROBERT L	1352 WALLER RD	HURT, VA 24563
2572-31-1766	BARBOUR, WILLIAM G JR	5193 RENAN RD	GRETNA, VA 24557
2572-52-1723	HARBROOK, MICHAEL T	161 BROOKSFIELD LANE	GRETNA, VA 24557
2571-58-4972	KELLEY, MICHAEL ANTHONY	3980 RENAN RD	GRETNA, VA 24557

S-23-017 NETWORK TOWERS

11/1/23, 2:42 PM

Pittsylvania County Public GIS Viewer

Personal notes Using the Query tool

Pittsylvania County Public GIS Viewer

Layers

Virginia Towns

Virginia Cities and Counties

Tax Parcels (All)

Tax Parcels (group layer)

Addressing (group layer)

Administrative (group layer)

Base Map (group layer)

Community Development (group layer)

Economic Development (group layer)

Emergency Services

Parks and Recreation (group layer)

Population Demographics (group layer)

Public Utilities (group layer)

Schools (group layer)

Tax Map Grids (group layer)

Transportation (group layer)

Voter Services (group layer)

Waste Collection (group layer)

Zoning (group layer)

Zoning Districts

VGIN 1m Land Cover Classification

VBMP 2002 Aerial Imagery

VBMP 2011 Aerial Imagery

VBMP 2015 Aerial Imagery

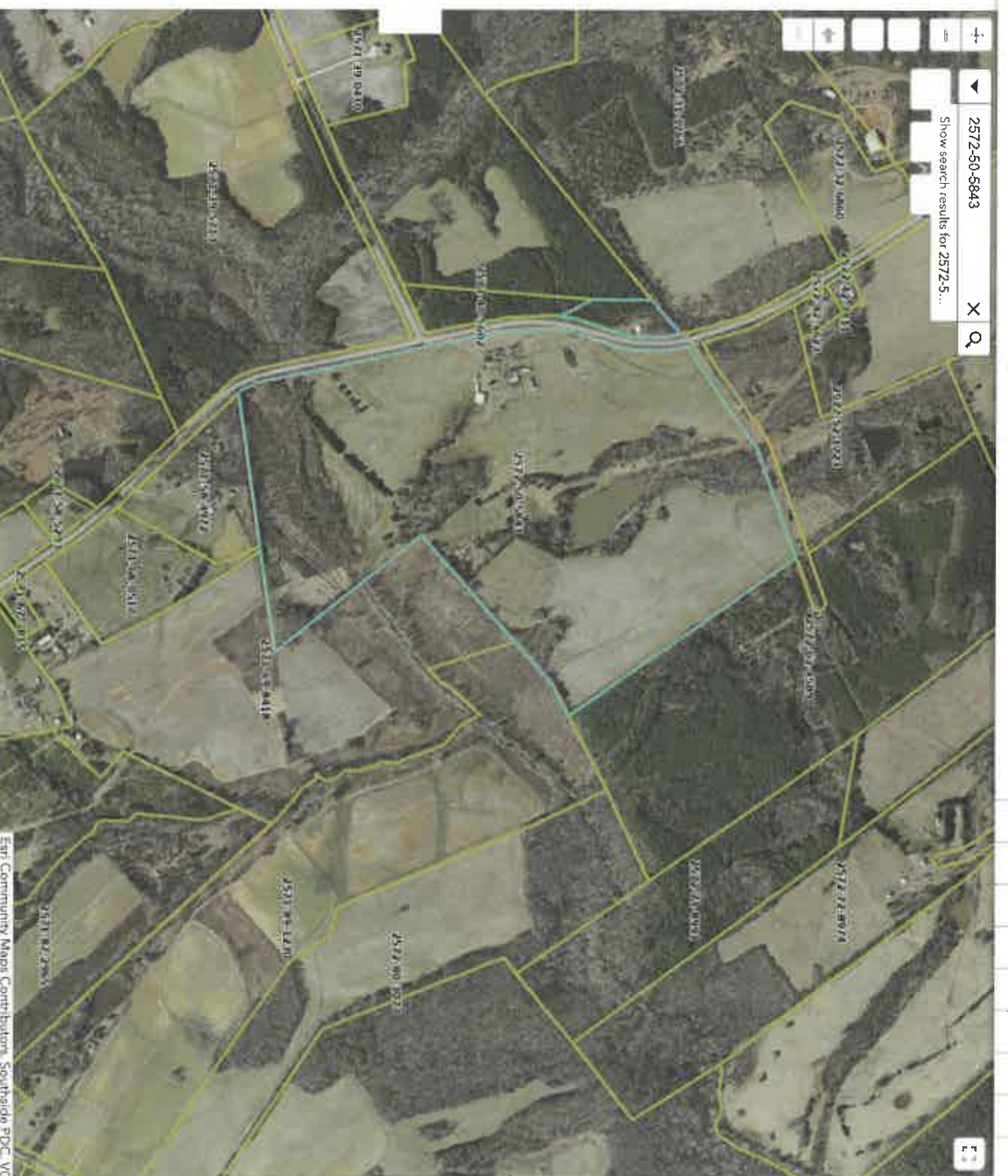
VBMP 2019 Aerial Imagery

VBMP 2023 Aerial Imagery



2572-50-5843

Show search results for 2572-5...



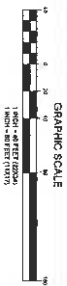
Est: Community Maps Contribution, Southside PD-C, VA




App State
Click to restore the map extent and layers
visible where you left off.

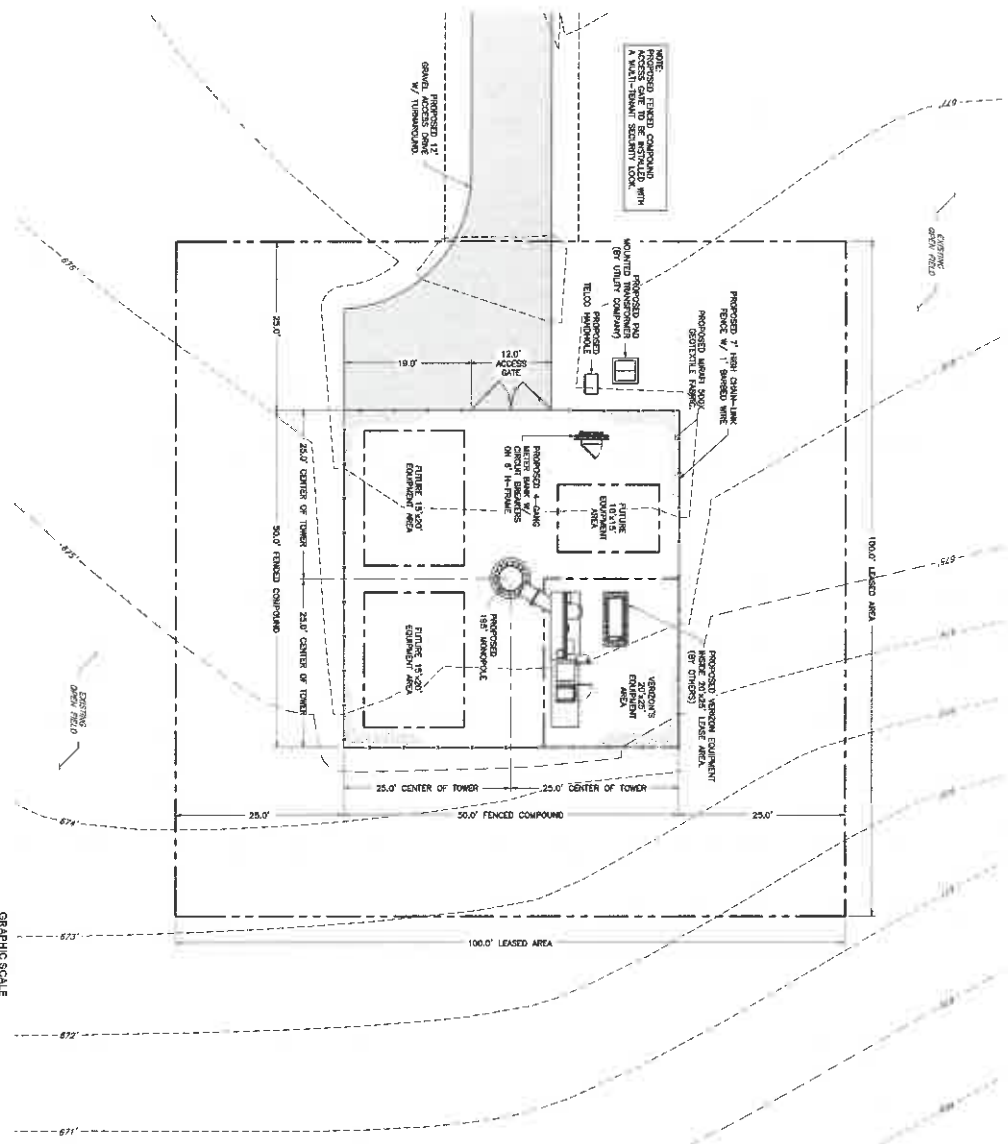


811
Know what's below.
Call before you dig.

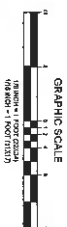
2-3
AERIAL PLAN
SCALE: 1" = 100'



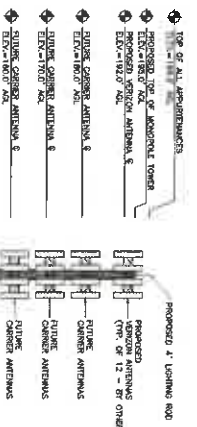
<p>APPLICANT</p>  <p>NETWORK TOWERS</p>	<p>ENGINEER</p>  <p>NEC TOTALLY COMMITTED</p>	<p>SITE INFORMATION</p> <p>NET SITE NAME: GLENLAND NET SITE ID: VA128232 NE-C-PH01-A-10972 4299 REMAN ROAD ORLETTA, VA 22650 PT 13, TARRANT COUNTY</p>	<p>DESIGN RECORD</p> <table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REV	DATE	DESCRIPTION	BY					<p>PROFESSIONAL STAMP</p>  <p>TRENT T. SAUER, E.E. VA PROFESSIONAL ENGINEER NO. 486078</p>	<p>ENGINEER</p> <p>TRENT T. SAUER, E.E. VA PROFESSIONAL ENGINEER NO. 486078</p>	<p>SHEET</p> <p>AERIAL PLAN</p>	<p>SHEET NUMBER</p> <p>Z-3</p>
REV	DATE	DESCRIPTION	BY												



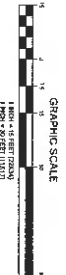
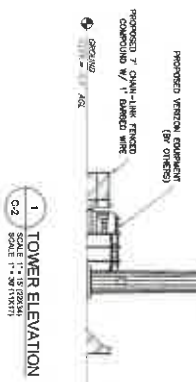
COMPOUND PLAN
SCALE: 1/8" = 1'-0"
SCALE: 1/4" = 1'-0"



SHEET NUMBER C-1	SHEET TITLE COMPOUND PLAN	ENGINEER TERRY J. BURKE, S. VA PROFESSIONAL ENGINEER, L.C. #48978	PROFESSIONAL STAMP 	DESIGN RECORD REV. DATE DESCRIPTION BY 0 0/0000 2024/08/08	SITE INFORMATION NT SITE NAME: GLENLAND NT SITE ID: VA-12322 NB/C-PROJ-A (08/22) (811 ADDRESS TBD) 4258 MENAN ROAD PITTSYLVANIA COUNTY	ENGINEER NB+C ENGINEERING SERVICES, L.L.C. 3000 MARKET STREET, SUITE 100 PITTSYLVANIA, VA 24150 703.699.5555	APPLICANT NETWORK TOWERS 12000 W. CENTRAL EXP. SUITE 100 DALLAS, TX 75244 972.284.8800
----------------------------	-------------------------------------	--	-------------------------------	---	---	---	--



NOTES:
 1. FOR THE DETERMINATION OF NO HAZARD TO THE ADJACENT PROPERTY, LETTERS DATED X/Y/Z/XXXX, TOWER ELEVATION IS NOT REQUIRED.
 2. TOWER STEEL PILES AND STEEL COMPONENTS TO BE DELIVERED, TESTED & FOUNDATION DESIGN PERFORMED INDEPENDENTLY FROM THESE CONSTRUCTION DOCUMENTS.



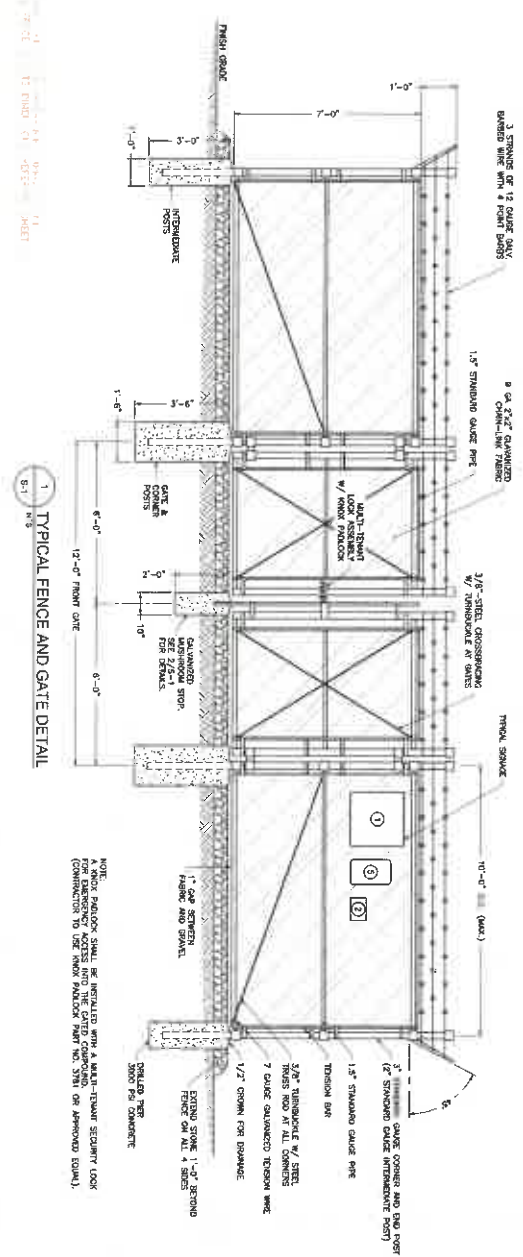
GENERAL NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.
2. THE CONTRACTOR SHALL VERIFY THE CONSTRUCTION MATERIALS, METHODS AND WORKMANSHIP OF ALL WORKMANSHIP AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE PROJECT SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE PROJECT SITE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES FROM THE COMMENCING OF CONSTRUCTION OF THIS FACILITY.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES FROM THE COMMENCING OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL EXISTING UTILITIES AND STRUCTURES ON THE PROJECT SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE PROJECT SITE.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE PROJECT SITE.
7. CONSTRUCTION SHALL BE PERMITTED DURING THE NIGHT HOURS OF 7:00 PM TO 6:00 AM, 7 DAYS A WEEK, AND SHALL BE PERMITTED DURING THE NIGHT HOURS OF 7:00 PM TO 6:00 AM, 7 DAYS A WEEK, AND SHALL BE PERMITTED DURING THE NIGHT HOURS OF 7:00 PM TO 6:00 AM, 7 DAYS A WEEK.
8. TRANSPORTATION EQUIPMENT AND MATERIALS ARE REQUIRED TO BE DELIVERED TO THE PROJECT SITE BY 7:00 AM, 7 DAYS A WEEK, AND SHALL BE PERMITTED DURING THE NIGHT HOURS OF 7:00 PM TO 6:00 AM, 7 DAYS A WEEK.
9. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
10. CONTRACTOR SHALL USE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES AND STRUCTURES ON THE PROJECT SITE.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE PROJECT SITE.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE PROJECT SITE.
13. BEFORE THE INSTALLATION OF THE PROPOSED EQUIPMENT OR STRUCTURES, THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.
14. PROPERTY LINE RECORDATION WAS PROVIDED UNDER ESTATE, TAX MAPS, AND RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE PROJECT SITE.
15. THIS PLAN IS SUBJECT TO ALL ORDINANCES AND REGULATIONS OF THE LOCAL, STATE AND FEDERAL AUTHORITIES.
16. NO CONSTRUCTION SHALL BE PERMITTED ON SUNDAYS OR HOLIDAYS.
17. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN OCCUPANCY.
18. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE TOWER WALKER OR TOWER CLIMBER.
19. POWER TO THE FACILITY WILL BE DELIVERED BY A SERVICE MEMBER.

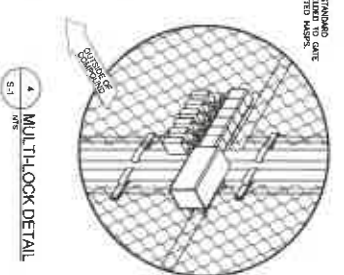
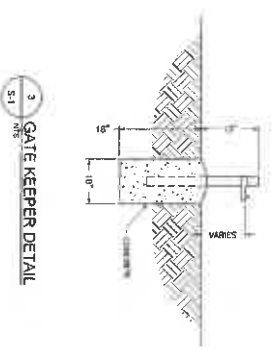
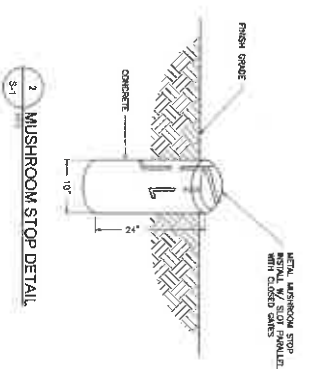


APPLICANT		ENGINEER		SITE INFORMATION		DESIGN RECORD		PROFESSIONAL STAMP		ENGINEER		SHEET TITLE		SHEET NUMBER																													
				NET+COM 1644 BLOSSOMSBURG AVENUE, SUITE 100 PITTSBURGH, PA 15206		HT SITE NAME: CLESLAND HT SITE ID: VA412332 NB-C-PROJ # 10072 4281 REISMAN ROAD PITTSBURGH, PA 15206		REVISIONS <table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> <td></td> </tr> <tr> <td>6</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		REV	DATE	DESCRIPTION	BY	1				2				3				4				5				6				THOMAS SWARTZ, P.E. VA PROFESSIONAL ENGINEER NO. C-40878		TOWER ELEVATION		C-2	
REV	DATE	DESCRIPTION	BY																																								
1																																											
2																																											
3																																											
4																																											
5																																											
6																																											

1:1
 1/2" = 1'-0"
 1/4" = 3'-0"
 1/8" = 6'-0"
 1/16" = 12'-0"
 1/32" = 24'-0"
 1/64" = 48'-0"

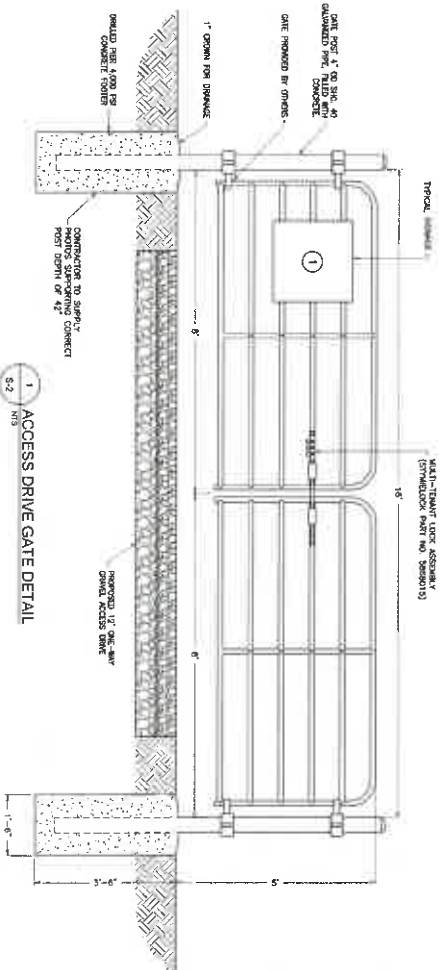


NOTE: THE PULLLOCK SHALL BE INSTALLED WITH A METAL-TOWER SECURITY LOCK FROM REMOTE ACCESS INTO THE GATE COMPARTMENT (SEE CONNECTION TO SEE HOW PULLLOCK MAY BE SET ON APPROVED MODEL).

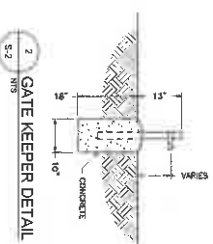


NOTE: METAL-TOWER SECURITY LOCK, STANDARD GATE FROM REMOTE ACCESS INTO THE GATE COMPARTMENT (SEE CONNECTION TO SEE HOW PULLLOCK MAY BE SET ON APPROVED MODEL).

SHEET NUMBER	SHEET TITLE	ENGINEER	PROFESSIONAL STAMP	DESIGN RECORD	SITE INFORMATION	ENGINEER	APPLICANT								
S-1	FENCE DETAILS	THEBERT T. SWARR, P.E. VA PROFESSIONAL ENGINEER, LIC. #49978		REVISIONS <table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>09/20/23</td> <td>ISSUED FOR PERMITS</td> <td>BT</td> </tr> </tbody> </table>	REV	DATE	DESCRIPTION	BY	0	09/20/23	ISSUED FOR PERMITS	BT	NT SITE NAME: GLENLAND NB-C PROJECT # 10072 (811 ADDRESS) TBD 4226 RENAN ROAD GREENTOWN VA 22627 PITTSBURGH COUNTY		
REV	DATE	DESCRIPTION	BY												
0	09/20/23	ISSUED FOR PERMITS	BT												






1 ACCESS DRIVE GATE DETAIL



2 GATE KEEPER DETAIL

- NOTES:**
1. GATE TO BE INSTALLED THROUGH 2\"/>

APPLICANT	 <p>NETWORK TOWERS, L.L.C. 10000 W. BRIDLEWAY SUITE 100 DENVER, CO 80231</p>								
ENGINEER	 <p>NEBC NORTH EAST BROADCAST COMMUNICATIONS, L.L.C. 10000 W. BRIDLEWAY SUITE 100 DENVER, CO 80231</p>								
SITE INFORMATION	<p>NT SITE NAME: CLELAND NT SITE ID: V412332 NB-C PROJ # 18072 4281 RENAISSANCE ROAD DENVER, CO 80231 PITTSBURGH COUNTY</p>								
DESIGN RECORD	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/01/2024</td> <td>ISSUED FOR PERMITS</td> <td>BT</td> </tr> </tbody> </table>	REV	DATE	DESCRIPTION	BY	1	08/01/2024	ISSUED FOR PERMITS	BT
REV	DATE	DESCRIPTION	BY						
1	08/01/2024	ISSUED FOR PERMITS	BT						
PROFESSIONAL STAMP									
ENGINEER	<p>TRENT J. HARRIS, L.C. VA PROFESSIONAL ENGINEER L.C. #14000</p>								
SHEET TITLE	<p>ACCESS DRIVE GATE DETAILS</p>								
SHEET NUMBER	<p>S-2</p>								



NETWORK TOWERS
 NETWORK TOWERS, LLC
 10000 WOODLAND DRIVE
 SUITE 200
 FORT WORTH, TEXAS 76155



TOTALLY COMMITTED
 NB+C
 NANCY B. CHRISTENSEN, P.E.
 10000 WOODLAND DRIVE
 SUITE 200
 FORT WORTH, TEXAS 76155

NT SITE NAME: GLENLAND
 NT SITE ID: VA-T23.32
 NB+C PROJ. # 180772
 (911 ADDRESS TRAD)
 4256 RENAN ROAD
 GRETNA, VA 24557
 FT. STAVANNA COUNTY

REVISIONS	
NO.	DESCRIPTION



ENGINEER
 VA PROFESSIONAL ENGINEER LIC. 10616
 NANCY B. CHRISTENSEN, P.E.

DESIGN RECORD
 DATE: 07/12/23
 BY: [Signature]

PROJECT: SIGNAGE
 VA PROFESSIONAL ENGINEER LIC. 10616
 NANCY B. CHRISTENSEN, P.E.

SHEET NUMBER
S-3

SIGNAGE NOTES
 1. SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT METAL AND PAINTED WITH LONG LASTING UV RESISTANT COATING.
 2. SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT METAL AND PAINTED WITH LONG LASTING UV RESISTANT COATING.
 3. SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT METAL AND PAINTED WITH LONG LASTING UV RESISTANT COATING.
 4. SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT METAL AND PAINTED WITH LONG LASTING UV RESISTANT COATING.
 5. CONSTRUCTION TO PROVIDE AND INSTALL ALL SIGNAGE.

1 NETWORK TOWERS II - SITE SIGN
 24' WIDE X 24' HIGH

2 NO TRESPASSING - SIGN
 10' WIDE X 7' HIGH

3 COMPETENT CLIMBER - SIGN
 10' WIDE X 7' HIGH

4 CAUTION RF - SIGN
 12' WIDE X 18' HIGH

5 NOTICE RF - SIGN
 12' WIDE X 18' HIGH

OPTION (1) ON FRONT SIDE OF SIGN CORROSION RES. METAL AND PAINTED WITH LONG LASTING UV RESISTANT COATING. CONTRACTOR SHALL VERIFY FCC ID FROM TO OBTAINING SPACE.

OPTION (1) MOIST SURE ON CLIMBER FACE OF THE SIGN.

OPTION (1) TO BE ADDED TO SIGNAGE ACCESS DATE.

OPTION (1) TO BE ADDED TO SIGNAGE ACCESS DATE.

OPTION (1) TO BE ADDED TO SIGNAGE ACCESS DATE.



Site: **Glenland**
Communication Facility
44 Glenland Road
424557

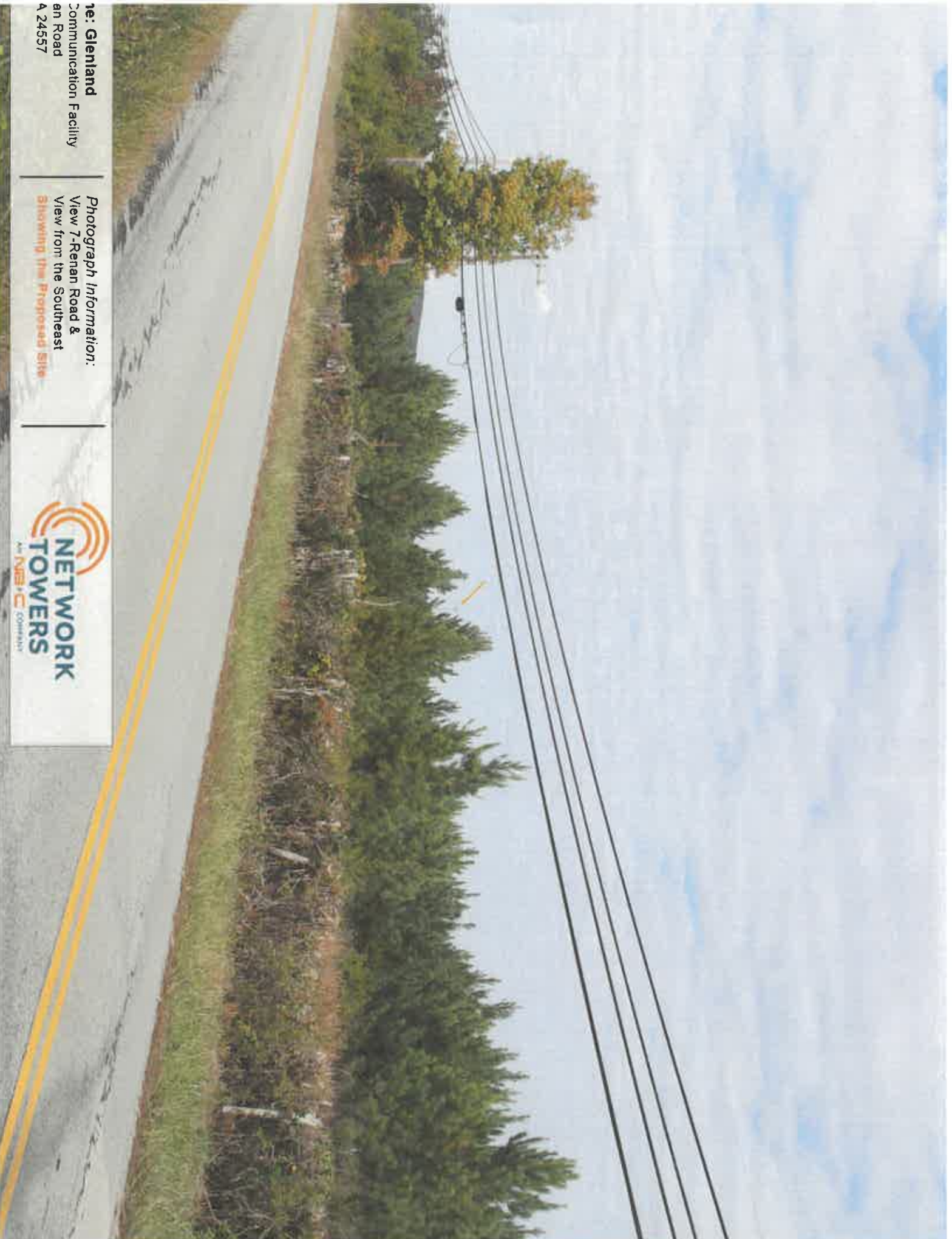
Photograph Information:
View 4-Glenland Road
View from the North
[Showing the Proposed Site](#)



Site: **Glenland**
Communication Facility
on Road
A 24557

Photograph Information:
View 6-Harmony Road
View from the East
Showing the Proposed Site





Site: Glenland
Communication Facility
on Road
A 24557

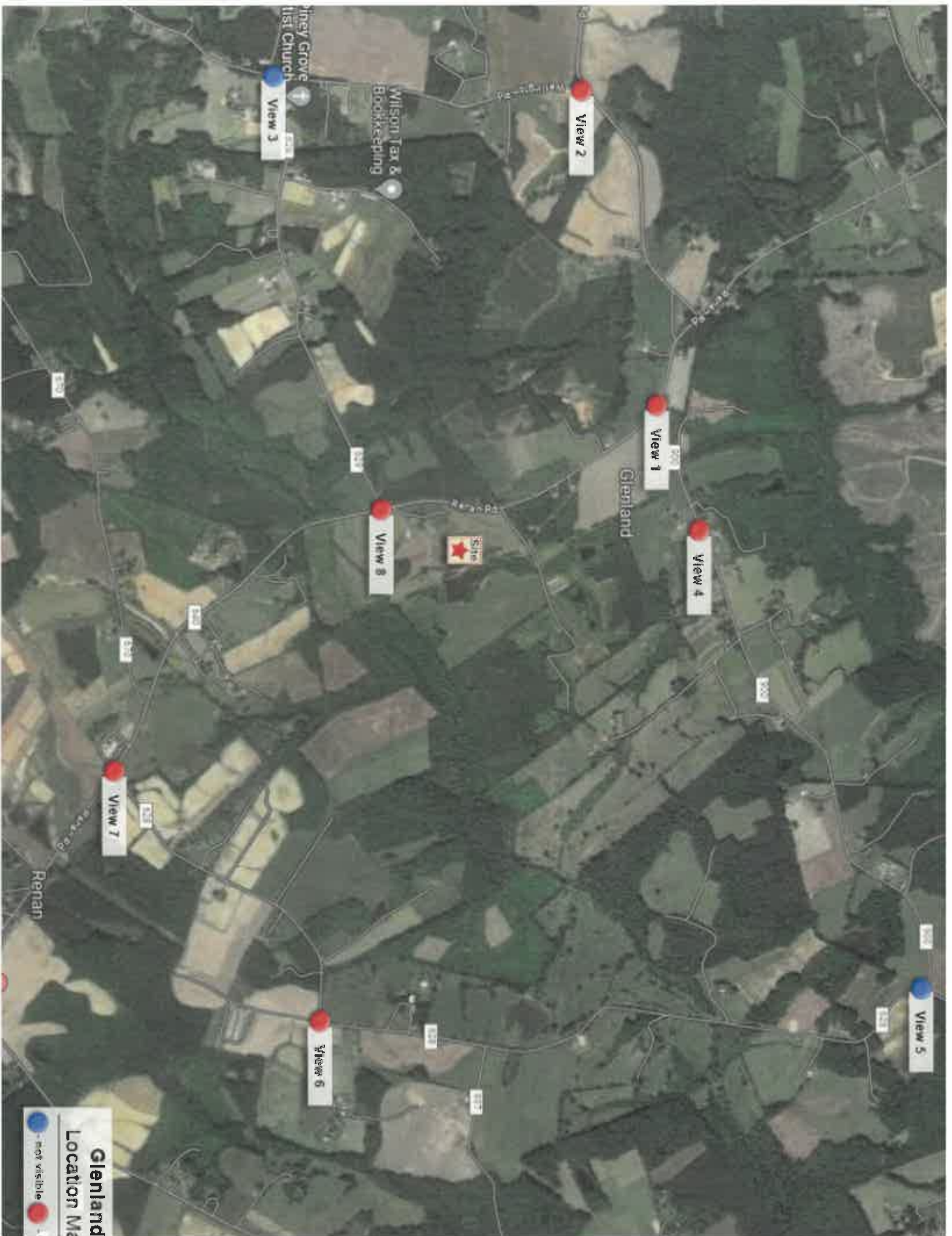
Photograph Information:
View 7-Renan Road &
Showing the Proposed Site



Site: Glenland
Communication Facility
on Road
A 24557

Photograph Information:
View 8-Renan Road &
Piney Grove Road
View from the Southwest
Showing the Proposed Site







Site: **Glenland**
Communication Facility
on Road
124557

Photograph Information:
View 1-Renan Road
Showing the Proposed Site





ne: Glenland
Communication Facility
an Road
A 24557

Photograph Information:
View 2-Glenland Road
View from the Northwest
Showing the Proposed Site



THIS EXHIBIT DOES NOT CONSTITUTE A BOUNDARY SURVEY
AND IS FOR THE EXPRESS PURPOSE OF SHOWING PROPOSED LEASE AREAS



P.O.B. FOR
20' ACCESS,
FIBER & UTILITIES
EASEMENT
N: 3,521,166.14
E: 11,274,571.70

N/F
ANTHONY R. LAYNE
WF#1701276
GPIN 2572-50-5843

P.O.B. FOR
PREMISES
N: 3,521,288.09
E: 11,275,203.51

PROPOSED LESSEE 20' ACCESS
FIBER & UTILITIES EASEMENT

PROPOSED LESSEE
100'x100' PREMISES

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°44'47" E	69.96'
L2	N 74°41'30" E	208.78'
L3	N 85°48'38" E	364.32'
L4	S 04°11'22" E	20.00'
L5	S 85°48'38" W	362.37'
L6	S 74°41'30" W	209.48'
L7	S 89°44'47" W	76.97'
L8	N 85°48'38" E	100.00'
L9	S 04°11'22" E	100.00'
L10	S 85°48'38" W	100.00'
L11	N 04°11'22" W	100.00'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	924.93'	20.47'	20.47'	N 12°03'42" E	1°16'05"

LEGEND

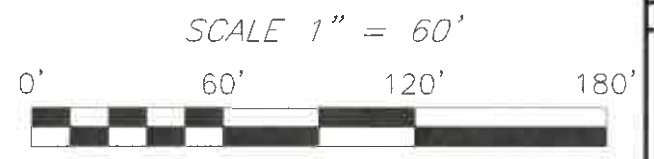
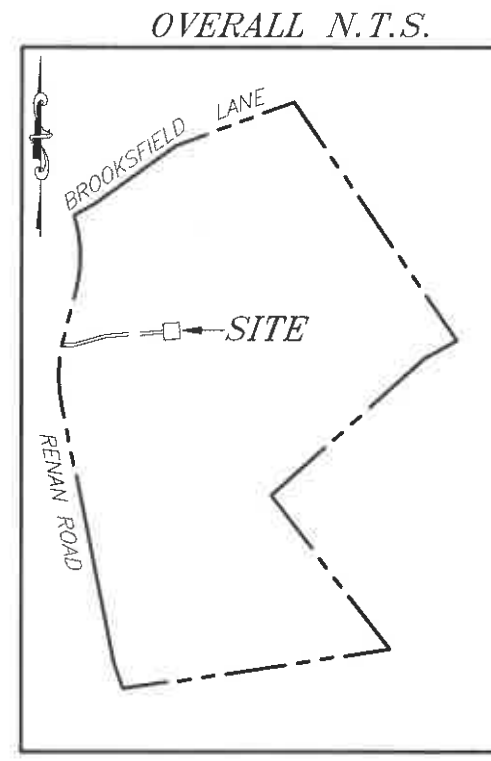
LESSEE'S PREMISES — · — · —

LESSEE'S ACCESS — — — —

R/W & PROPERTY LINE - - - - -

TIE LINE - - - - -

Q PUBLIC ROAD — — — —



ENGINEER

NB+C
TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
4435 WATERFRONT DRIVE, SUITE 100
GLEN ALLEN, VA 23060
804.548.4075

APPLICANT

verizon

1831 RADY COURT
RICHMOND, VA 23222

SITE INFORMATION

NB&C #100374
EASEMENT EXHIBIT
SITE NAME: GLENLAND
RENAN ROAD
HURT, VA 24563
PITTSYLVANIA COUNTY

DESIGN RECORD

REVISIONS

REV	DATE	DESCRIPTION	RW	BY
0	2/15/23	EASEMENT EXHIBIT		

COMMONWEALTH OF VIRGINIA

ROBERT T. WILLIAMS, JR.
LIC. No. 002551
2-15-2023
LAND SURVEYOR

SURVEYOR

TIM FALLOU LAND SURVEYING, PLLC
15139 CARROLLTON BLVD, SUITE C
SUITE C, P.O. BOX 189
CARROLLTON, VIRGINIA, 23314

SHEET TITLE

EASEMENT EXHIBIT

SHEET NUMBER

EE-1

LEGAL DESCRIPTION PROPOSED LESSEE 20' ACCESS, FIBER & UTILITIES EASEMENT

A PROPOSED LESSEE 20' ACCESS, FIBER AND UTILITIES EASEMENT OVER AND ACROSS GPIN 2572-50-5843 AS DESCRIBED IN CFW 170001276 OF RECORD IN THE CLERK OF THE CIRCUIT COURT'S OFFICE, PITTSYLVANIA COUNTY, VIRGINIA; LYING ALONG THE EASTERLY RIGHT OF WAY OF STATE ROUTE 640, LOCALLY KNOWN AS RENAN ROAD, APPROXIMATELY 0.16 TENTHS OF A MILE FROM STATE ROUTE 629; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ALONG SAID RIGHT OF WAY WITH A COORDINATE VALUE OF N: 3,521,166.14, BY E: 11,274,571.70 AS RELATED TO THE VIRGINIA STATE PLANE COORDINATE SYSTEM, NAD 83(2011), SOUTH ZONE;

THENCE OVER AND ACROSS SAID GPIN 2572-50-5843 N 89°44'47" E A DISTANCE OF 69.96' TO A POINT;
 THENCE N 74°41'30" E A DISTANCE OF 208.78' TO A POINT;
 THENCE N 85°48'35" E A DISTANCE OF 364.37' TO A POINT;
 THENCE S 04°11'22" E A DISTANCE OF 20.00' TO A POINT;
 THENCE S 85°48'35" W A DISTANCE OF 362.43' TO A POINT;
 THENCE S 74°41'30" W A DISTANCE OF 209.48' TO A POINT;
 THENCE S 89°44'47" W A DISTANCE OF 76.97' TO A POINT ALONG SAID RIGHT OF WAY;
 THENCE ALONG SAID RIGHT OF WAY WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 20.47', A RADIUS OF 924.93', A CHORD BEARING OF N 12°03'42" E, AND A CHORD LENGTH OF 20.47', TO A POINT WHICH IS THE POINT OF BEGINNING, HAVING AN AREA OF 12,921 SQUARE FEET OR 0.297 ACRES.

LEGAL DESCRIPTION PROPOSED LESSEE'S 100' x 100' PREMISES

A PROPOSED LESSEE 100' x 100' PREMISES ON GPIN 2572-50-5843 AS DESCRIBED IN CFW 170001276 OF RECORD IN THE CLERK OF THE CIRCUIT COURT'S OFFICE, PITTSYLVANIA COUNTY, VIRGINIA; LYING ALONG THE EASTERLY RIGHT OF WAY OF STATE ROUTE 640, LOCALLY KNOWN AS RENAN ROAD; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT HAVING A COORDINATE VALUE OF N: 3,521,288.09 BY E: 11,275,203.51 AS RELATED TO THE VIRGINIA STATE PLANE COORDINATE SYSTEM, NAD 83(2011), SOUTH ZONE;

THENCE N 85°48'38" E A DISTANCE OF 100.00' TO A POINT;
 THENCE S 04°11'22" E A DISTANCE OF 100.00' TO A POINT;
 THENCE S 85°48'38" W A DISTANCE OF 100.00' TO A POINT;
 THENCE N 04°11'22" W A DISTANCE OF 100.00' TO A POINT BEING THE POINT OF BEGINNING, HAVING AN AREA OF 10,000 SQUARE FEET OR 0.230 ACRES.

EXHIBIT NOTES

1. TOPOGRAPHIC SURVEY PERFORMED BY TIM FALLON LAND SURVEYING, PLLC 15139 CARROLLTON, VIRGINIA, 23314. 757-837-2919. SURVEY DATE: JANUARY 25, 2023.
2. COORDINATES AND ELEVATIONS SHOWN WERE ESTABLISHED USING KINEMATIC GPS OBSERVATIONS, PROVIDED THROUGH THE TOPNET LIVE SURVEY CONTROL NETWORK. VERTICAL DATUM - NAVD 88 HORIZONTAL REFERENCE FRAME - NAD 83(2011) DISTANCES SHOWN ARE ON THE U.S. SURVEY FOOT
3. NO SUB-SURFACE INVESTIGATION WAS PERFORMED BY TIM FALLON LAND SURVEYING, PLLC THIS EXHIBIT DOES NOT GUARANTEE THE "EXISTENCE OR NONEXISTENCE" OF UNDERGROUND UTILITIES. PRIOR TO ANY CONSTRUCTION OR EXCAVATION, CONTACT MISS UTILITY AT 1-800-552-7001 TO CONFIRM THE LOCATION OR EXISTENCE OF UNDERGROUND UTILITIES.
4. THIS EXHIBIT WAS DONE WITH THE BENEFIT OF A TITLE REPORT BY THE LAW OFFICE OF JAMES G. PRINCE AND CAMDEN TITLE AND SETTLEMENT DATED XXXXXXXXXXXXXXXXXXXXXXXX.
5. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
6. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY. THE RIGHT-OF-WAY, PROPERTY LINE AND/OR EASEMENTS SHOWN HEREON REPRESENT A COMPILATION OF RECORDED DEEDS, PLATS, G.I.S. RECORDS AND TAX MAPS.
7. THE AREA OF THE PROPOSED CELL TOWER APPEARS TO LIE WITHIN FLOOD ZONE "X", ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY - NATIONAL FLOOD INSURANCE COMMUNITY NUMBER 51143C-0280E, DATED SEPTEMBER 29, 2010.
8. THE EXISTENCE OF HAZARDOUS WASTE, VEGETATED WETLANDS, OR TIDAL WETLANDS, WAS NEITHER INVESTIGATED, NOR CONFIRMED DURING THE PERFORMANCE OF THIS EXHIBIT.



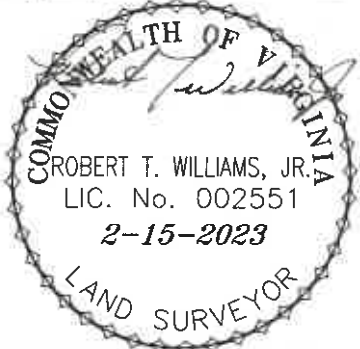
CERTIFICATION

I, ROBERT T. WILLIAMS, JR., A LICENSED VIRGINIA LAND SURVEYOR HEREBY CERTIFY TO VERIZON WIRELESS THE FOLLOWING:

THIS SURVEYOR HAS RECEIVED AND REVIEWED THAT CERTAIN TITLE REPORT: BY THE LAW OFFICE OF JAMES G. PRINCE AND CAMDEN TITLE AND SETTLEMENT DATED FERUARY 12, 2023 FOR PARCEL ID NO. 2572-50-5843, WHICH PROPOSES TO INSURE THE LANDS DESCRIBED IN SAID TITLE REPORT.

THE SAID TITLE REPORT DOES DESCRIBE THE LANDS AS DEPICTED ON THIS EXHIBIT. ITEM D. EASEMENTS AND/OR RIGHTS OF WAY:

1. Right to construct and operate telephone lines and attachments, as set forth in an instrument dated March 10, 1960 and recorded among the land records of Pittsylvania County, Virginia in deed book no. 405, page 524, from B.H. Layne, et al. to the Peoples Mutual Telephone Co. (there exist 3 sets of overhead utility lines on the parent parcel. it is unclear which of the 3 sets is being described by this document. none of the 3 sets cross over the proposed premises, however, the proposed access easement does cross 2 sets of overhead utility lines).
2. Right to lay, maintain, operate and remove a pipeline for the transportation of gas, etc., as set forth in an instrument dated March 14, 1964 and recorded among the land records of Pittsylvania County, Virginia in deed book no. 447, page 73, from Dempsey G. Layne, Burton C. Layne, et al. to Virginia Pipe Line Company. (This document does not accurately describe the location and size of the easement, however, the current land owner showed the gas line to be beyond the location of the proposed premises and access).
3. Right to lay, maintain, operate and remove a pipe line for the transportation of gas, etc., as set forth in an instrument dated March 14, 1964 and recorded among the land records of Pittsylvania County, Virginia in Deed Book no. 447, page 74, from Dempsey G. Layne, as administrator of the estate of B.H. Layne to Virginia Pipe Line Company. (This document does not accurately describe the location and size of the easement, however, the current land owner showed the gas line to be beyond the location of the proposed premises and access).
4. Right to place, construct, operate, repair, maintain, relocate and replace an electric transmission or distribution line or system, as set forth in a right-of-way easement dated November 21, 1973 and recorded among the land records of Pittsylvania County, Virginia in Deed Book no. 587, page 205, from the Burton H. Layne estate to Mecklenburg Electric Cooperative(note: the easement affects the firstly-described parcel of the land). (there exist 3 sets of overhead utility lines on the parent parcel. It is unclear which of the 3 sets is being described by this document. none of the 3 sets cross over the proposed premises, however, the proposed access easement does cross 2 sets of overhead utility lines).
5. Easements described in items 5 & 6 of the title report do not affect the proposed premises or access.
6. Perpetual Conservation Easement and Permanent Easement for construction, maintenance and monitoring of stream restoration and wetland protection, as set forth in an easement agreement dated March 30, 2009 and recorded among the land records of Pittsylvania County, Virginia as instrument no. 090001972, between Brenda L. Velarde and the Commonwealth of Virginia (note: the easement areas being shown on sheet no. 4rw of the plans for route 265, project 0265-071-104, 1801, a copy of which was recorded among the aforesaid land records in state highway plat book No. 17, Page 263). (Does not affect the proposed premises or access).

ENGINEER													
APPLICANT													
SITE INFORMATION	NB&C #100374 EASEMENT EXHIBIT SITE NAME: GLENLAND RENAN ROAD HURT, VA 24563 PITTSYLVANIA COUNTY												
DESIGN RECORD	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="text-align: center;">REVISIONS</th> </tr> <tr> <th style="width: 5%;">REV</th> <th style="width: 15%;">DATE</th> <th style="width: 60%;">DESCRIPTION</th> <th style="width: 10%;">BY</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">2/15/23</td> <td style="text-align: center;">EASEMENT EXHIBIT</td> <td style="text-align: center;">RW</td> </tr> </tbody> </table>	REVISIONS				REV	DATE	DESCRIPTION	BY	0	2/15/23	EASEMENT EXHIBIT	RW
REVISIONS													
REV	DATE	DESCRIPTION	BY										
0	2/15/23	EASEMENT EXHIBIT	RW										
SURVEYOR													
SHEET TITLE	EASEMENT EXHIBIT												
SHEET NUMBER	EE-2												

TIM FALLON LAND SURVEYING, PLLC
 15139 CARROLLTON BLVD, SUITE C
 SUITE C, P.O. BOX 189
 CARROLLTON, VIRGINIA, 23314

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case S-23-020 David Roach; Special Use Permit for the placement of singlewide manufactured home in accordance with Pittsylvania County Code § 35-223 (Henderson)						
Staff Contact(s):	Emily Ragsdale						
Agenda Date:	November 9, 2023	Item Number:	9.h.				
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>S-23-020 David Roach App</td> </tr> <tr> <td>2.</td> <td>S23-020 David Roach Map</td> </tr> </table>			1.	S-23-020 David Roach App	2.	S23-020 David Roach Map
1.	S-23-020 David Roach App						
2.	S23-020 David Roach Map						
Reviewed By:							

SUMMARY:

SUBJECT

Requested by David Roach, for a Special Use Permit for the placement of a single-wide mobile home in accordance with Pittsylvania County Code § 35-223. The property is 2.5 acres, located on State Road 822/Beverly Heights Road, in the Banister Election District and shown on the Tax Map as GPIN # 2415-42-7472.

BACKGROUND/DISCUSSION

David Roach is requesting a Special Use Permit to allow for the placement of a single-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. A Special Use Permit was previously issued for this use; however, the applicant failed to place the home on the property within the eighteen (18) months required by PCC § 35-717 so the Special Use Permit expired.

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

SITE DEVELOPMENT PLAN

N/A

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

Staff recommends APPROVAL of Case S-23-020 as submitted.

MOTION:

1. Recommend approval of Case S-23-020 as submitted.
2. Recommend approval of Case S-23-020 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-23-020 as submitted.

STAFF SUMMARY

<u>CASE</u> S-23-020	<u>ZONING REQUEST</u> SUP	<u>CYCLE</u> November 2023/December 2023
<u>SUBJECT/PROPOSAL/REQUEST</u> David Roach is requesting a Special Use Permit for the placement of a single-wide mobile home.		PLANNING COMMISSION: November 13, 2023
DISTRICT: Banister Election District		BOARD OF ZONING APPEALS: December 11, 2023
		ADVERTISED: October 25, 2023 & November 1 & 22, 2023

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SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case S-23-020 as submitted.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-23-020 as submitted.
2. Recommend approval of Case S-23-020 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-23-020 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, David Roach, 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 Names: David Roach

Address: P. O. Box 945, Chatham, VA 24531

Telephone: (434) 713-0776

2. Location of Property: State Road 822/Beverly Heights Road

Total Amt: \$ 350.00

Taken By: Cash
\$350.00

3. Tax Map Number 2415-42-7472

4. Election District: Banister

5. Size of Property: 2.5 Acres

6. Existing Land Use: Vacant

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Placement of a Single-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 type="checkbox"/> List of Adjoining Properties
<input checked="" type="checkbox"/> Copy of Plat	<input type="checkbox"/> Copy of Deed	<input checked="" 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.

David L Roach
David Roach

OFFICE USE ONLY

Application Deadline: 09/28/23

Received By: ESR

B.Z.A. Meeting Date: 12/11/23

Application No. S-23-020

P.C. Meeting Date: 11/09/23

Date Received: 09/27/23

Action: _____

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

A 2.5-acre parcel of land)
generally located on State Road 822/Beverly Heights Road)
within the Banister) **PETITION**
Election District, and recorded as)
parcel # 2415-42-7472)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

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

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



David Roach

September 27, 2023


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

Dear Mrs. Ragsdale:

I, David Roach, as Owner, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 2.5 acres, located on State Road 822/Beverly Heights Road, in the Banister Election District. The property is shown on the Tax Maps as GPIN # 2415-42-7472.

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

Sincerely,



David Roach



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-23-050 Applicant David Ford Date 9/27/23

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2415-52-2682	JOHNSON, SAMUEL A	P O BOX 371	CHATHAM, VA 24531
2415-52-7911	GILES, ROGER CLIFTON ET ALS	947 DEEP RUN RD	CHATHAM, VA 24531
2415-42-4387	ROACH, DAVID L	P O BOX 945	CHATHAM, VA 24531
2415-42-3681	WOODRUFF, EARL G	P.O. BOX 621	ALTAVISTA, VA 24517
2415-42-4668	WOMACK, WILLIAM	3209 MANNING CT	WALDORF, MD 20602
2415-42-6830	BOBBITT, DELORA FAYE	P O BOX 834	CHATHAM, VA 24531
2415-42-7808	BRAZAUSKAS, TINSLEY ADAMS	232 SAM ADAMS RD	DRY FORK, VA 24549

S-23-020 DAVID ROACH



Earth Community Maps Contributors, VGIN © OpenStreetMap



2415-42-7472 X Q
 Show search results for 2415-4...

- Virginia Towns
- Virginia Cities and Counties
- Tax Parcels (All)
- Tax Parcels (group layer)
- Addressing (group layer)
- Administrative (group layer)
- Base Map (group layer)
- Community Development (group layer)
- Economic Development (group layer)
- Emergency Services
- Parks and Recreation (group layer)
- Population Demographics (group layer)
- Public Utilities (group layer)
- Schools (group layer)
- Tax Map Grids (group layer)
- Transportation (group layer)
- Voter Services (group layer)
- Waste Collection (group layer)
- Zoning (group layer)
- Zoning Districts
- VBMP 2002 Aerial Imagery
- VBMP 2011 Aerial Imagery
- VBMP 2015 Aerial Imagery
- VBMP 2019 Aerial Imagery
- VBMP 2023 Aerial Imagery



App State
 Click to restore the map extent and layers visible in where you left off.

Pittsylvania County Public GIS Viewer

Using the Query tool

2415-42-7472 X Q

Show search results for 2415-4...

2415-42-5754

2415-42-4668

2415-42-3681

2415-42-4387

2415-42-7472

2415-52-2682

Virginia Towns

Virginia Cities and Counties

Tax Parcels (All)

Tax Parcels (group layer)

Addressing (group layer)

Administrative (group layer)

Base Map (group layer)

Community Development (group layer)

Economic Development (group layer)

Emergency Services

Parks and Recreation (group layer)

Population Demographics (group layer)

Public Utilities (group layer)

Schools (group layer)

Tax Map Grids (group layer)

Transportation (group layer)

Voter Services (group layer)

Waste Collection (group layer)

Zoning (group layer)

Zoning Districts

VBMP 2002 Aerial Imagery

VBMP 2011 Aerial Imagery

VBMP 2015 Aerial Imagery

VBMP 2019 Aerial Imagery

VBMP 2023 Aerial Imagery

100ft

Esri Community Maps Contributors, VGIN, © OpenStreetMap contributors, Imagery © Mapbox

App State
 Click to restore the map extent and layers visible where you left off.

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

New Business

Agenda Title:	Case V-23-001 Gary Durham; Variance to Section 35-369. MINIMUM YARD DIMENSIONS. (C.) Rear Setback. (Waters)		
Staff Contact(s):			
Agenda Date:	November 9, 2023	Item Number:	11.a.
Attachment(s):	1.	V-23-001 Gary Durham App	
	2.	V-23-001 Gary Durham Site Plan	
Reviewed By:			

SUMMARY:

BACKGROUND:

Requested by Gary Durham, for a Variance to Section 35-369. MINIMUM YARD DIMENSIONS. (C.) Rear Setback, No rear setback is required except that no building, structure, accessory use or outdoor living area shall be located closer than fifty (50) feet from any type of residential use or living quarters not residential district boundary. The property is 0.44 acres, located on State Road 41/Franklin Turnpike, in the Chatham-Blairs Election District and shown on the Tax Map as GPIN# 2410-37-1137.

DISCUSSION:

The subject property is currently zoned B-2, Business District, General. The property is currently occupied by Mount Hermon Meat Market, a custom meat cutting operation and grocery store. The applicant is requesting a variance to allow for the addition of a storage area and cooler to accommodate their deliveries. The addition would be twenty-two (22) feet from the rear property line, placing them within the required fifty (50) foot setback.

As stated in the Pittsylvania County Zoning Ordinance, Section 35-369. MINIMUM YARD DIMENSIONS. (C.) Rear Setback, "No rear setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary." The subject property borders a R-1, Residential Suburban Subdivision District, requiring the fifty (50) foot setback.

If the variance is approved, the applicant will work with staff to ensure all other applicable requirements of the Zoning Ordinance are met.

CRITERIA ANALYSIS

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

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

The property was acquired in good faith. The hardship claimed by the applicant is due to the angle of the rear property line. The east property line is 204' long while the western property line is 116' long, causing the rear property line to cut across at an angle. The proposed building is 30 feet by 36 feet. If the applicant met the required fifty (50) foot rear setback, the possibility of adding on to the building would be eliminated. According to the applicant, this would hurt the business's ability to adequately stock products to meet demands and greatly increase delivery truck traffic at the facility and along State Road 41/Franklin Turnpike, creating possible safety issues. Therefore, this application **does** meet this criterion.

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

The property to the right of the subject property is currently zoned B-2, as well as the properties across the street. The property adjacent to the subject property on the left is zoned R-1, but is bordered by the Mount Hermon Fire Department, zoned M-2, Industrial District, Heavy Industry. Additionally, the property is located on State Road 41/Franklin Turnpike near a densely populated residential and developing commercial area. Based on these factors, and the proposed use of the addition, it is not anticipated that this use will generate a substantial increase in noise or other detrimental factors. Therefore, this

application **does** meet this criterion.

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

Generally, there is no rear setback required for properties zoned B-2, Business District, General, unless it is adjacent to a residential district. This property is also restricted based on its size and shape, creating a unique situation that reduces the applicant's ability to place the addition in a location that meets both the needs of the business and the requirements of the Zoning Ordinance. Therefore, this application **does** meet this criterion.

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

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

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

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

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

SITE DEVELOPMENT PLAN

Included in the packet.

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

MOTION:

STAFF SUMMARY

<p><u>CASE NUMBER:</u> V-23-001</p> <p><u>ZONING</u> B-2</p> <p><u>AGENDA TITLE:</u> A Variance to Section 35-369. MINIMUM YARD DIMENSIONS. (C.) Rear Setbacks, of the Pittsylvania County Zoning Ordinance</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Gary Durham is requesting a variance from the required rear yard setback.</p> <p><u>DISTRICT</u> Chatham-Blairs</p>	<p><u>CYCLE DATE:</u> November 2023</p> <p><u>PLANNING COMMISSION</u> November 9, 2023</p> <p><u>BOARD OF ZONING APPEALS</u> November 13, 2023</p> <p><u>ADVERTISED</u></p>
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BACKGROUND:

Requested by Gary Durham, for a Variance to Section 35-369. MINIMUM YARD DIMENSIONS. (C.) Rear Setback, No rear setback is required except that no building, structure, accessory use or outdoor living area shall be located closer than fifty (50) feet from any type of residential use or living quarters not residential district boundary. The property is 0.44 acres, located on State Road 41/Franklin Turnpike, in the Chatham-Blairs Election District and shown on the Tax Map as GPIN# 2410-37-1137.

DISCUSSION:

The subject property is currently zoned B-2, Business District, General. The property is currently occupied by Mount Hermon Meat Market, a custom meat cutting operation and grocery store. The applicant is requesting a variance to allow for the addition of a storage area and cooler to accommodate their deliveries. The addition would be twenty-two (22) feet from the rear property line, placing them within the required fifty (50) foot setback.

As stated in the Pittsylvania County Zoning Ordinance, Section 35-369. MINIMUM YARD DIMENSIONS. (C.) Rear Setback, “No rear setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary.” The subject property borders a R-1, Residential Suburban Subdivision District, requiring the fifty (50) foot setback.

If the variance is approved, the applicant will work with staff to ensure all other applicable requirements of the Zoning Ordinance are met.

CRITERA ANALYSIS

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

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

The property was acquired in good faith. The hardship claimed by the applicant is due to the angle of the rear property line. The east property line is 204' long while the western property line is 116' long, causing the rear property line to cut across at an angle. The proposed building is 30 feet by 36 feet. If the applicant met the required fifty (50) foot rear setback, the possibility of adding on to the building would be eliminated. According to the applicant, this would hurt the business's ability to adequately stock products to meet demands and greatly increase delivery truck traffic at the facility and along State Road 41/Franklin Turnpike, creating possible safety issues. Therefore, this application **does** meet this criterion.

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

The property to the right of the subject property is currently zoned B-2, as well as the properties across the street. The property adjacent to the subject property on the left is zoned R-1, but is bordered by the Mount Hermon Fire Department, zoned M-2, Industrial District, Heavy Industry. Additionally, the property is located on State Road 41/Franklin Turnpike near a densely populated residential and developing commercial area. Based on these factors, and the proposed use of the addition, it is not anticipated that this use will generate a substantial increase in noise or other detrimental factors. Therefore, this application **does** meet this criterion.

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

Generally, there is no rear setback required for properties zoned B-2, Business District, General, unless it is adjacent to a residential district. This property is also restricted based on its size and shape, creating a unique situation that reduces the applicant's ability to place the addition in a location that meets both the needs of the business and the requirements of the Zoning Ordinance. Therefore, this application **does** meet this criterion.

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

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

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

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

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

SITE DEVELOPMENT PLAN


Included in the packet.

ATTACHMENTS

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

**PITTSYLVANIA COUNTY
APPLICATION FOR VARIANCE**

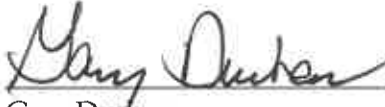
I, Gary Durham, as owner of the below described property, hereby apply to the Pittsylvania County Board of Zoning Appeals for a Variance to the Pittsylvania County Zoning Ordinance as hereinafter described:

1. Property Owner's Name: Gary Durham
Address: 3990 Strawberry Road, Chatham, VA 24531 Phone: (434) 251-1841
2. Location of Property: 4200 Franklin Turnpike
3. Tax Map Number: 2410-37-1137
4. Election District: Chatham-Blairs Total Amount: \$ 200.00
Taken By: Cash 
5. Size of Property: 0.44
6. Existing Land Use: Market

Existing Zoning: B-2, Business District General
7. Section(s) of the Zoning Ordinance to which Variance is requested: Section 35-369, Minimum Yard Dimensions, (C.) Rear Setbacks, of the Pittsylvania County Zoning Ordinance
8. Reason for requesting Variance: A variance of 22 feet from the required rear setback is needed to allow for an addition to the existing market.
9. Check completed items:

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

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


Gary Durham

OFFICE USE ONLY

Received By: ESR
Application Deadline: 9-29-23
Date Received: 9-25-23

Application No.: V-23-001
P.C. Meeting Date: 11-9-23
B.Z.A. Meeting Date: 11-13-23
Action: _____

VIRGINIA:

BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A parcel of land, 0.44 acres)
generally located at 4200 Franklin Turnpike)
within the Chatham-Blairs Election District,)
and recorded as parcel # 2410-37-1137)
in the Pittsylvania County tax records.)

PETITION

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Gary Durham, respectfully files this petition pursuant to Sections 35-850 and 35-851 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia 1950, as amended, and would respectfully show the following:

- 1) The Petitioner is the Owner of the above-referenced parcel of land, or are filing with the owner's consent.
- 2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as B-2, Business District General
- 3) Your Petitioner now desires to have issued a Variance to Section 35-369, Minimum Yard Dimensions. (C.) Rear Setbacks, of the Pittsylvania County Zoning Ordinance.

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

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

Respectfully submitted,



Gary Durham


October 3, 2023

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

Dear Mrs. Ragsdale:

I, Gary Durham, as owner, am requesting a variance from the required setbacks on GPIN # 2410-37-1137, located at 4200 Franklin Turnpike, in the Chatham-Blairs Election District. Based on the size of the lot, the addition to be constructed will need to have a variance of 22 feet on the rear setback.

Sincerely,



Gary Durham

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 V-23-009 Applicant  Date 10-25-23

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2410-37-2437	SHELTON, GARY THOMPSON	4232 FRANKLIN TPKE	DANVILLE, VA 24541
2410-27-9108	HARPER, GEORGE RYLAND JR	228 BOB NEAL LANE	CHATHAM, VA 24531-3286
2410-37-3138	SPIRIT SPE PORTFOLIO CA C-STORES LLC	1410 COMMONWEALTH DR	WILMINGTON, NC 28403
2410-37-1365	EASOM, BARRY R SR	4212 FRANKLIN TPKE	DANVILLE, VA 24540
2410-27-9067	GUARDASCIONE, RAFFAELE	4040 FRANKLIN TPKE	DANVILLE, VA 24540
2410-37-4258	SHELTON, BARRY THOMAS	505 INDIAN TRAIL ROAD	DANVILLE, VA 24540

V-23-001 GARY DURHAM

GENERAL NOTES:

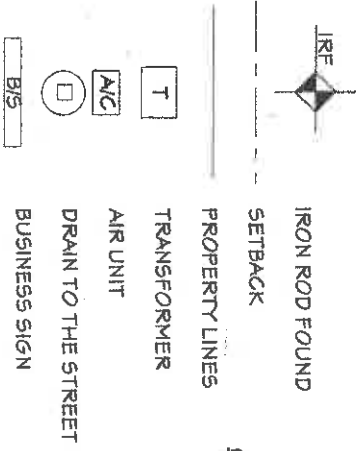
THE BUILDER SHALL VERIFY THAT SITE CONDITIONS ARE CONSISTENT WITH THESE PLANS BEFORE STARTING WORK. WORK NOT SPECIFICALLY DETAILED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMILAR WORK THAT IS DETAILED. ALL WORK SHALL BE DONE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODES AND LOCAL CODES.

WRITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE ENGINEER/DESIGNER SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, OR IF A QUESTION ARISES OVER THE INTENT OF THE PLANS OR NOTES, CONTRACTOR SHALL VERIFY AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS).

BUILDER:

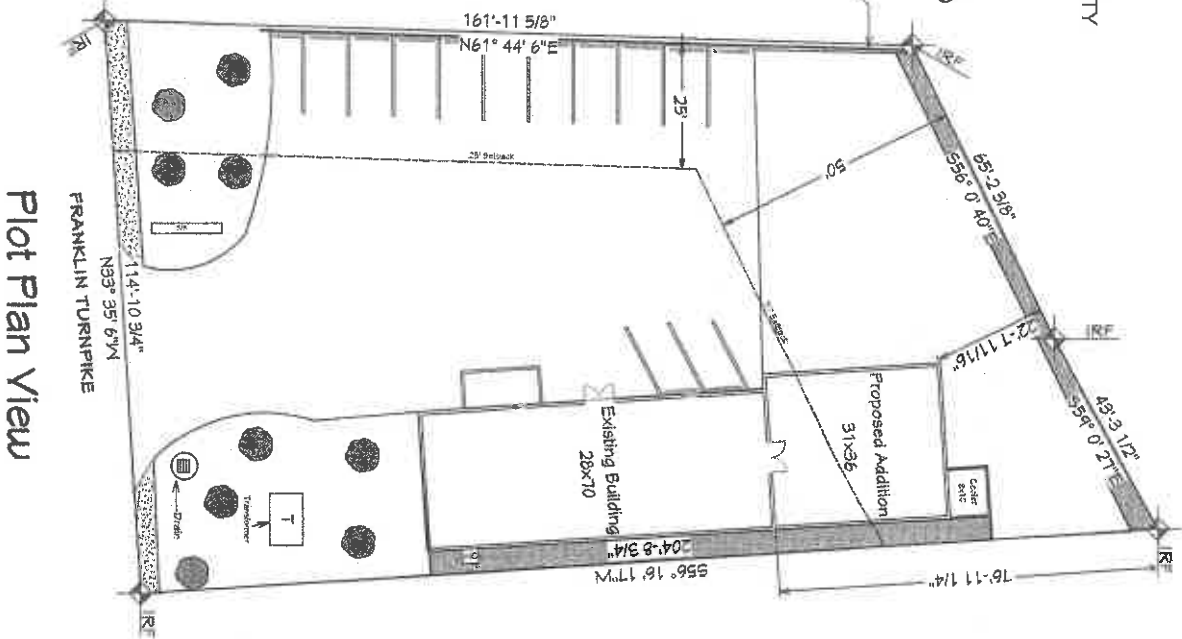
ACE GENERAL CONTRACTORS

LEGEND



GRADING NOTES:

1. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
2. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
3. FINAL GRADE TO CONVEY SURFACE DRAINAGE TOWARD ROCK CHANNELS AND DISPERSION TRENCHES.
4. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED TO REMOVE TREES, VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL AND STRIPPED OF TOPSOIL.
5. PLACE FILL SLOPES WITH A GRADIENT STEEPER THAN 3:1 IN LIFTS NOT TO EXCEED 8 INCHES, AND MAKE SURE EACH LIFT IS PROPERLY COMPACTED.



Plot Plan View

ACE GENERAL CONTRACTORS

1820 Mt Cross Rd Danville, Va 24540
(434) 792-3262

DATE:

9/22/2023

SCALE:

SHEET:

A-1

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

New Business

Agenda Title:	Case V-23-002 William and Erin Shelhorse; Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (B.) Side Setback. (Waters)						
Staff Contact(s):							
Agenda Date:	November 9, 2023	Item Number:	11.b.				
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>V-23-002 William Shelhorse App</td> </tr> <tr> <td>2.</td> <td>V-23-003 William Shelhorse Map</td> </tr> </table>			1.	V-23-002 William Shelhorse App	2.	V-23-003 William Shelhorse Map
1.	V-23-002 William Shelhorse App						
2.	V-23-003 William Shelhorse Map						
Reviewed By:							

SUMMARY:

BACKGROUND:

Requested by William and Erin Shelhorse, for a Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (B.) Side Setback, The minimum side setback, the distance from the side property line of a lot to the nearest point on the house or principal structure (including porches, stoops, or accessory buildings) shall be ten (10) percent (%) of the road frontage distance with a minimum of ten (10) feet. The property is 1.42 acres, located on State Road 1185/Indian Trail Road, in the Chatham-Blairs Election District and shown on the Tax Map as GPIN# 2410-48-7825.

DISCUSSION:

The subject property is currently zoned R-1, Residential Suburban Subdivision District. The property is currently occupied by a single-family dwelling used as the applicants' personal residence. The applicants are requesting a variance to allow the placement of a detached garage for their personal use ten (10) feet from their side property line, placing the structure within the required twenty (20) foot setback and requiring a variance of ten (10) feet. The subject property has a road frontage of 200 feet.

CRITERA ANALYSIS

Notwithstanding any other provision of law, general or special, a variance shall

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

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

The hardship claimed by the applicant is due to the topography of the property. The property has a steep decline from the building site to a creek that runs along the opposite property line. Due to the steepness of the slope and runoff from adjacent properties to the creek, the property could not be properly filled and compacted to ensure the structure could be anchored properly. Therefore, this application **does** meet this criterion.

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

The accessory structure will be able to meet the ten (10) foot minimum side setback required in the R-1, Residential Suburban Subdivision District; however, the topography of the property prohibits meeting the required ten (10) percent of the road frontage. Due to the minimum setback within the district being maintained, it will not be a substantial detriment to the surrounding area. Therefore, this application **does** meet this criterion.

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

Generally, properties that share this zoning classification can meet the required setbacks. This property cannot due to the topography. Therefore, this application **does** meet this criterion.

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

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

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

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

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

- **SITE DEVELOPMENT PLAN**

N/A

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

MOTION:

STAFF SUMMARY

<u>CASE NUMBER:</u> V-23-002	<u>ZONING</u> R-1	<u>CYCLE DATE:</u> November 2023
<u>AGENDA TITLE:</u> A Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (B.) Side Setbacks, of the Pittsylvania County Zoning Ordinance		<u>PLANNING COMMISSION</u> November 9, 2023
<u>SUBJECT/PROPOSAL/REQUEST:</u> William and Erin Shelhorse are requesting a variance from the required side yard setback.		<u>BOARD OF ZONING APPEALS</u> November 13, 2023
<u>DISTRICT</u> Chatham-Blairs		<u>ADVERTISED</u> October 25, 2023 and November 1, 2023

BACKGROUND:

Requested by William and Erin Shelhorse, for a Variance to Section 35-226. MINIMUM YARD DIMENSIONS. (B.) Side Setback, The minimum side setback, the distance from the side property line of a lot to the nearest point on the house or principal structure (including porches, stoops, or accessory buildings) shall be ten (10) percent (%) of the road frontage distance with a minimum of ten (10) feet. The property is 1.42 acres, located on State Road 1185/Indian Trail Road, in the Chatham-Blairs Election District and shown on the Tax Map as GPIN# 2410-48-7825.

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CRITERA ANALYSIS

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

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

The hardship claimed by the applicant is due to the topography of the property. The property has a steep decline from the building site to a creek that runs along the opposite property line. Due to the steepness of the slope and runoff from adjacent properties to the creek, the property could not be properly filled and compacted to ensure the structure could be anchored properly. Therefore, this application **does** meet this criterion.

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

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

Generally, properties that share this zoning classification can meet the required setbacks. This property cannot due to the topography. Therefore, this application **does** meet this criterion.

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

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

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

SITE DEVELOPMENT PLAN


N/A

ATTACHMENTS

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

**PITTSYLVANIA COUNTY
APPLICATION FOR VARIANCE**

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

1. Property Owner's Name: William Shelhorse
Address: 564 Indian Trail Road, Danville, VA 24540 Phone: (434) 489-0345
2. Location of Property: 564 Indian Trail Road
3. Tax Map Number: 2410-48-7825
4. Election District: Chatham-Blairs Total Amount: \$ 200.00
Taken By: CHF 1228

5. Size of Property: 1.42
6. Existing Land Use: Single family dwelling
Existing Zoning: R-1, Residential Suburban Subdivision District
7. Section(s) of the Zoning Ordinance to which Variance is requested: Section 35-226. Minimum Yard Dimensions. (B.) Side Setbacks, of the Pittsylvania County Zoning Ordinance
8. Reason for requesting Variance: A variance of 20 feet from the required side setbacks is needed to allow for placement of a detached garage.
9. Check completed items:

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

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



William Shelhorse

OFFICE USE ONLY

Received By: ESR
Application Deadline: 9-29-23
Date Received: 9-28-23

Application No.: V-23-002
P.C. Meeting Date: 11-9-23
B.Z.A. Meeting Date: 11-13-23
Action: _____

VIRGINIA:

BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A parcel of land, 1.42 acres)
generally located at 564 Indian Trail Road)
within the Chatham-Blairs Election District,) **PETITION**
and recorded as parcel # 2410-48-7825)
in the Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, William Shelhorse, respectfully files this petition pursuant to Sections 35-850 and 35-851 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia 1950, as amended, and would respectfully show the following:

- 1) The Petitioner is the Owner of the above-referenced parcel of land, or are filing with the owner's consent.
- 2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District
- 3) Your Petitioner now desires to have issued a Variance to Section 35-226, Minimum Yard Dimensions. (B.) Side Setback, of the Pittsylvania County Zoning Ordinance.

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

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

Respectfully submitted,



William Shelhorse

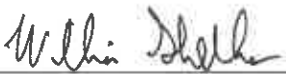
October 3, 2023

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

Dear Mrs. Ragsdale:

I, William Shelhorse, as owner, am requesting a variance from the required setbacks on GPIN # 2410-48-7825, located at 564 Indian Trail Road, in the Chatham-Blairs Election District. Based on the size of the lot, the detached garage that is to be constructed will need to have a variance of 20 feet on the side setbacks.

Sincerely,



William Shelhorse



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

SIGN AFFIDAVIT

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

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

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

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

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

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

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

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

Case V-23-002 Applicant William Shelton Date 10-25-23

Robin S. Vaughan

From: Emily Ragsdale, AICP, CZA
Sent: Thursday, September 28, 2023 9:23 AM
To: Robin S. Vaughan
Subject: FW: set back variance request
Attachments: pic 1.jpg; pic 2.jpg; plat.pdf

Emily Ragsdale, AICP, CZA

Community Development
Director

Email: Emily.Ragsdale@pittgov.org

Tel: (434) 432-7974

Fax: (434) 432-7919



 53 North Main Street, Chatham, VA, 24531, P.O. Box 426



Pittsylvaniacountyva.gov/development

[Sign up for County Notifications](#)

Any e-mail or other correspondence sent to a member of the Board of Supervisors, or any other public official or employee of Pittsylvania County, Virginia (the "County"), in the transaction of public business, is considered a public record. Public records are subject to the Virginia Freedom of Information Act ("VA FOIA"). Virginia law requires the County to provide a copy of any such e-mail, upon request, for inspection and copying to any citizen of the Commonwealth, or to any member of the news media, unless lawfully exempted from production/disclosure under VA FOIA. If you have received this email or any attachments in error, please notify the sender immediately at (434) 432-7700, and by reply email, and delete this email and any attachments to it from your inbox, sent items, and deleted items. Thank you.

From: James Shelhorse <JShelhorse@haymesbrothers.com>
Sent: Thursday, September 28, 2023 9:01 AM
To: Emily Ragsdale, AICP, CZA <Emily.Ragsdale@pittgov.org>
Subject: set back variance request

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

Hello Mrs. Ragsdale,

I am planning to build a detached garage on my property located at 564 Indian Trl Rd, Danville, VA. This garage will be for personal use for things like lawn care items, small tools, and a small jon boat. Due to an active creek on the southside of my property, I can only build on the north side of my property. Through research I have discovered the side set back rules in our county is 10% of your road frontage. For me, that is approximately 20'. My property is sloped to a degree that the 20' setback causes constructability issues due to severe runoff from the adjoining property. I have attached 2 pictures. Both are taken from the same location. Pic 1 facing north and Pic 2 facing south. As you can my property is located on a steep slope.

I would like to apply for a variance to the set back rule and ask that I be allowed to build using a minimum of a 10' setback. I have also attached a plat of this property with a sketch of where the garage would set. If you compare the plat to pic 2, you can see that the further I am required to build away from the property line, the further down the slope I would have to build the garage in. In turn the volume and velocity of runoff would be increasing. Please contact me at your earliest convenience and let me know what steps I need to take for the variance application process.

I appreciate your help and time,

James



James Shelhorse, CPA
Chief Financial Officer
434-432-8282 office
434-489-0345 mobile
434-432-2029 fax





GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2410-48-5636	TUSCARORA FARMS INC	470 PINEY FOREST RD	DANVILLE, VA 24540
2410-48-6655	HAQ, NAVEED UL ET ALS	905 WIGWAM DR	DANVILLE, VA 24540
2410-48-7654	BATTERMANN, DEANE BURNETT	909 WIGWAM DR	DANVILLE, VA 24540
2410-48-8643	DILLARD, CASANDRA L	913 WIGWAM DRIVE	DANVILLE, VA 24540
2410-48-9640	HARRIS, MICHAEL S	917 WIGWAM DR	DANVILLE, VA 24541
2410-48-2852	HAMLETT, ALBERT C JR	561 INDIAN TRAIL RD	DANVILLE, VA 24540
2410-49-3030	SALTER, WILLIAM D LIFE TENANT	565 INDIAN TRAIL RD	DANVILLE, VA 24541
2410-58-1842	JOHNSON, DONALD R	120 ADOBE CT	DANVILLE, VA 24540
2410-49-9072	DOOLEY, SCOTT RANDOLPH	586 INDIAN TRAIL RD	DANVILLE VA 24540
2410-49-8043	WRISCHNIK, JOHN W	582 INDIAN TRAIL RD	DANVILLE, VA 24540
2410-49-6092	SCOLPINI, THOMAS R	578 INDIAN TRAIL RD	DANVILLE, VA 24540

V-23-002 WILLIAM SHELLHORSE

Pittsylvania County Public GIS Viewer

Virginia Cities and Counties

- Tax Parcels (All)
- Tax Parcels (group layer)
- Addressing (group layer)
- Administrative (group layer)
- Base Map (group layer)
- Community Development (group layer)
- Economic Development (group layer)
- Emergency Services
- Parks and Recreation (group layer)
- Population Demographics (group layer)
- Public Utilities (group layer)
- Schools (group layer)
- Tax Map Grids (group layer)
- Transportation (group layer)
- Voter Services (group layer)
- Polling Locations
- Election Districts 2021
- Voting Precincts 2022
- Waste Collection (group layer)
- Zoning (group layer)
- Zoning Districts
- VBMP 2002 Aerial Imagery
- VBMP 2011 Aerial Imagery
- VBMP 2015 Aerial Imagery
- VBMP 2019 Aerial Imagery

564 INDIAN TRAIL RD X Q

Show search results for: 564 IN...

App State
Click to restore the map extent and layers
visibility where you left off.

100ft
79 4119 36.6826 Dem

Exit Community Maps Contributors: VGIN, © OpenStreetMap

9/27/23, 9:07 AM

Pittsylvania County Public GIS Viewer

Virginia Cities and Counties
Pittsylvania County Public GIS Viewer

- Tax Parcels (All)
- Tax Parcels (group layer)
- Addressing (group layer)
- Administrative (group layer)
- Base Map (group layer)
- Community Development (group layer)
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- Zoning (group layer)
- Zoning Districts

- VBMP 2002 Aerial Imagery
- VBMP 2011 Aerial Imagery
- VBMP 2015 Aerial Imagery
- VBMP 2019 Aerial Imagery

564 INDIAN TRAIL RD X

Show search results for 564 IN...

2410-49-3193

2410-48-7825

2410-49-6097

2410-49-8043

2410-49-9072

2410-59 1014

2410-48-7654

2410-48-9640

2410-58-0558

2410-48-6655

2410-48-7654

2410-48-9643

2410-48-9640

2410-48-5636

App State
Click to explore the map content and layers available when you click here.

Esri Community Maps Contributors, VGIN, © OpenStre

100ft

Donald A. Hardison, V.P.
Tuscarora Farms, Inc.
 STATE OF VIRGINIA
 AT LARGE, to-wit:
Gerry S. Oakes a Notary Public in and
 for the state of Virginia at large, hereby certify that
Donald A. Hardison, V.P.
Tuscarora Farms, Inc.

whose names are signed to this plat of survey dated
 August 4, 1992, by Paul D. Julian have acknowledged the
 same before me in my state aforesaid.
 Given under my hand this 7th day of Feb. 1995
 My commission expires: April 30, 1998
Gerry S. Oakes
 Notary Public

PLAT NO. SEE RE

JULY 3, 1985; BY WILMARTH & DANIELS.
 SURVEY OF FARM FOR W. W. & FRANCES T. PEERS; DATED
 JAN. 10, 1961; BY SHANKS & WILMARTH.
 TAX SHEET 138-6-9.

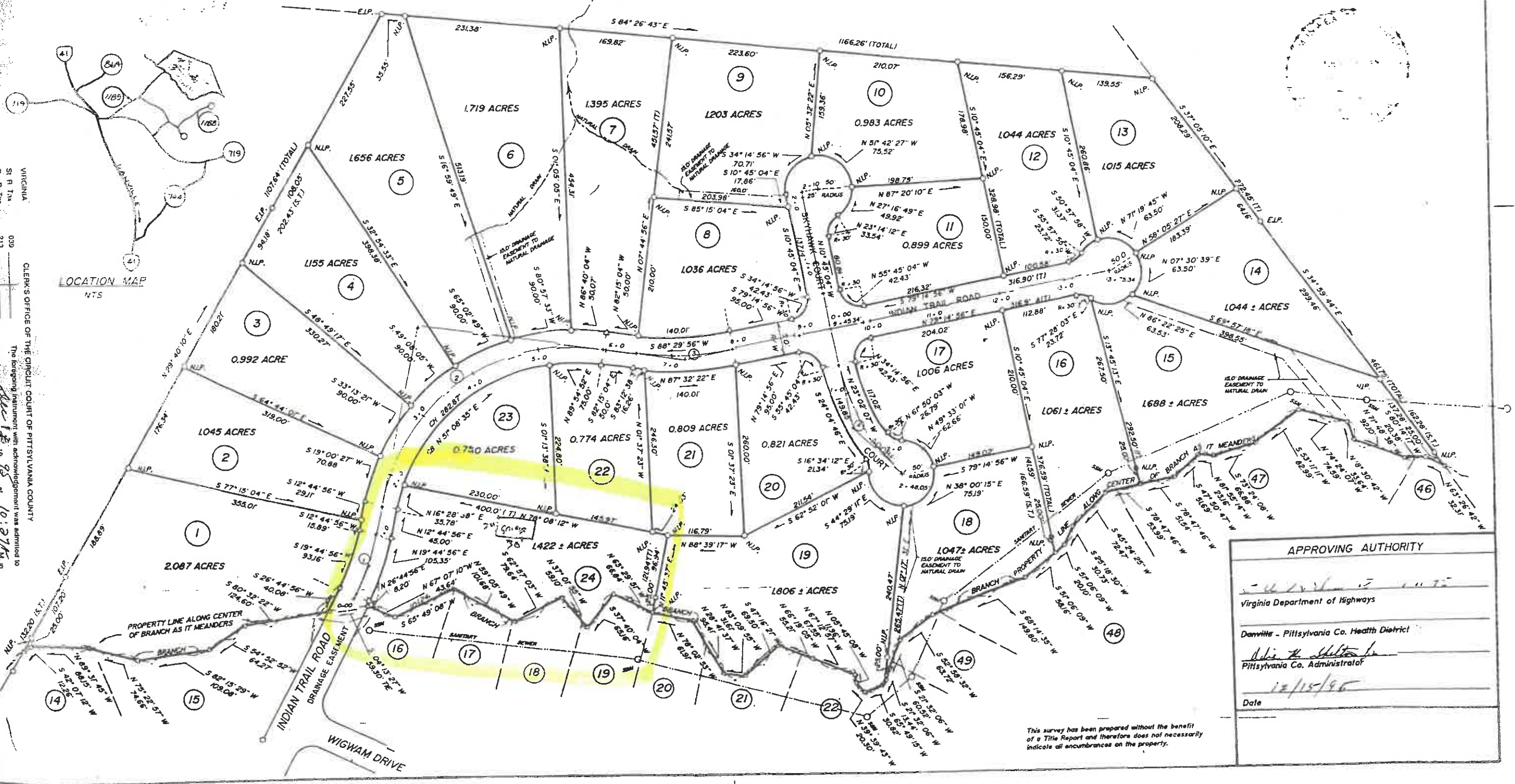
MB 43 144 I

TUSCARORA FARMS, INC.
 SCALE 1"=100' AUGUST 4, 1992

☉ CURVE DATA

NO.	Δ	TANGENT	RADIUS	LENGTH	DEGREE
1	14° 00' 00"	50.0'	407.217'	99.502'	14° 04' 12"
2	85° 00' 00"	275.0'	300.110'	445.222'	19° 05' 30"
3	18° 30' 00"	75.0'	460.517'	148.694'	12° 26' 30"
4	36° 52' 12"	100.0'	300.05'	193.05'	19° 05' 55"

SURVEYOR'S CERTIFICATION
 I hereby certify that this survey, to the best of my
 knowledge and belief, is correct and complies with
 the minimum standards and procedures established by
 the Virginia State Board of Architects, Professional
 Engineers, Land Surveyors and Certified Landscape
 Architects.
 PAUL D. JULIAN, PE/RLS #1565



VIRGINIA
 CLERK'S OFFICE OF THE CIRCUIT COURT OF PITTSYLVANIA COUNTY
 The foregoing instrument with acknowledgment was admitted to
 record on Dec 15 1995 at 10:27 AM
 Page 144 I of 95-8482
 H. F. HAYMOND, CLERK
 Deputy Clerk

APPROVING AUTHORITY

Virginia Department of Highways

Danville - Pittsylvania Co. Health District

W. H. Shultz
 Pittsylvania Co. Administrator

Date 12/15/96

This survey has been prepared without the benefit
 of a Title Report and therefore does not necessarily
 indicate all encumbrances on the property.