



**PLANNING COMMISSION
REGULAR MEETING
Tuesday, May 7, 2024 - 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. MONTH Board Meeting Minutes Approval (Staff Contact:)

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-24-006 Frank Tice; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Henderson) (Staff Contact: Emily Ragsdale)
- b. Case R-24-008 Sharolli, Inc.; Rezoning from R-1, Residential Suburban Subdivision District, to B-2, Business District, General. (Henderson) (Staff Contact: Emily Ragsdale)
- c. Case R-23-017 Gwendolyn Averett; Rezoning from RC-1, Residential Combined Subdivision District, to B-2, Business District, General (Brown) (Staff Contact: Emily Ragsdale)
- d. Case S-24-007 Reuben Popp; Special Use Permit for the placement of a single-wide mobile home in accordance with Pittsylvania County Code § 35-223 (Harker) (Staff Contact: Emily Ragsdale)
- e. Case S-24-008 Verizon Wireless / Joan Saucier; Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-223 (Oakes) (Staff Contact: Emily Ragsdale)
- f. Case CA-24-001 Data Center Regulations (Staff Contact:)

10. OLD BUSINESS

11. NEW BUSINESS

12. ADJOURNMENT

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION EXECUTIVE SUMMARY

Action Item

Agenda Title:	April Board Meeting Minutes Approval		
Staff Contact(s):			
Agenda Date:	May 7, 2024	Item Number:	7.a.
Attachment(s):	1.	PC 040224 minutes (6)	
Reviewed By:			

SUMMARY:

FINANCIAL IMPACT AND FUNDING SOURCE:

RECOMMENDATION:

MOTION:

**PLANNING COMMISSION
REGULAR MEETING
Tuesday, April 2, 2024 - 7:00 PM**

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

MINUTES

1. CALL TO ORDER

Mr. Harker Called the Meeting to Order at 7:00 PM

2. ROLL CALL

The following Board Members were present:

Callands-Gretna District Janet Mease
Westover District Fred Webb
Chatham-Blairs District Richard Waters
Banister District Colette Henderson
Tunstall District Gary Oakes
Staunton River District Nathan Harker
Dan River District Justin Brown

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.

6. APPROVAL OF AGENDA

Motion to approve Agenda.

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

7. APPROVAL OF MINUTES

a. MONTH Board Meeting Minutes Approval (Staff Contact:)

MONTH Board Meeting Minutes Approval

Mr. Oakes stated a correction needed to be made on the minutes from the Planning Commission meeting dated 03/05/2024, regarding case R-23-017, that he had voted against this and the vote showed him as a Aye.

RESULT:	APPROVE
MOVER:	Gary Oakes
SECONDER:	Janet Mease
AYES:	Nathan Harker, Colette Henderson, Justin Brown, Janet Mease, Gary C
NOES:	None
ABSTAIN:	None

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-24-003 Gregory and Tamara Gomersall; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. (Brown) (Staff Contact: Emily Ragsdale)
- a. Case R-24-003 Gregory and Tamara Gomersall; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. (Brown)

Mr. Harker opened the public hearing at 7:04 p.m. Mr. & Mrs. Gomersall, were present to represent the petition. The following citizens were there to speak.

Edith Lipsford Petty & Elizabeth Lipsford Edmonds needed clarification that the rezoning of Gomersall's property would not affect their property. Mr. Harker confirmed that it was only for Mr. Gomersall's property. Mr. Harker closed the Public Hearing at 7:07 p.m.

Motion to approve Gregory and Tamara Gomersall, to rezone property located on State Road 698/Henrys Mill Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2484-14-4151.

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

- b. Case R-24-005 JDA Associates, Inc.; Rezoning from A-1, Agricultural District, to R-1, Residential Suburban Subdivision District. (Waters) (Staff Contact: Emily Ragsdale)
- b. Case R-24-005 JDA Associates, Inc.; Rezoning from A-1, Agricultural District, to R-1, Residential Suburban Subdivision District. (Waters)

Mr. Harker opened the public hearing at 7:08 p.m. Billy Talbert, was present to represent the petition. No one signed up to speak, Mr. Harker closed the Public Hearing at 7:10 p.m.

Motion to approve Case R-24-005, submitted by JDA Associates Inc., requesting to rezone .414 of an acre, located on State Road 745 / Mount View Road, in the Chatham-Blairs Election District, and shown on the Tax Maps as part of GPIN # 2421-28-0326.

RESULT: **APPROVE**

MOVER: Richard Waters

SECONDER: Janet Mease

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

NOES: None

ABSTAIN: None

- c. Case R-24-007 Donald Fouts; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. (Webb)
(Staff Contact: Emily Ragsdale)
- c. Case R-24-007 Donald Fouts; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. (Webb)
Mr. Harker opened the public hearing at 7:11 p.m. Mr. Fouts, was present to represent the petition. No one signed up to speak, Mr. Harker closed the Public Hearing at 7:14 p.m.

Motion to approve Case R-24-007, submitted by Donald Fouts, requesting to rezone two (2) parcels totaling 21.41 acres, located on Washburn Drive, in the Westover Election District and shown on the Tax Maps as GPIN's # 1387-90-8515 & 1387-90-4610.

RESULT: **APPROVE**

MOVER: Fred Webb

SECONDER: Justin Brown

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

NOES: None

ABSTAIN: None

- d. Case S-24-005 Jessi and Jacob Quesenberry; Special Use Permit for the placement of a doublewide manufactured home in accordance with Pittsylvania County Code § 35-223. (Oakes) (Staff Contact: Emily Ragsdale)
- d. Case S-24-005 Jessi and Jacob Quesenberry; Special Use Permit for the placement of a doublewide manufactured home in accordance with Pittsylvania County Code § 35-223. (Oakes)
Mr. Harker opened the public hearing at 7:15 p.m. Jessi Quesenberry, was present to represent the petition. No one signed up to speak, Mr. Harker

closed the Public Hearing at 7:16 p.m.

Motion to approve Case S-24-005, submitted by Jessi Quesenberry, for a Special Use Permit (*to allow for the placement of a doublewide manufactured home in accordance with PCC § 35-223*). The property is located on 0.89 acres, located on State Road 1163/Douglas Drive in the Tunstall Election District and shown on the Tax Maps as GPIN # 1462-67-7059.

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

- e. Case S-24-006 Bradley Childress; Special Use Permit for the placement of a doublewide manufactured home in accordance with Pittsylvania County Code § 35-223. (Staff Contact: Emily Ragsdale)
- e. Case S-24-006 Bradley Childress; Special Use Permit for the placement of a doublewide manufactured home in accordance with Pittsylvania County Code § 35-223.

Mr. Harker opened the public hearing at 7:17 p.m. Donna Thacker, was present to represent the petition. No one signed up to speak, Mr. Harker closed the Public Hearing at 7:20 p.m.

Motion to approve Case S-24-006, submitted by Bradley Childers, for a Special Use Permit (*to allow for the placement of a doublewide manufactured home in accordance with PCC § 35-223*). The property is 4.98 acres, located on State Road 694/David Giles Lane in the Chatham-Blairs Election District and shown on the Tax Maps as GPIN # 2423-64-1357.

RESULT: APPROVE
MOVER: Richard Waters
SECONDER: Gary Oakes
AYES: Nathan Harker, Colette Henderson, Justin Brown, Janet Mease, Gary Oakes, Richard Waters, Fred Webb

NOES: None

ABSTAIN: None

10. OLD BUSINESS

There was no old business

11. NEW BUSINESS

Mrs. Ragsdale stated there would be 3 rezoning cases and 2 special use permits.

12. ADJOURNMENT

The meeting was adjourned at 7:22 p.m.

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case R-24-006 Frank Tice; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Henderson)						
Staff Contact(s):	Emily Ragsdale						
Agenda Date:	May 7, 2024	Item Number:	9.a.				
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>R-24-006 TICE App</td> </tr> <tr> <td>2.</td> <td>R-24-006 TICE Map</td> </tr> </table>			1.	R-24-006 TICE App	2.	R-24-006 TICE Map
1.	R-24-006 TICE App						
2.	R-24-006 TICE Map						
Reviewed By:							

SUMMARY:

SUBJECT

Requested by Frank Tice, to rezone property located on State Road 796/Coleman Road, in the Banister Election District and shown on the Tax Maps as GPIN # 2498-53-1013. The applicant is requesting to rezone 2.99 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for an accessory structure to be placed on the property.

BACKGROUND/DISCUSSION

Frank Tice is requesting to rezone 2.99 acres, from R-1, Residential Suburban Subdivision District to A-1, Agricultural District, to allow for an accessory structure to be placed on the property. The property is currently vacant. Under the R-1, Residential Suburban Subdivision District, zoning classification, an accessory structure cannot be placed on a property without a dwelling. The applicant is proposing to eventually convert the accessory structure to a cabin, but the structure will only be used for storage purposes at this time, requiring the property to be rezoned to allow an accessory structure to be placed on a vacant lot.

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:

RECOMMENDATION

Staff recommends APPROVAL of Case R-24-006, submitted by Frank Tice, requesting to rezone 2.99 acres located on State Road 796/Coleman Road, in the Banister Election District and shown on the Tax Maps as GPIN # 2498-53-1013. 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-24-006 as submitted.
2. Recommend denial of Case R-24-006 as submitted.

STAFF SUMMARY

<u>CASE</u> R-24-006	<u>ZONING REQUEST</u> R-1 to A-1	<u>CYCLE</u> May 2024/June 2024
<u>SUBJECT/PROPOSAL/REQUEST</u> Frank Tice, is requesting to rezone property from R-1, Residential Suburban Subdivision District to A-1, Agricultural District		PLANNING COMMISSION: May 7, 2024 BOARD OF SUPERVISORS: June 18, 2024 ADVERTISED: April 24 & May 1, 2024, and May 22 & 29, 2024
DISTRICT: Banister		

SUBJECT

Requested by Frank Tice, to rezone property located on State Road 796/Coleman Road, in the Banister Election District and shown on the Tax Maps as GPIN # 2498-53-1013. The applicant is requesting to rezone 2.99 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for an accessory structure to be placed on the property.

BACKGROUND/DISCUSSION

Frank Tice is requesting to rezone 2.99 acres, from R-1, Residential Suburban Subdivision District to A-1, Agricultural District, to allow for an accessory structure to be placed on the property. The property is currently vacant. Under the R-1, Residential Suburban Subdivision District, zoning classification, an accessory structure cannot be placed on a property without a dwelling. The applicant is proposing to eventually convert the accessory structure to a cabin, but the structure will only be used for storage purposes at this time, requiring the property to be rezoned to allow an accessory structure to be placed on a vacant lot.

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-24-006, submitted by Frank Tice, requesting to rezone 2.99 acres located on State Road 796/Coleman Road, in the Banister Election District and shown on the Tax Maps as GPIN # 2498-53-1013. 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-24-006 as submitted.
2. Recommend denial of Case R-24-006 as submitted.

ATTACHMENTS:

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

**PITTSYLVANIA COUNTY
APPLICATION FOR REZONING**

Frank Tice, 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: Frank Tice
Address: State Road 976 / Coleman Road

2. Location of Property: Coleman Road

Telephone: 540-278-3775

3. Tax Map Number: 2498-53-1013

4. Election District: Banister

Total Amount: \$326.07

Taken By: ESR pd.
Cash

5. Size of Property: 2.99 acres

6. Existing Land Use: Single Family

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Accessory Structure

Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

<input checked="" type="checkbox"/> Letter of Application	<input type="checkbox"/> Site Development Plan or Waiver	<input checked="" type="checkbox"/> Legal Forms
<input type="checkbox"/> 11"x 17" Concept Plan	<input checked="" type="checkbox"/> Application Fee	<input checked="" type="checkbox"/> List of Adjoining Properties
<input 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.



Frank Tice

OFFICE USE ONLY

Application Deadline: 03/28/24

Received By: ESR

B.O.S. Meeting Date: 06/18/24

Application No. R-24-006

P.C. Meeting Date: 05/07/24

Date Received: 02/28/24

Action: _____

March 4, 2024

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

Dear Mrs. Ragsdale:

Frank Tice, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 2.99 acres, GPIN # 1298-53-1013, located at State Road 976 / Coleman Road, in the Banister Election District.

I am requesting to rezone this parcel from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District to allow for an Accessory Structure to be placed on the property.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Tice", written over a horizontal line.

Frank Tice

VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY

2.99 acres of land, generally located)
at State Road 976 / Coleman Road within)
the Banister Election District and recorded)
as parcel ID # 2498-53-1013 in the)
Pittsylvania County tax records.)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

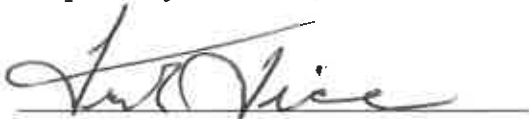
WHEREAS, your Petitioner, Frank Tice, respectfully files this petition. pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (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 R-1, Residential Suburban Subdivision District
- (3) Your petitioner now desires to have the property rezoned to A-1, Agricultural 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,



Frank Tice

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-24-006 Applicant  Date 4-8-24

GPIN ACCOUNT HOLDER
2498-43-7595 C/O Larson & McGowin LLC
2498-62-3761 Anthony Salah / Linton Smith & Susan Egan
2498-53-4524 Timothy Craig
298-53-0429 Timothy Craig

ACCOUNT ADDRESS ACCOUNT_CSZ
P.O. Box 1288 Mobile, AL 36633
10127 Cedar Lane Kensington, MD 20895
1572 Coleman Road Java, VA 24565
1572 Coleman Road Java, VA 24565

S-24-006 Frank Tice

TAX MAP #2498531013
Company Providing Title Insurance: None
Sales Price: \$6,500.00
Assessed Value: \$10,000.00
Prepared by:
Whitaker R. Johnston
VSB # 86831
JONES, JOHNSTON & WHITE, P.C.
20580 Timberlake Road
Lynchburg, Virginia 24502

This deed was prepared without the benefit of a title examination.

THIS DEED, dated this 26th day of February, 2024, by and between **TIMOTHY CRAIG**, party of the first part, (Grantor); and **FRANK ALLEN TICE**, whose address is 1218 Quarterwood Road Montvale, VA 24122, party of the second part, (Grantee):

WITNESSETH:

That for and in consideration of the sum of Five Dollars (\$5.00), cash in hand paid, and other valuable considerations, receipt of which is hereby acknowledged, the party of the first part do hereby grant, bargain, sell, and convey, with General Warranty and English Covenants of Title, unto the party of the second part, in fee simple absolute, the following described real estate, to-wit:

<SEE ATTACHMENT "A">

Given to: Frank A. Tice

WITNESS the following signatures and seals:

Timothy P. Craig (SEAL)
TIMOTHY CRAIG

STATE OF VIRGINIA
COUNTY OF CAMPBELL, TO-WIT:

The foregoing deed was acknowledged before me in my said State and County
this 29th day of FEBRUARY, 2024, by Timothy Craig.



Karen T. Mason
Notary Public

ATTACHMENT "A"

All of that certain tract or parcel of land, together with all improvements thereon and appurtenances thereunto belonging, lying and being situate in Blairs Magisterial District, Pittsylvania County, Virginia, described as Tract B2, containing 2.987 acres, more or less, according to a "Plat of Survey Showing Division of Tract B and Tract E for Louise D. Betterton," dated January 15, 1990, revised February 6, 1990, by E.L. Wilmarth, Land Surveyor, which plat is recorded in the Office of the Clerk of the Circuit Court of Pittsylvania County, Virginia in Map Book 43, page 6A.

It being the same property conveyed unto Timothy Craig, from Kelly Evans and Michael S. Evans, her husband, by Deed dated August 15, 2017, of record in the aforesaid Clerk's Office at Instrument No. 170004700.

The real estate hereinabove described and conveyed, and the warranties herein contained are expressly subject to all easements, rights of way, conditions, restrictions, and reservations affecting said real estate, whether recorded or unrecorded, or apparent from a visual inspection of the premises.

INSTRUMENT 240000849
RECORDED IN THE CLERK'S OFFICE OF
PITTSYLVANIA COUNTY CIRCUIT ON
FEBRUARY 29, 2024 AT 01:07 PM
\$10.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$5.00 LOCAL: \$5.00
ANGIE R. HARRIS, CLERK
RECORDED BY: JCR

ArcGIS Web Map



0 0.05 0.1 0.2 m

0 0.07 0.15 0.3 km

Esri, DeLorme, Garmin, IGN, Intermap, iFlycatcher, GeoEye, USDA, USGS, AeroGRID, IGN, Esri, Google (2014), Swire

3/4/2024, 10:14:03 AM

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case R-24-008 Sharolli, Inc.; Rezoning from R-1, Residential Suburban Subdivision District, to B-2, Business District, General. (Henderson)						
Staff Contact(s):	Emily Ragsdale						
Agenda Date:	May 7, 2024	Item Number:	9.b.				
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>R-24-008 Sharolli App</td> </tr> <tr> <td>2.</td> <td>R-24-008 Sharolli Map</td> </tr> </table>			1.	R-24-008 Sharolli App	2.	R-24-008 Sharolli Map
1.	R-24-008 Sharolli App						
2.	R-24-008 Sharolli Map						
Reviewed By:							

SUMMARY:

SUBJECT

Requested by Sharolli, Inc., to rezone property located on US Highway 29 Business in the Banister Election District and shown on the Tax Maps as GPIN # 2329-44-1326. The applicant is requesting to rezone 0.89 acres, from R-1, Residential Suburban Subdivision District, to B-2, Business District, General, to allow the property to be used for the sales, service, and repair of automobiles.

BACKGROUND/DISCUSSION

Sharolli, Inc., is requesting to rezone 0.89 acres, from R-1, Residential Suburban Subdivision District, to B-2, Business District, General, to allow for the sales, service & repair of automobiles. The property is occupied by a mobile home and a garage and has historically been used as a used car lot. Since the property is zoned R-1, Residential Suburban Subdivision District, the use was considered legal non-conforming. The use was discontinued over two (2) years ago. 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 neither a used car lot nor a repair shop have been operating on the property in the last two (2) years, the property must be rezoned in order for either use to resume on the property. If the rezoning is denied, only uses permitted under § 35-222 would be permitted.

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 Commercial.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to B-2, Business 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-24-008, submitted by Sharolli, Inc. requesting to rezone 0.89 acres located on US Highway 29 Business, in the Banister Election District and shown on the Tax Maps as GPIN # 2329-44-1326. The subject property is adjacent to property currently zoned B-2, Business District, General and the rezoning would be consistent with the County's Comprehensive Plan.

MOTION:

1. Recommend approval of Case R-24-008 as submitted.
2. Recommend denial of Case R-24-008 as submitted.

STAFF SUMMARY

<u>CASE</u>	<u>ZONING REQUEST</u>	<u>CYCLE</u>
R-24-008	R-1 to B-2	May 2024/June 2024
<u>SUBJECT/PROPOSAL/REQUEST</u>		PLANNING COMMISSION: May 7, 2024
Sharolli, Inc., is requesting to rezone property from R-1, Residential Suburban Subdivision District to B-2, Business District		BOARD OF SUPERVISORS: June 18, 2024
DISTRICT: Banister		ADVERTISED: April 24 & May 1, 2024, and May 22 & 29, 2024

SUBJECT

Requested by Sharolli, Inc., to rezone property located on US Highway 29 Business in the Banister Election District and shown on the Tax Maps as GPIN # 2329-44-1326. The applicant is requesting to rezone 0.89 acres, from R-1, Residential Suburban Subdivision District, to B-2, Business District, General, to allow the property to be used for the sales, service, and repair of automobiles.

BACKGROUND/DISCUSSION

Sharolli, Inc, is requesting to rezone 0.89 acres, from R-1, Residential Suburban Subdivision District, to B-2, Business District, General, to allow for the sales, service & repair of automobiles. The property is occupied by a mobile home and a garage and has historically been used as a used car lot. Since the property is zoned R-1, Residential Suburban Subdivision District, the use was considered legal non-conforming. The use was discontinued over two (2) years ago. 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 neither a used car lot nor a repair shop have been operating on the property in the last two (2) years, the property must be rezoned in order for either use to resume on the property. If the rezoning is denied, only uses permitted under § 35-222 would be permitted.

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 Commercial.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to B-2, Business District, and R-1, Residential Suburban Subdivision District, zoned properties.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case R-24-008, submitted by Sharolli, Inc. requesting to rezone 0.89 acres located on US Highway 29 Business, in the Banister Election District and shown on the Tax Maps as GPIN # 2329-44-1326. The subject property is adjacent to property currently zoned B-2, Business District, General and the rezoning would be consistent with the County's Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-24-008 as submitted.

2. Recommend denial of Case R-24-008 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**

Linda Sharolli, 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: Linda Sharolli
Address: 3360 Highway 29 north Danville, VA 24540

2. Location of Property: US Highway 29 North

Telephone: 703-929-7648

3. Tax Map Number: 2329-44-1326

4. Election District: Banister District

Total Amount: \$317.38

Taken By: _____

5. Size of Property: 0.89 acres

6. Existing Land Use: Single Family

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Vacant

Proposed Zoning: B-2, Business District

8. Are conditions being proffered: _____ Yes X No

9. Check completed items:

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

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


Linda Sharolli

OFFICE USE ONLY

Application Deadline: 03/28/24
Received By: ESR
B.O.S. Meeting Date: 06/18/24

Application No. R-24-008
P.C. Meeting Date: 05/07/24
Date Received: 03/11/24
Action: _____

March 11, 2024


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

Dear Mrs. Ragsdale:

Linda Sharolli, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 0.89 acres, GPIN # 2329-44-1326, located at US Highway 29 North, in the Banister Election District.

I am requesting to rezone this parcel from R-1, Residential Suburban Subdivision District, to B-2, Business District to allow for Sales, Service and Repairs of Automobiles on the property.

Sincerely,


Linda Sharolli

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

0.89 acres of land, generally located)
at US Highway 29 North within)
the Banister Election District and recorded)
as parcel ID # 2329-44-1326 in the)
Pittsylvania County tax records.)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Linda Sharolli, 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 R-1, Residential Suburban Subdivision District
- (3) Your petitioner now desires to have the property rezoned to B-2, Business 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,


Linda Sharolli



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-24-008 Applicant Jada Sharrelli Date 4-15-24

GPIN ACCOUNT HOLDER
2329-44-2575 Highland Park Baptist Church
2329-34-4866 American Armoured Foundation Inc

ACCOUNT ADDRESS
3400 U S Highway 29 North
3401 U S Highway 29 North

ACCOUNT_CSZ
Danville, VA 24540
Danville, VA 24540

R-24-008 Linda Sharoli

ArcGIS Web Map



3/29/2024 3:03:05 PM

1:2,072

0 0.01 0.03 0.05 mi
 0 0.02 0.04 0.08 km

Esri Community Maps Contributors |IGN & OpenStreetMap | Microsoft Bing
 TurnKey Solutions | Autodesk | GeoFiction | Mapbox | MET | NASA | USGS

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case R-23-017 Gwendolyn Averett; Rezoning from RC-1, Residential Combined Subdivision District, to B-2, Business District, General (Brown)														
Staff Contact(s):	Emily Ragsdale														
Agenda Date:	May 7, 2024	Item Number:	9.c.												
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>R-23-017 Updated SS</td> </tr> <tr> <td>2.</td> <td>R-23-017 Gwendolyn Averett App</td> </tr> <tr> <td>3.</td> <td>R-23-017 Gwendolyn Averett Map</td> </tr> <tr> <td>4.</td> <td>R-23-017 Proffers</td> </tr> <tr> <td>5.</td> <td>R-23-017 Site Plan</td> </tr> <tr> <td>6.</td> <td>R-23-017 Opposition</td> </tr> </table>			1.	R-23-017 Updated SS	2.	R-23-017 Gwendolyn Averett App	3.	R-23-017 Gwendolyn Averett Map	4.	R-23-017 Proffers	5.	R-23-017 Site Plan	6.	R-23-017 Opposition
1.	R-23-017 Updated SS														
2.	R-23-017 Gwendolyn Averett App														
3.	R-23-017 Gwendolyn Averett Map														
4.	R-23-017 Proffers														
5.	R-23-017 Site Plan														
6.	R-23-017 Opposition														
Reviewed By:															

SUMMARY:

SUBJECT

Requested by Gwendolyn Averett, to rezone property located on State Road 732/Little Creek Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-33-4895. The applicant is requesting to rezone 1.80 acres, from RC-1, Residential Combined Subdivision District, to B-2, Business District, General, to allow a day care facility to be operated on the property.

BACKGROUND/DISCUSSION

Darryl and Gwendolyn Averett are requesting to rezone 1.8 acres from RC-1, Residential Combined Subdivision District, to B-2, Business District, General, to allow for a day care to be operated on the property. The applicants currently live on the property. The applicant stated that she previously operated a day care out of the residence but was forced to close in 2020. Gwendolyn Averett was requesting to keep approximately twelve (12) children in her home. Pittsylvania County Code defines a "day care" as "any facility or center

operated for the purpose of providing care, protection and guidance to a group of five (5) or more children separated from their parents or guardian during a part of the day." Based on this definition, this use cannot be classified as a home occupation and requires the property to be zoned B-2, Business District, General for this use to be permitted. If the rezoning is approved, all applicable building and fire codes would have to be met prior to operation commencing.

This case was originally heard by the Planning Commission on December 5, 2023; however, at the Planning Commission meeting, the applicants stated that they planned to place an additional structure on the property. Because the original proposal used an existing structure on the property, Staff did not require the applicants to submit a site plan with their application. Since the scope of their proposal changed to include an additional building and the number of children has increased to forty (40), Staff required a site plan be submitted and the application must now go back through the entire process to allow the public adequate time to review and voice their opinion on the current proposal.

On April 16, 2024, a motion was made at the Board of Supervisors meeting to deny the application. The applicants requested to withdraw their application without penalty, allowing them to resubmit their application with proffers only allowing a daycare. That request was granted, allowing the applicants to restart the process.

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 Medium to High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, B-2, Business District, General, and R-1, Residential Suburban Subdivision District, zoned properties.

SITE DEVELOPMENT PLAN

Included.

FINANCIAL IMPACT AND FUNDING SOURCE:

None

RECOMMENDATION:

Staff originally recommended approval of Case R-23-017, submitted by Darryl and Gwendolyn Averett, requesting to rezone 1.8 acres located off State Road 732/Little Creek Road, in the Dan River Election District and shown on the Tax

Maps as GPIN # 2338-33-4895. The subject property is adjacent to properties currently zoned B-2, Business District, General; however, since the original submittal, the scope has expanded to include an additional building on the property and the number of children has increased from twelve (12) to forty (40). The applicants have submitted proffers that are included in the packet.

MOTION:

- 1. Recommend approval of Case R-23-017 as submitted.
- 2. Recommend denial of Case R-23-017 as submitted.

STAFF SUMMARY

<u>CASE</u> R-23-017	<u>ZONING REQUEST</u> RC-1 to B-2	<u>CYCLE</u> December 2023/January 2024
<u>SUBJECT/PROPOSAL/REQUEST</u> Darryl and Gwendolyn Averett are requesting to rezone property from RC-1, Residential Combined Subdivision District, to B-2, Business District, General. DISTRICT: Dan River		PLANNING COMMISSION: December 5, 2023 BOARD OF SUPERVISORS: January 16, 2024 ADVERTISED: November 22 & 29, 2023 and December 20 & 27, 2023

SUBJECT

Requested by Gwendolyn Averett, to rezone property located on State Road 732/Little Creek Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-33-4895. The applicant is requesting to rezone 1.80 acres, from RC-1, Residential Combined Subdivision District, to B-2, Business District, General, to allow a day care facility to be operated on the property.

BACKGROUND/DISCUSSION

Darryl and Gwendolyn Averett are requesting to rezone 1.8 acres from RC-1, Residential Combined Subdivision District, to B-2, Business District, General, to allow for a day care to be operated on the property. The applicants currently live on the property. The applicant stated that she previously operated a day care out of the residence but was forced to close in 2020. Gwendolyn Averett was requesting to keep approximately twelve (12) children in her home. Pittsylvania County Code defines a “day care” as “any facility or center operated for the purpose of providing care, protection and guidance to a group of five (5) or more children separated from their parents or guardian during a part of the day.” Based on this definition, this use cannot be classified as a home occupation and requires the property to be zoned B-2, Business District, General for this use to be permitted. If the rezoning is approved, all applicable building and fire codes would have to be met prior to operation commencing.

This case was originally heard by the Planning Commission on December 5, 2023; however, at the Planning Commission meeting, the applicants stated that they planned to place an additional structure on the property. Because the original proposal used an existing structure on the property, Staff did not require the applicants to submit a site plan with their application. Since the scope of their proposal changed to include an additional building and the number of children has increased to forty (40), Staff required a site plan be submitted and the application must now go back through the entire process to allow the public adequate time to review and voice their opinion on the current proposal.

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 Medium to High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, B-2, Business District, General, and R-1, Residential Suburban Subdivision District, zoned properties.

SITE DEVELOPMENT PLAN

Included.

RECOMMENDATION

Staff originally recommended approval of Case R-23-017, submitted by Darryl and Gwendolyn Averett, requesting to rezone 1.8 acres located off State Road 732/Little Creek Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-33-4895. The subject property is adjacent to properties currently zoned B-2, Business District, General; however, since the original submittal, the scope has expanded to include an additional building on the property and the number of children has increased from twelve (12) to forty (40). The applicants have submitted proffers that are included in the packet.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-23-017 as submitted.
2. Recommend denial of Case R-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

STAFF SUMMARY

<u>CASE</u> R-23-017	<u>ZONING REQUEST</u> RC-1 to B-2	<u>CYCLE</u> December 2023/January 2024
<u>SUBJECT/PROPOSAL/REQUEST</u> Darryl and Gwendolyn Averett are requesting to rezone property from RC-1, Residential Combined Subdivision District, to B-2, Business District, General.		PLANNING COMMISSION: December 5, 2023 BOARD OF SUPERVISORS: January 16, 2024 ADVERTISED: November 22 & 29, 2023 and December 20 & 27, 2023
DISTRICT: Dan River		

SUBJECT

Requested by Gwendolyn Averett, to rezone property located State Road 732/Little Creek Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-33-4895. The applicant is requesting to rezone 1.80 acres, from RC-1, Residential Combined Subdivision District, to B-2, Business District, General, to allow a day care facility to be operated on the property.

BACKGROUND/DISCUSSION

Darryl and Gwendolyn Averett are requesting to rezone 1.8 acres from RC-1, Residential Combined Subdivision District, to B-2, Business District, General, to allow for a day care to be operated on the property. The applicants currently live on the property. The applicant stated that she previously operated a day care out of the residence but was forced to close in 2020. Gwendolyn Averett is requesting to keep approximately twelve (12) children in her home. Pittsylvania County Code defines a “day care” as “any facility or center operated for the purpose of providing care, protection and guidance to a group of five (5) or more children separated from their parents or guardian during a part of the day.” Based on this definition, this use cannot be classified as a home occupation and requires the property to be zoned B-2, Business District, General for this use to be permitted. If the rezoning is approved, all applicable building and fire codes would have to be met prior to operation commencing.

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 Medium to High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, B-2, Business District, General, and R-1, Residential Suburban Subdivision District, zoned properties.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case R-23-017, submitted by Darryl and Gwendolyn Averett, requesting to rezone 1.8 acres located off State Road 732/Little Creek Road, in the Dan River Election District and shown on the Tax Maps as GPIN # 2338-33-4895. The subject property is adjacent to properties currently zoned B-2, Business District, General.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-23-017 as submitted.
2. Recommend denial of Case R-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

**PITTSYLVANIA COUNTY
APPLICATION FOR REZONING**

Darryl & Gwendolyn Averett, 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: Darryl & Gwendolyn Averett
Address: 913 Little Creek Road, Ringgold, VA 24586

2. Location of Property: State Road 732/Little Creek Road

Telephone: 434-203-1101

3. Tax Map Numbers: 2338-33-4895

4. Election District: Dan River

Total Amount: \$531.99

Taken By: ESR cash

5. Size of Property: 1.8 acres

6. Existing Land Use: Single-family dwelling

Existing Zoning: RC-1, Residential Combined Subdivision District

7. Proposed Land Use: To allow for a daycare

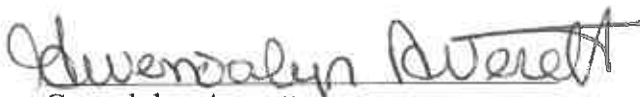
Proposed Zoning: B-2, Business District General

8. Are conditions being proffered: Yes 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.


Gwendolyn Averett

OFFICE USE ONLY

Application Deadline: 10/26/23

Received By: ESR

B.O.S. Meeting Date: 01/16/24

Application No. R-23-017

P.C. Meeting Date: 12/05/23

Date Received: 10/17/23

Action: _____

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

1.8 acres of land, generally located)
on State Road 732/Little Creek Road within)
the Dan River Election District and)
recorded as parcel ID # 2338-33-4895)
in the Pittsylvania County tax recrds)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioners, Darryl & Gwendolyn Averett, 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 RC-1, Residential Combined Subdivision District.
- (3) Your petitioners now desire to have the property rezoned to B-2, Business District General.

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,


Gwendolyn Averett

November 16, 2023

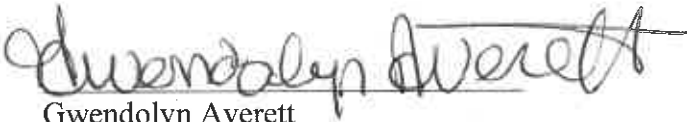
Mrs. Emily Ragsdale
Director of Community Development
P. O. Drawer D
Chatham, VA 24531

Dear Mrs. Ragsdale:

Darryl & Gwendolyn Averett, as owners, would like to apply to the Planning Commission/Board of Supervisors to rezone 1.8 acres, GPIN # 2338-33-4895, located on State Road 732/Little Creek Road, in the Dan River Election District.

We are requesting to rezone this parcel from RC-1, Residential Combined Subdivision District, to B-2, Business District General to allow for a daycare.

Sincerely,


Gwendolyn Averett



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.

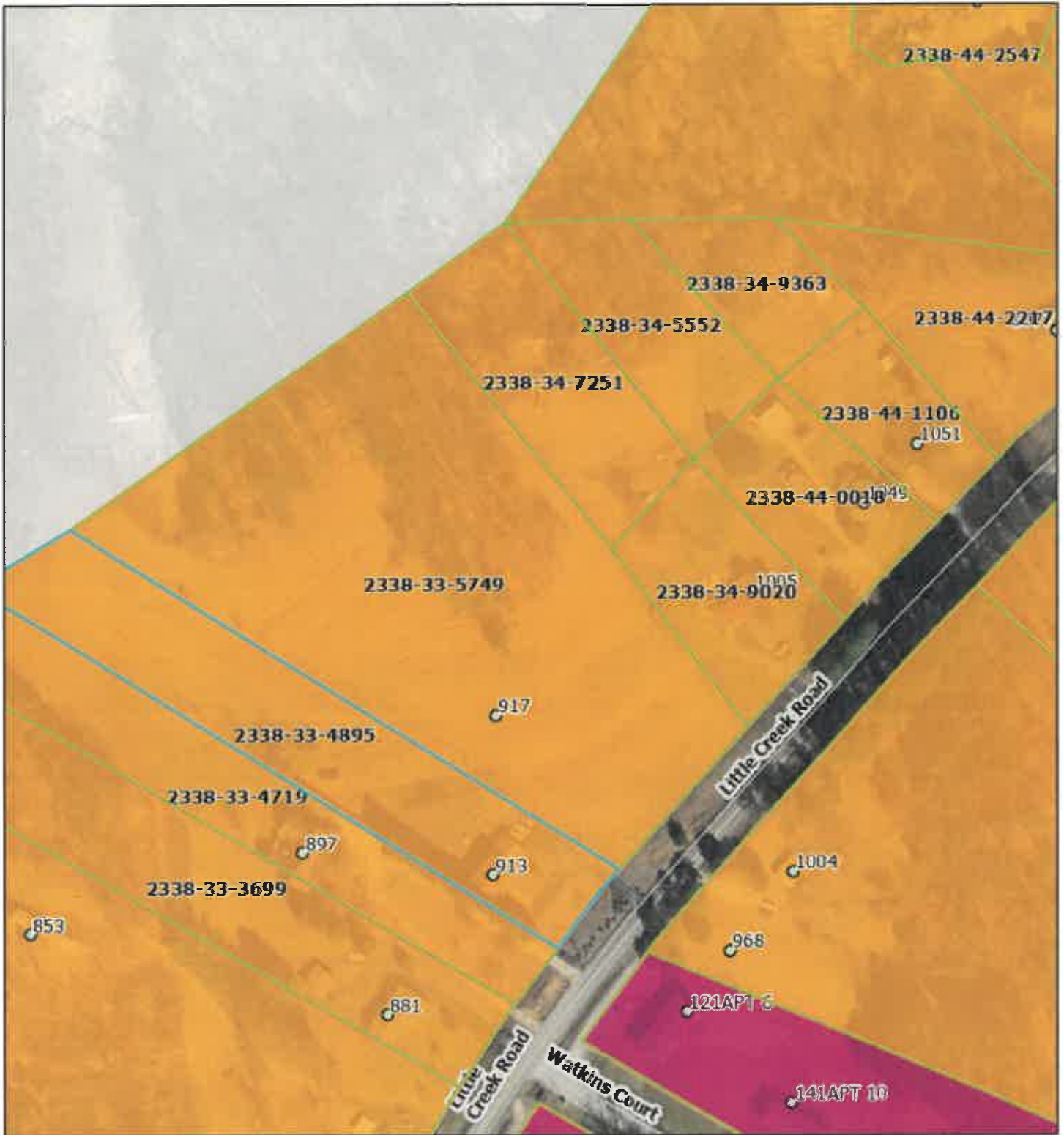
Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

Case B-23-017 Applicant [Signature] Date 11-21-2023

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2338-45-0275	BARKER, MICHAEL T	1235 LITTLE CREEK RD	RINGGOLD, VA 24586
2338-33-5749	RICHARDSON, GERALINE ET ALS	1005 LITTLE CREEK RD	RINGGOLD, VA 24586
2338-33-4719	MANGUM, PERCY	897 LITTLE CREEK RD	RINGGOLD, VA 24586
2338-43-4672	TATE, JASON W SR	1661 LITTLE CREEK RD	RINGGOLD, VA 24586
2338-43-2279	WATKINS & WATKINS LLC	301 PINEVIEW DR	RINGGOLD, VA 24586

R-23-017 GWENDOLYN AVERETT

ArcGIS Web Map



7/10/2023, 11:03:44 AM

Virginia Cities and Counties

County

Tax Parcels (All)

Assessed Parcels

Assessed Parcels Labels

Addresses

Route Numbers

Streets

ALL OTHER

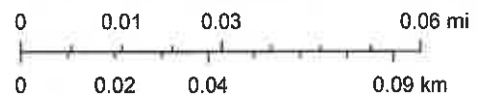
Zoning Districts

Agricultural

Business, General

Residential Combined Subdivision

1:2,257



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

STATE OF VIRGINIA
COUNTY OF PITTSYLVANIA

BEFORE THE PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

RE: CASE: R-23-017; Gwendolyn Averett

Rezone the property from RC-1, Residential Combined Subdivision District, to B-2, Business District, General to use the existing house as a child day care center, located on 1.80 acres located on State Road 732/Little Creek Road, shown on the Tax Maps as GPIN # 2338-33-4895.

PROFFER OF CONDITIONS:

I, Gwendolyn Averett, hereby voluntarily proffer to the Pittsylvania County Board of Supervisors to restrict the above-referenced property to the following conditions:

1. I will not use the 1.80-acre parcel for any permitted uses, listed by right, under Section 35-365 that are not stated below:
 - Accessory Uses
 - Apartments in same building with business (upstairs apartment)
 - Apparel shops
 - Art supplies
 - Assembly halls
 - Bakeries
 - Barber shops, beauty shops
 - Child day care centers (licensed) Amended February 18,1992
 - Churches
 - Community centers, buildings
 - Craft shops
 - Garages-private, storage of personal vehicles
 - Gardens (private)
 - Gift shops
 - Greenhouses and nurseries
 - Hobby shops and toys
 - Home, and apartment combinations with business
 - Homes for developmentally disabled
 - Lodge Halls
 - Manses-church-owned dwelling units
 - None-emergency medical transport (Amended December 21,2010)
 - Offices, professionals
 - Parks
 - Playgrounds
 - Print shops
 - Recreational facilities (private)
 - Recreational facilities (public)

2. Any other uses, other than stated on the revised list attached, will require a new petition with a Public Hearing and approval by the Board of Supervisors.

Respectfully submitted:


Gwendolyn Averett

2-20-2024
Date

Sworn to and subscribed before me, in my presence
this 20th day of Feb, 2024. A Virginia
Notary Public. In and for Pittsylvania
County/City.

Karen N. Hayes Notary Public
My commission expires Sept. 30, 2024





CONCEPT PLAN
NOT TO SCALE

PARCEL INFORMATION

OWNERS OF PARCEL:
GWENDOLYN & DARRYL AVERETT

① PARCEL ID: 2338-33-4895 - 1.8 AC.

SITE ADDRESS: 913 LITTLE CREEK RD.
RINGGOLD VA 24586
DAN RIVER
MAGISTERIAL DISTRICT

PROPOSED SCOPE OF WORK:

EXISTING BUILDING TO BE USED FOR A CHILD DAYCARE CENTER.
THE CENTER WILL ACCOMMODATE APPROXIMATELY 40 CHILDREN.
DAYCARE AND AFTER-SCHOOL CARE WILL BE PROVIDED.

ZONING

EXISTING ZONE CODE:
RC-1 RESIDENTIAL COMBINED
SUBDIVISION DISTRICT

ZONE CODE CHANGE REQUEST:
B-2 BUSINESS DISTRICT GENERAL

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

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

PROPOSED CONCEPT PLAN FOR:
GWENDOLYN & DARRYL AVERETT
913 LITTLE CREEK RD.
RINGGOLD VA 24586
MOBILE: 434-203-1101

SHEET	SK-1 of 1
DATE	FEB. 19, 2024
FILE	2024-08
SCALE	NOT TO SCALE

December 5, 2023
1661 Little Creek Road
Ringgold, Virginia 24586

Pittsylvania County Planning Commission
53 Main Street
Chatham, Virginia 24531

RE: Rezoning Application #R-23-017

To All Members of Planning Commission:

My name is Shelby Tate, and I am from the Dan River District.

My late husband, Jason Tate and I own property at 1004 Little Creek Road and 968 Little Creek Road, Ringgold, Virginia

Our property is across the road from Mr. and Mrs. Averett, and I have known Mr. Averett for several years.

They have operated a day care center for years at this location until Covid and Mr. Averett's illness. I thought they had resumed operations earlier this year.

The first concern is there seems to be some discrepancy in the acreage. The first notice I received in July 2023, same application number showed 1.8 acres. This application was later discontinued. This last notice shows same rezoning number and location but shows 3.0 acres.

My second concern with the rezoning of the property across the street is the classification of the rezoning.

My letter from Pittsylvania County Community Development only states a rezoning application has been filed. However, I have since determined from the agenda it is to be rezoned from R-1 Residential Combined Subdivision District to B2 Business District, General.

Will this allow other businesses to occupy this property besides daycare or will it be limited to daycare?

Could they apply for a special use permit, and would this limit this property to only be used for the purpose of daycare?

As I understand from your internet site, and I quote:

"Once the Board of Supervisors approves the rezoning, it is valid until the next time it is changed by the Board of Supervisors. A rezoning runs with the property, not the owner, thus remains valid even after changes in property ownership."

Since this is the case, I would like to ask if the Averetts can and would be willing to make a proffer that would ensure that nothing besides daycare would be on this property and if transferred or sold the rezoning ordinance would be relinquished.



Thank you,
Shelby Tate



Going west on Little Creek Road – incline – 913 Little Creek Road (Averett) is on the right. 1004 Little Creek Road is on the left. (Tate)



1004 Little Creek Road (10+ acres) directly across from Averett home.



968 Little Creek Road - Another photo of the balance of property (Tate)

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case S-24-007 Reuben Popp; Special Use Permit for the placement of a single-wide mobile home in accordance with Pittsylvania County Code § 35-223 (Harker)						
Staff Contact(s):	Emily Ragsdale						
Agenda Date:	May 7, 2024	Item Number:	9.d.				
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>S-24-007 Reuben App</td> </tr> <tr> <td>2.</td> <td>S-24-007 Reuben Map</td> </tr> </table>			1.	S-24-007 Reuben App	2.	S-24-007 Reuben Map
1.	S-24-007 Reuben App						
2.	S-24-007 Reuben Map						
Reviewed By:							

SUMMARY:

SUBJECT

Requested by Reuben Popp, for a Special Use Permit for the placement of a single-wide manufactured home in accordance with Pittsylvania County Code § 35-223. The property is 5.93 acres, located on Flat Cove Road in the Staunton River Election District and shown on the Tax Maps as GPIN # 2524-12-1677.

BACKGROUND/DISCUSSION

Reuben Popp 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.

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-24-007 as submitted.

MOTION:

1. Recommend approval of Case S-24-007 as submitted.
2. Recommend approval of Case S-24-007 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-24-007 as submitted.

STAFF SUMMARY

<u>CASE</u>	<u>ZONING REQUEST</u>	<u>CYCLE</u>
S-24-007	SUP	May 2024/June 2024
<u>SUBJECT/PROPOSAL/REQUEST</u> Reuben Popp is requesting a Special Use Permit for the placement of a Single-wide mobile home.		PLANNING COMMISSION: May 7, 2024 BOARD OF ZONING APPEALS: June 10, 2024
DISTRICT: Staunton River Election District		ADVERTISED: April 24 & May 1, 2024, and May 22 & 29, 2024

SUBJECT

Requested by Reuben Popp, for a Special Use Permit for the placement of a single-wide manufactured home in accordance with Pittsylvania County Code § 35-223. The property is 5.93 acres, located on Flat Cove Road in the Staunton River Election District and shown on the Tax Maps as GPIN # 2524-12-1677.

BACKGROUND/DISCUSSION

Reuben Popp 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.

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

RECOMMENDATION

Staff recommends APPROVAL of Case S-24-007 as submitted.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-24-007 as submitted.
2. Recommend approval of Case S-24-007 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-24-007 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, Reuben Popp, as Owner of the below described properties, hereby apply to the Pittsylvania County Board of Zoning Appeals to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Names: Reuben Popp
Address: Flat Top Cove Road, Gretna, VA Telephone: (434) 728-3464

2. Location of Property: Flat Top Cove Road

Total Amt: \$350.00
Taken By: 350.00 *cash JG.*

3. Tax Map Number 2524-12-1677

4. Election District: Staunton River

5. Size of Property: 5.93 acres

6. Existing Land Use: Vacant

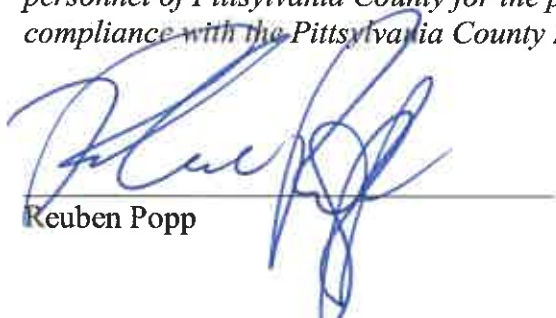
Existing Zoning: R-1, Residential Suburban Subdivision District

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.



Reuben Popp

OFFICE USE ONLY

Application Deadline: 03/28/24

Received By: JKG

B.Z.A. Meeting Date: 06/10/24

Application No. S-24-007

P.C. Meeting Date: 05/07/24

Date Received: 03/19/24

Action: _____

March 19, 2024

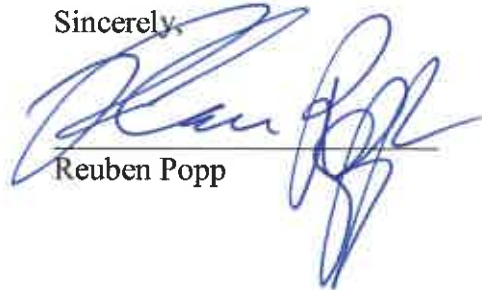
Mrs. Emily Ragsdale
Director of Community Development
P. O. Box 426
Chatham, VA 24531

Dear Mrs. Ragsdale:

I, Ruben Popp, as Owner, would like to apply to the Planning Commission/ Board of Zoning Appeals for a Special Use Permit on 5.93 acres, located on Flat Top Cover Road, in the Staunton River Election District. The property is shown on the Tax Maps as GPIN # 2524-12-1677.

I would like to place a single-wide mobile home on the property.

Sincerely,



Reuben Popp

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

A 5.93 acre parcel of land)
generally located on Flat Top Cove Road)
within the Staunton River Election District and) **PETITION**
recorded as parcel # 2524-12-1677 in the)
Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

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

- (1) The Petitioner is the owner of the above-referenced 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 for placement of a singlewide manufactured home in accordance with PCC § 35-223.

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,



Reuben Popp

PITTSYLVANIA

COUNTY, VIRGINIA

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

SIGN AFFIDAVIT

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

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

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

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

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

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

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

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

Case S-24-007 Applicant  Date 4/11/24

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
2524-02-9830	JULIE LECEA	315 BARAEHEAD DRIVE	FREDERICKSBURG, VA 22401
2524-11-1658	WOODROW & JENNIFER WOOD	3242 OLD MARLBORO ROAD	SOPHIA, NC 27350
2524-02-1766	BENJAMIN FERRIS	107 E KEYSTONE AVE.	WILMININGTON, DE 19804
2524-03-1530	WAYNE & MYRNA TAYLOR	13162 RUBY LACE CT.	HERNDON, VA 20171
2524-33-6443	MARC & DEBORAH SIROCKMAN	49 JASPER LANE	GRETNA, VA 24557
2524-31-0844	STEVE & GLORIA WORLEY	605 SPRING STREET	HURT, VA 24563

S-24-007 REUBEN POPP

ArcGIS Web Map



3/19/2024 11:19:05 AM



Best Community Maps Corporation, Inc. & GeoInformation Systems, Inc.
For more information, visit us at www.gis.com

PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Rezoning Case

Agenda Title:	Case S-24-008 Verizon Wireless / Joan Saucier; Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-223 (Oakes)										
Staff Contact(s):	Emily Ragsdale										
Agenda Date:	May 7, 2024	Item Number:	9.e.								
Attachment(s):	<table border="1"> <tr> <td>1.</td> <td>S-24-008 Saucier App</td> </tr> <tr> <td>2.</td> <td>S-24-008 Saucier Deed</td> </tr> <tr> <td>3.</td> <td>S-24-008 Saucier Map</td> </tr> <tr> <td>4.</td> <td>S-24-008 Saucier Map2</td> </tr> </table>			1.	S-24-008 Saucier App	2.	S-24-008 Saucier Deed	3.	S-24-008 Saucier Map	4.	S-24-008 Saucier Map2
1.	S-24-008 Saucier App										
2.	S-24-008 Saucier Deed										
3.	S-24-008 Saucier Map										
4.	S-24-008 Saucier Map2										
Reviewed By:											

SUMMARY:

SUBJECT

Requested by Verizon Wireless / Joan Saucier, for a Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-223. The property is 13.00 acres, located on State Road 851/Sugartree Church Road in the Tunstall Election District and shown on the Tax Map as GPIN # 1470-13-5631.

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 R-1, Residential Suburban Subdivision District. According to Pittsylvania County Code § 35-223, towers are allowed by Special Use Permit. The leased area will be 100' x 100' with the fenced compound being 60' x 60'. 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.

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-24-008.

MOTION:

1. Recommend approval of Case S-24-008 as submitted.
2. Recommend approval of Case S-24-008 subject to conditions by the Planning Commission.

Recommend denial of Case S-24-008 as submitted.

STAFF SUMMARY

<u>CASE</u>	<u>ZONING REQUEST</u>	<u>CYCLE</u>
S-24-008	SUP	April 2024/May 2024
<u>SUBJECT/PROPOSAL/REQUEST</u> Verizon Wireless/Joan Saucier is requesting a Special Use Permit for the placement of a cell tower.		PLANNING COMMISSION: May 7, 2024
DISTRICT: Tunstall Election District		BOARD OF ZONING APPEALS: June 10, 2024
		ADVERTISED: April 24 & May 1, 2024, and May 22 & 29, 2024

SUBJECT

Requested by Verizon Wireless / Joan Saucier, for a Special Use Permit for the placement of a cell tower in accordance with Pittsylvania County Code § 35-223. The property is 13.00 acres, located on State Road 851/Sugartree Church Road in the Tunstall Election District and shown on the Tax Map as GPIN # 1470-13-5631.

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 R-1, Residential Suburban Subdivision District. According to Pittsylvania County Code § 35-223, Towers are allowed by Special Use Permit. The leased area will be 100' x 100' with the fenced compound being 60' x 60'. 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.

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-24-008.

PLANNING COMMISSION MOTIONS:

1. Recommend approval of Case S-24-008 as submitted.
2. Recommend approval of Case S-24-008 subject to conditions by the Planning Commission.
3. Recommend denial of Case S-24-008 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

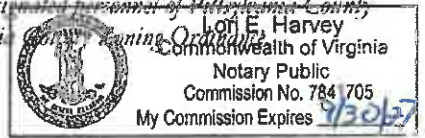
I/We, Joan Marie Murphy Saucier, by her attorney-in-fact, Scott H. Schumelle, attorney for Celled Partners LP, as Owner of the below described property, hereby apply to the Pittsylvania County Board of Zoning Appeals to amend the Pittsylvania County Zoning Maps as hereinafter described:

- Property Owner's Name: Joan Marie Murphy Saucier Phone: _____ Address: 10725 Mt Cross Road
Danville VA ZIP 24540
- Location of Property: Sugartree Church Road, Danville VA 24540 / 851 13 acres
- Tax Map Parcel Number: 1470-13-5631 Map Number: MB43/315N
- Election District: Tunstall District / Stony Mill Precinct
- Size of Property: 13 acres acres/square feet
Size of Proposed Special Use: ~10,000 sf acres/square feet
- Existing Land Use: Residential (vacant) Existing Zoning: R-1
- Proposed Land Use: portion of parcel for a wireless telecommunications facility
- Check completed items:
 Letter of Application Site Development Plan Legal Forms
 11" x 17" Concept Plan Application Fee Plat Map
 List of Adjoining Properties
- 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.

(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.

Joan Marie Murphy Saucier
by Scott H. Schumelle, her attorney-in-fact
Applicant



Sworn to and subscribed before me in my presence this 27th day of March, 2024, in my City and State aforesaid, by [Signature] Notary Public. My commission Expires: 9/30/27

OFFICE USE ONLY: Application No.: _____

Application Deadline: 3-28-24 P. C. Hearing Date: 05/7/24
Received By: _____ Date Received: _____
B.Z.A. Hearing Date: 06/10/24 Action: _____
BOS: 6/18/24

WILLIAMS MULLEN

Direct Dial: 434.951.5728
lschweller@williamsmullen.com

March 28, 2024

VIA EMAIL: Emily.Ragsdale@pittgov.org

Ms. Emily Ragsdale, AICP, CZA
Director of Community Development / Zoning Administrator
Pittsylvania County
53 N. Main Street
Chatham, VA 24531

RE: Verizon Wireless SUP Application "VANCE" Site; GPIN 1470-13-5631; Sugartree Church Road, Danville, VA 24540

Dear Ms. Ragsdale:

On behalf of Verizon Wireless, please find enclosed a special use permit (SUP) application and supporting materials for a new wireless communications facility proposed for Sugartree Church Road, Danville, VA 24540 on a 13-acre parcel of real property owned by Joan Marie Murphy Saucier.

In support of the SUP request, the following documents and materials are enclosed:

- a) Completed Application for Special Use Permit;
- b) Executed Power of Attorney;
- c) SUP narrative;
- d) Site Development Plan prepared by Stuart P. Patterson, PE, Bamman Consulting, LLC, dated March 27, 2024;
- e) Board of Zoning Appeals Petition;
- f) Legal description of the subject property: Deed of Gift, dated August 22, 2017, recorded in the Clerk's Office of the Circuit Court of Pittsylvania County as Instrument No. 17-04934, along with referenced plat, dated December 18, 1997, prepared by Dewberry & Davis, recorded in said Clerk's Office in Map Book 43, page 315N); and
- g) List of names, addresses, and tax map and parcel numbers of adjacent property owners.
- h) The application fee of \$350, payable to Pittsylvania County, is being FedEx'd to cover the application fee and sign fee.

Kindly review the application at your earliest convenience and provide notification if the application has been deemed complete.

Please feel free to contact me at any time if you have any questions or require additional information.

Very truly yours,

Lori H Schweller

Lori H. Schweller

Enclosures

cc: Bamman Consulting, LLC (via Email)
Attention: Sean Bamman and Sean Cai

VIRGINIA

:

BEFORE THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY

A 13.00 acre parcel of land,)
 generally located. _____)
 within the Tunstall) PETITION
 Election District, and recorded as)
 parcel # 1470-13-5631 in the)
 Pittsylvania County tax records.)

TO THE BOARD OF ZONING APPEALS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner Cellco Partnership d/b/a Verizon Wireless 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 R-1 Residential Suburban Subdivision District.
- 3) Your petitioner now desires to have a Special Use Permit issued for the purpose of "Towers, Antennas" for a wireless communications 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.

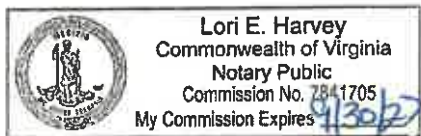
Further, your Petitioner respectfully requests that this petition be referred by the Secretary to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,

Joan Marie Murphy Saucier by Lori H. Schweller, her attorney-in-fact, Attorney for Cellco Partnership d/b/a Verizon Wireless

Joan Marie Murphy Saucier by Lori H. Schweller, her attorney-in-fact, Attorney for Cellco Partnership d/b/a Verizon Wireless, Petitioner

Sworn to and subscribed before me in my presence this 27th day of March, 2007 in my City and State aforesaid, by Lori H. Schweller Notary Public. My commission Expires: 9/30/27





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-24-008 Applicant [Signature] Date April 17, 2024

GPIN	ACCOUNT HOLDER	ACCOUNT ADDRESS	ACCOUNT_CSZ
1470-14-7403	Harry & Nana Boothe	106 Mount Cross Road	Danville, VA 24540
1470-14-7139	Charles Turner	1421 Sugartree Church Road	Danville, VA 24540
1470-13-3210	John & Barbara Wilson	460 Sugartree Church Road	Danville, VA 24540
1470-32-4727	Bobby Wall	1660 Lee Highway	Bristol, VA 24201
1470-32-0310	Bobby Wall	1660 Lee Highway	Bristol, VA 24201
1470-2-8833	Bobby Wall	1660 Lee Highway	Bristol, VA 24201
1470-12-4244	Harvey Hines et.al c/o Karen Mitchell	361 Vance Road	Danville, VA 24540
1470-14-9174	Ricardo Harper	400 Seminole Trail	Danville, VA 24540
1470-24-0046	Alfredo Diaz, and Molina Lopez	406 Iris Lane	Danville, VA 24540
1470-23-1927	Jeanette Cruz	10493 Mount Cross Road	Danville, VA 24540
1470-23-2837	Shane Mize	10413 Mount Cross Road	Danville, VA 24540

S-24-008 Verizon Wireless/Joan Saucier

ADJACENT PROPERTY OWNERS

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

Petition Parcel # 1470-13-5631

Name: Boothe, Harry F. and Nana R. GPIN: 1470-14-7403

Address: 10629 Mount Cross Road, Danville VA 24540

Name: Turner, Charles W. GPIN: 1470-14-7139

Address: 1421 Sugartree Church Road, Danville VA 24541

Name: Wilson, John W. and Barbara J. GPIN: 1470-13-3210

Address: 460 Sugartree Church Road, Danville VA 24540

Name: Wall, Bobby Franklin GPIN: 1470-32-4727, 1470-32-0310 and 1470-32-8833

Address: 1660 Lee Highway, Bristol, VA 24201

Name: Hines, et al., Harvey Dwain GPIN: 1470-12-4244

Address: c/o Karen Mitchell, 361 Vance Road, Danville, VA 24540

Name: Harper, Ricardo GPIN: 1470-14-9174

Address: 400 Seminole Trail, Danville, VA 24540

Name: Diaz, Afredo Betancourt and Lopez, Maria
Concepcion Molina GPIN: 1470-24-0046

Address: 460 Iris Lane, Danville VA 24540

Name: Cruz, Jeanette GPIN: 1470-23-1927

Address: 10493 Mount Cross Road, Danville VA 24540

Name: Mize, Shane William GPIN: 1470-23-2837

Address: 10413 Mount Cross Road, Danville VA 24540

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

Name: _____ GPIN: _____
Address: _____

17-04934

PG0006 SEP-7E

Instrument Prepared By:
Adams and Fisk, PLC
2 North Main Street
Chatham, VA 24531
Virginia Bar Number: 84155

Tax Parcel Number: GPN 1470-13-5631
Title Insurer: Unknown to this Preparer

Send Tax Bill To:
10725 Mount Cross Road
Danville, VA 24540

THIS DEED OF GIFT, made and entered into this 22nd day of August, 2017, by and between FREDERICK WILLIAM MURPHY, widower, (Grantor) party of the first part; and, JOAN MARIE MURPHY SAUCIER, (Grantee) party of the second part.

WHEREAS, the party of the second part is the daughter of the party of the first part, and it is the desire of the party of the first part herein to give and convey the following described realty unto the party of the second part; Now, Therefore, This Deed of GIFT

WITNESSETH:

That for and in consideration of the premises and the natural love and affection existing between the parties hereto, the said party of the first part does hereby give, grant and convey, with General Warranty of Title, unto the said party of the second part, the following described realty with improvements thereon and privileges and appurtenances thereto, lying and being in the County of Pittsylvania, Virginia, and being more particularly described as follows:

ALL OF THAT CERTAIN TRACT or parcel of land, containing 13.00 acres, more or less, as shown on a map entitled "Composite Map For: Frederick William Murphy", dated December 18, 1997, by John R. Bradner, Land Surveyor, Dewberry & Davis, a copy of which map is recorded in the

ADAMS & FISK PLC
ATTORNEYS AND COUNSELORS AT LAW
2 NORTH MAIN STREET • POST OFFICE BOX 459
CHATHAM, VIRGINIA 24531
434-627-3591

Frederick W. Murphy

Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Map Book 43, at page 315N, to which map reference is hereby made for a more particular description of the realty herein conveyed; and, BEING, in fact, a portion of the realty conveyed Frederick William Murphy and Frances English Murphy, husband and wife, as tenants by the entirety with right of survivorship as at common law, by deed dated January 18, 1968, from Melvin G. Lacey and Frances H. Lacey, husband and wife, a copy of which deed is recorded in the aforesaid Clerk's Office in Deed Book 492, at page 566, to which deed reference is hereby made for a more particular description of the realty herein conveyed, the said Frederick William Murphy having acquired same in fee simple by virtue of the survivorship clause in said deed by demise of his late wife, the said Frances English Murphy, she having departed this life February 24, 2003.

SUBJECT, however, to all easements, rights of way, conditions and restrictions of record or in place and affecting said realty, and

WITNESS the following signatures and seals:

Frederick William Murphy (SEAL)
FREDERICK WILLIAM MURPHY, widower

STATE OF VIRGINIA

County of Pittsylvania, to-wit:

The foregoing instrument was acknowledged before me this 7 day of September, 2017, by FREDERICK WILLIAM MURPHY, widower, in my jurisdiction aforesaid.

My commission expires: July 31, 2021

Notary Registration No.: 7734419

Rachel Grace Motley
Notary Public



For exemption of recordation tax, see Section 58.1-811(D).

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION.
RECORDED IN THE CLERK'S OFFICE OF
PITTSYLVANIA COUNTY CIRCUIT ON
September 7, 2017 AT 10:07 AM
MARK W. SCARCE, CLERK
RECORDED BY: JSM

ArcGIS Web Map



4/30/2024 2:52:10 PM



1485 ST ANDREW LN
ASHLAND, VA 23005

verizon

131 RUDY COURT
RICHMOND, VA 23222



SITE BY: **VANCE**

**SUGARTREE CHURCH ROAD
DANVILLE, VA
24540**

DESIGN: SFP
DRAWN: MAA
REVIEW: SFP
TTY DATE: 03/15/23
COMM. NO.

SUBMITTALS

NO.	DESCRIPTION	DATE
1	PRELIMINARY ZONING DRAWING	07/26/22
2	PRELIMINARY CONSTRUCTION DRAWING	01/27/24
3	FINAL CONSTRUCTION DRAWINGS	02/19/24
4	ZONING SUBMITTAL	02/09/24

SHEET NAME: **COVER SHEET**

SHEET NO: **G-1**

VANCE

SUGARTREE CHURCH ROAD DANVILLE, VA 24540

PROJECT DESCRIPTION
INSTALLATION OF NEW TOWER, COMPOUND, ACCESS ROAD AND
ENTRANCE WITHIN A RAWLAND LEASE AREA

SUBMITTALS

SUB. NO.	DESCRIPTION	BY	DATE
1	PRELIMINARY ZONING DRAWING	SFP	07/26/22
2	PRELIMINARY CONSTRUCTION DRAWING	SFP	01/27/24
3	FINAL CONSTRUCTION DRAWINGS	SFP	02/19/24
4	ZONING SUBMITTAL	SFP	02/09/24

PROJECT TEAM

APPLICANT INFORMATION:
VERIZON WIRELESS
131 RUDY COURT
RICHMOND, VA 23222

APPLICANT:	MEG BROWN	PHONE NUMBER:	(804) 498-9487
REAL ESTATE:	JEFF CARLSON	PHONE NUMBER:	(804) 335-4252
ZONING:	SEAN BANNAN	PHONE NUMBER:	(804) 335-4252
CONSTRUCTION:	JEFF CARLSON	PHONE NUMBER:	(804) 335-4252
UTILITIES:	JEFF CARLSON	PHONE NUMBER:	(804) 335-4252
RF ENGINEER:	MICHAEL ARSELO HOOKER	PHONE NUMBER:	(757) 880-7811

DRAWING INDEX

Sheet Number	Sheet Title
G-1	COVER SHEET
Z1	PARCEL PLAN
SP-1	SITE PLAN
SP-2	ENLARGED SITE PLAN
SP-3	ELEVATION

PROJECT SUMMARY

PROPERTY OWNER:
VERIZON WIRELESS
131 RUDY CT
RICHMOND, VA 23222

OWNER: DANVILLE UTILITIES
4241 79A-5155
TELEPHONE: RIVERSTREET
(434) 794-5155

PROJECT DATA:
ZONING: R-1
CPNH: 1476-13-5831
ACREAGE: 13.00
JURISDICTION: PITTSBURGH COUNTY
SITE TYPE: RAWLAND
STRUCTURE TYPE: MONOPOLE
STRUCTURE HEIGHT: 186'
OVERALL HEIGHT: 186' (TOP OF LIGHTNING ROD)
LEASE AREA: 100' x 100'
AREA OF LAND DISTURBANCE: 9,000 SQ. FT. ±

FAA IS GEOGRAPHIC COORDINATES:
LATITUDE: 38° 38' 52.75620" N (NAD 83) N25.66463943°
LONGITUDE: 78° 33' 40.86447" W (NAD 83) W79.561351242°
ELEVATION: 815' AMSL.

CONSULTING TEAM

ENGINEERING:
BAMMAN CONSULTING, LLC
1485 ST ANDREW LN
ASHLAND, VA 23005
CONTACT: STUART PATTERSON / PE
TELEPHONE: (703) 322-8574

SURVEY:
SOUTHEAST SURVEY
2322 LYNCH MILL ROAD
COURT HOUSE
DANVILLE, VA 24517
TELEPHONE: ELIZABETH BOSSER, LS
(434) 364-1401

ASB COMPLIANCE
FACTS UNWARRANTED AND NOT FOR HUMAN HABITATION. SITE
WILL NOT BE SERVED BY CITY SEWER OR WATER.

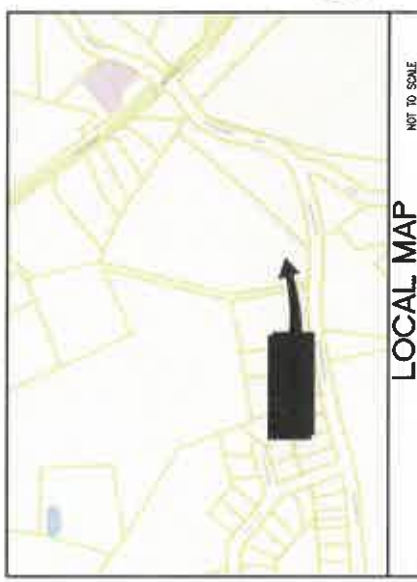
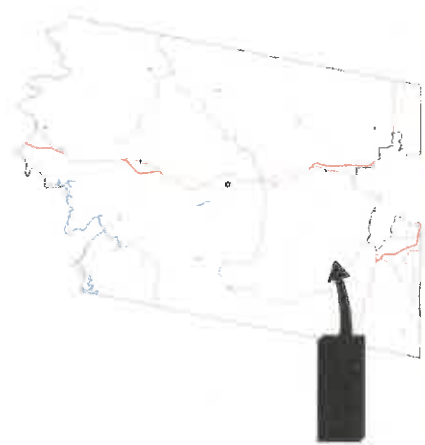
SHEET TOTAL:
5



SCAN FOR
DIRECTIONS TO SITE:



2 WORKING DAYS
BEFORE YOU DIG
CALL 811 TO
LOCATE
TOLL FREE
MISS UTILITY



LOCAL MAP
NOT TO SCALE



VANCE

SUGARTREE CHURCH ROAD
DANVILLE, VA
24540

DESIGN: SFP
DRAWN: MAA
REVIEW: SFP
DATE: 03/15/23
JOB NO: 20230301

PARCEL PLAN

SHEET NO: **Z-1**

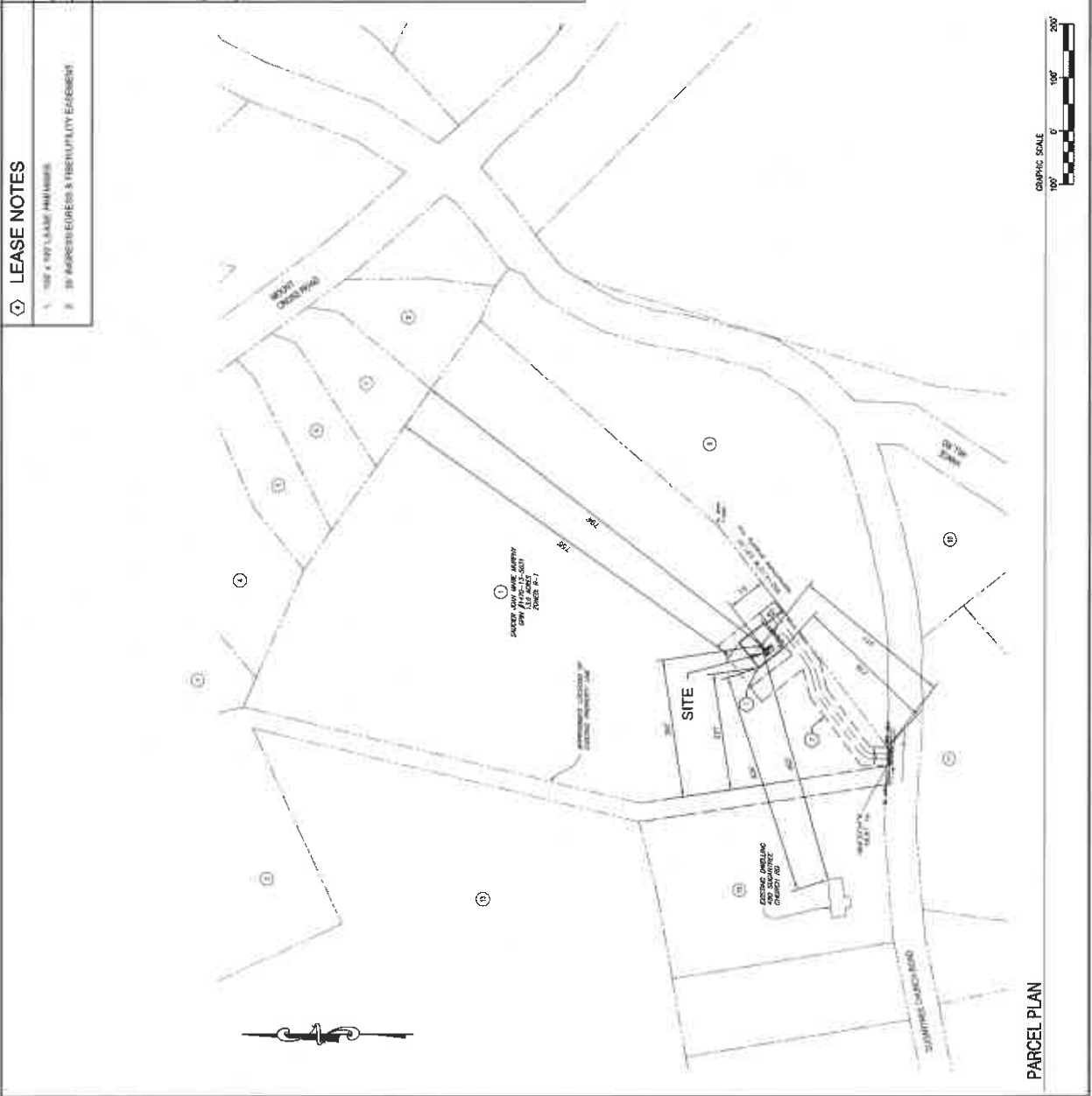
SETBACK INFORMATION

JURISDICTION: PITTSYLVANIA COUNTY
ZONING: A-1

DIMENSION	REQUIRED	PROPOSED TOWER	PROPOSED COMPOUND
FRONT:	3'	31'	27'
SIDE:	10'	73.262'	45.221'
REAR:	40'	794'	755'
EXISTING SHELTERING: SUGARTREE CHURCH ROAD	452'		408'

SURVEYOR'S NOTES

- TOPOGRAPHIC SURVEY PERFORMED BY SOUTHEAST SURVEY GROUP, LTD. THE FIELDWORK WAS COMPLETED ON (DATE SHOWN ON RECORDABLE OR TOPO SKETCH).
- THE DATUM IS NAD83(NA2011) EPOCH: 2010.00 AS DEFINED BY THE NGS NSRS BASED ON GPS LOCATION UTILIZING LEICA'S SMARTNETRIX NETWORK.
- THE CONTOUR INTERVAL IS 1 FOOT.
- SAID SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE ALL EASEMENTS, ENCROACHMENTS, AND IMPROVEMENTS MAY NOT BE SHOWN.
- THIS TOPOGRAPHIC SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY. THE RIGHT-OF-WAY, PROPERTY LINE, AND/OR EASEMENTS SHOWN HEREON ARE A DETERMINATION OF RECORDED DEEDS, LEASES, PLATS, GIS RECORDS, AND TAX MAPS.
- THE EXISTENCE OF HAZARDOUS WASTE, VEGETATED WETLANDS, OR TIDAL WETLANDS WAS NEITHER INVESTIGATED, NOR CONFIRMED DURING THE PERFORMANCE OF THIS SURVEY. NO SUBSURFACE INVESTIGATION WAS PERFORMED. THIS SURVEY DOES NOT GUARANTEE THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES.





1485 ST ANDREWS LN
ASHLAND, VA 23055



1831 BURY CREEK
RICHMOND, VA 23222



SITE BY: VANCE

SUGARTREE CHURCH
ROAD
DANVILLE, VA
24540

DESIGN:	SFP
DRAWN:	MAA
REVIEW:	SFP
TTY DATE:	03/15/23
COMM. NO.:	
SUBMITTALS	

SYL	DESCRIPTION	DATE
1.	PRELIMINARY DESIGN	07/02/23
2.	FINAL CONSTRUCTION PERMITS	07/27/24
3.	FINAL CONSTRUCTION PERMITS	07/27/24
4.	CONSTRUCTION	02/20/24

SHEET NAME: SITE PLAN
SHEET NO.: SP-1

GENERAL NOTES

- THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION (NO HANDICAP ACCESS REQUIRED).
- THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.

ABBREVIATIONS

#	NUMBER	DESCRIPTION
A	AMPS	ABOVE GROUND LEVEL
ANSI	AMERICAN NATIONAL STANDARDS INSTITUTE	AMERICAN WIRE GAUGE
AWG	AMERICAN WIRE GAUGE	AWG
CL	COMMUNICATION	COMMUNICATION
COMM	COMMUNICATION	COMMUNICATION
CONC	CONCRETE	CONCRETE
E	EIA	EXISTING, EAST
EIA	ELECTRONICS INDUSTRIES ALLIANCE	ELECTRONICS INDUSTRIES ALLIANCE
GPIN	GRID PARCEL IDENTIFICATION NUMBER	GRID PARCEL IDENTIFICATION NUMBER
INST	INSTRUMENT	INSTRUMENT
M/N	MINIMUM	MINIMUM
NAD	NORTH AMERICAN DATUM	NORTH AMERICAN DATUM
NC	NORTH CAROLINA	NORTH CAROLINA
NF	NEW OR FORMERLY	NEW OR FORMERLY
NO	NUMBER	NUMBER
OSHA	OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION	OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
P/P	POWER POLE	POWER POLE
RF	RADIO FREQUENCY	RADIO FREQUENCY
SYM	SYMBOL	SYMBOL
TIA	TELECOMMUNICATIONS INDUSTRY ASSOCIATION TECHNICAL TEAM VISIT	TELECOMMUNICATIONS INDUSTRY ASSOCIATION TECHNICAL TEAM VISIT
TV	TELEVISION	TELEVISION
V.A.	VIRGINIA	VIRGINIA
WM	WITH	WITH
WM	WATER METER	WATER METER
WV	WATER VALVE	WATER VALVE

LEASE NOTES

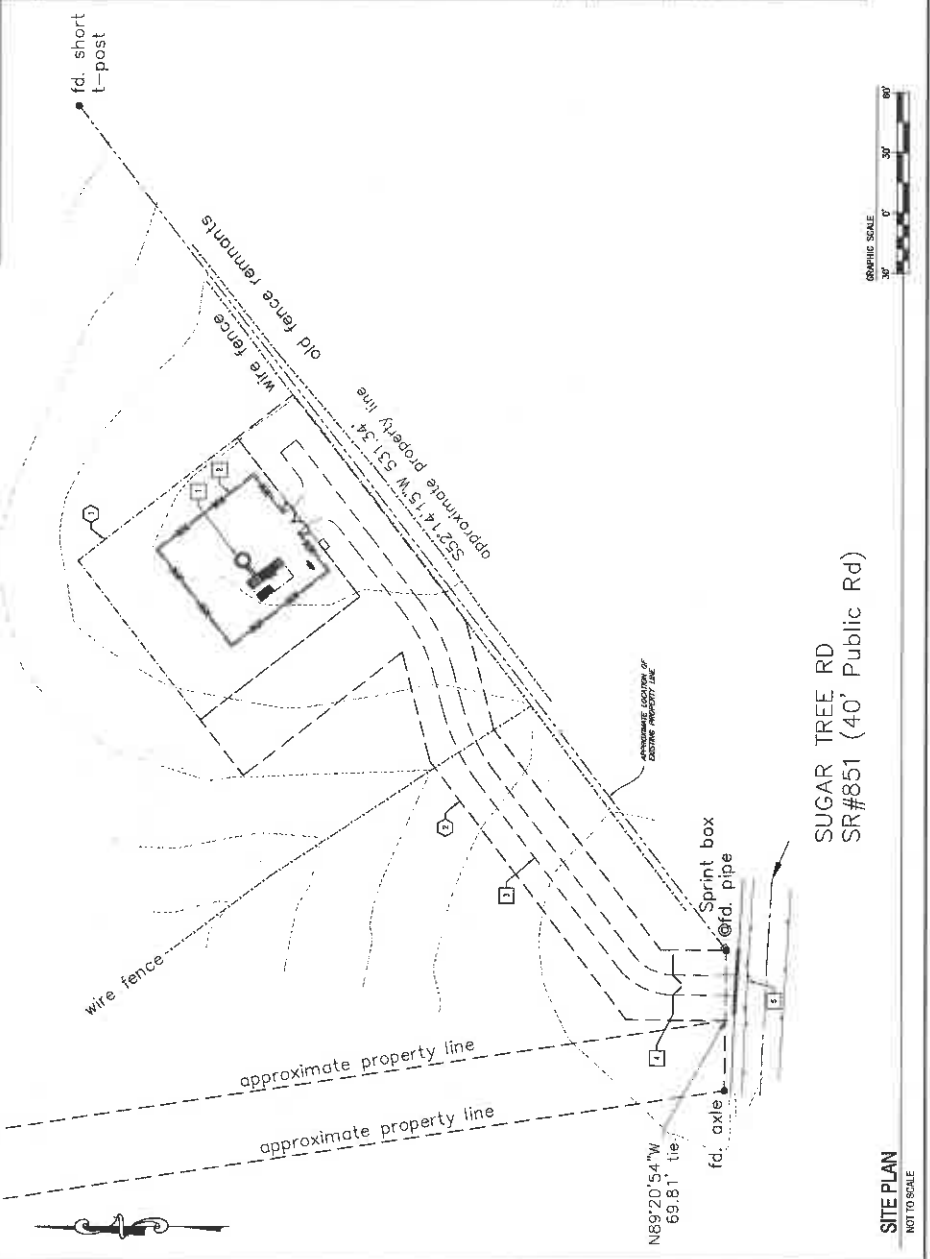
- 100' x 100' LEASE PREMISES.
- 35' INGRESS/EGRESS & FIBER/UTILITY EASEMENT.

CONSTRUCTION NOTES

- MONOPOLE TOWER, SEE SHEET SP-3.
- FENCED COMPOUND, SEE SHEET SP-2.
- 10' ACCESS ROAD.
- 18' FARM GATE.
- PROVIDE IMPROVEMENTS TO EXISTING ENTRANCE AND ROADWAY.

LEGEND

---	PROPERTY LINE
---	LEASE AREA
---	EASEMENT
---	EDGE OF PAVEMENT
---	CONTOUR
---	SPOT ELEVATION
---	GRAVEL
---	FENCE
---	OVERHEAD UTILITY
---	CONCRETE



GRAPHIC SCALE
0 30 60 90

SITE PLAN
NOT TO SCALE



14688 ST. ANDREW LN
ASHLAND, VA 23065

verizon

131 RUBY COURT
BECKINGHAM, VA 23222



SITE INFO:

VANCE

SUGARTREE CHURCH
ROAD
DANVILLE, VA
24540

DESIGN:	SPP	DATE	
DRAWN:	MAA	DATE	
REVIEW:	SPP	DATE	
ISSUE DATE:	02/15/23		
CERIAL NO.			

NO.	DESCRIPTION	DATE
1	ADD JUNE 2023	7/30/23
2	ADD FIELD MARKS	11/17/23
3	TRK CONSTRUCTION PHASES	02/27/24
4	CONTRACT NUMERALS	02/28/24

SHEET NAME:

**ENLARGED SITE
PLAN**

SHEET NO.:

SP-2

GENERAL NOTES

- IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE EXISTING AND PROPOSED UTILITY LINES PRIOR TO CONSTRUCTION. ALL UTILITIES SHALL BE HAND DUG. UTILITY TRENCHES SHALL BE BACKFILLED AND COMPACTED IN 6" LIFTS WITH DETECTABLE WARNING TAPE WITHIN BACKFILLED NATIVE MATERIAL. GEOTEXTILE FABRIC AND STONE SHALL BE RESTORED TO EXISTING CONDITIONS.
- ALL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE INSTALLED BY THE CONTRACTOR IN ACCORDANCE WITH THE LATEST EDITION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL MANUAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMMENT AND CHECKED PERIODICALLY TO ENSURE THEY ARE FUNCTIONING AS INDICATED.
- THE STOCKPILING OF EXCESS MATERIAL ON SITE WILL NOT BE ALLOWED.
- ANY VEGETATED AREA DISTURBED BY CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO SEED AND ESTABLISH A PERMANENT VEGETATIVE COVER.
- THE CONTRACTOR IS RESPONSIBLE FOR MEANS AND METHODS OF CONSTRUCTION. SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH OSHA REQUIREMENTS.
- THE CONTRACTOR IS RESPONSIBLE FOR SITE LAYOUT AND CONSTRUCTION STAKING. LOCATION OF EXISTING STRUCTURES AND UTILITIES MUST BE CONFIRMED BY THE CONTRACTOR. LOCAL, STATE, AND FEDERAL CODES OR ORDINANCES.
- ALL WORK SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL CODES OR ORDINANCES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.

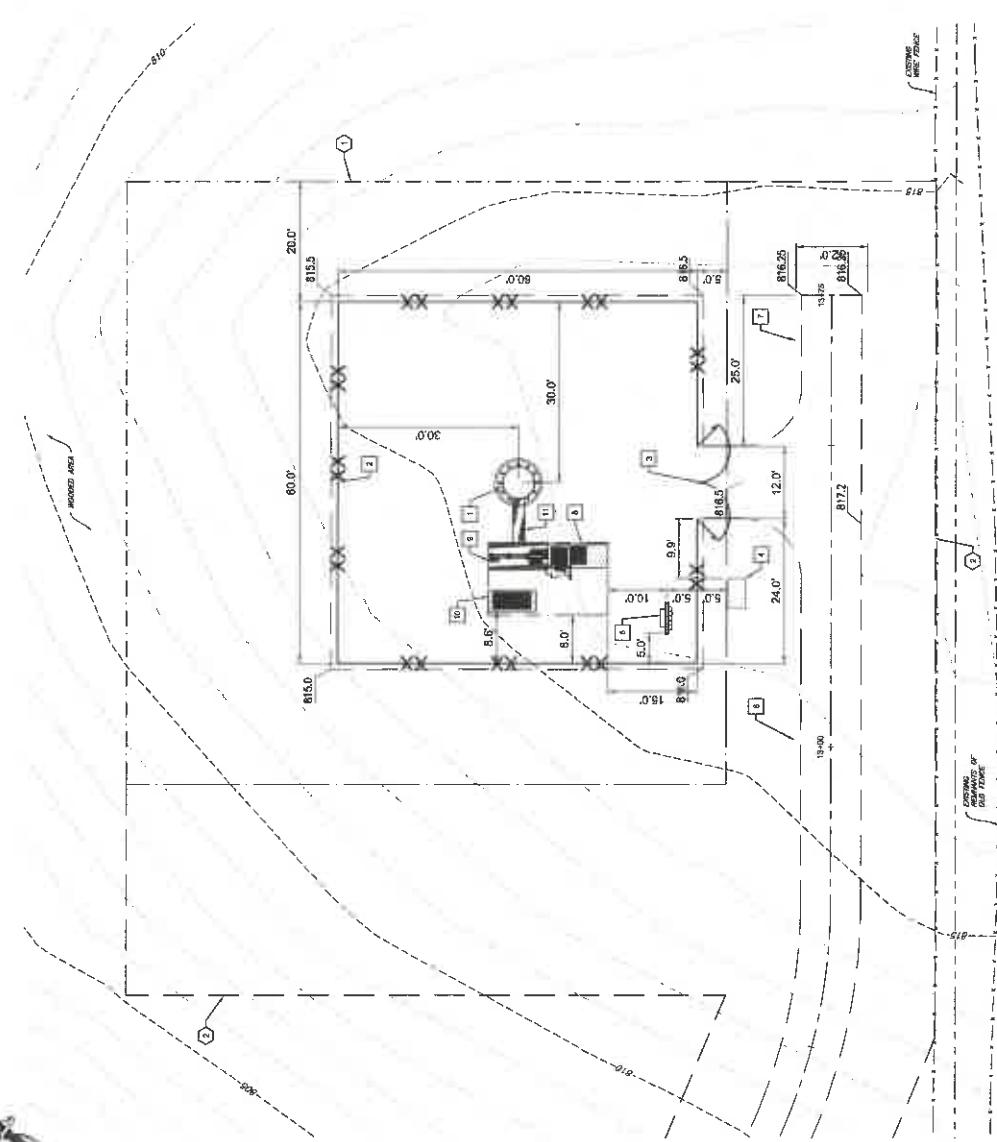
LEASE NOTES

- 100' x 100' LEASE PREMISES.
- 35' WIDE INGRESS/EGRESS AND FIBER/UTILITY EASEMENT.

CONSTRUCTION NOTES

- NEW MONOPOLE TOWER. SEE SHEET SP-3.
- 7' HIGH CHAIN LINK FENCE WITH 3-STRAND BARBED WIRE.
- 12' WIDE DOUBLE ACCESS GATE.
- FIBER HAND-HOLE.
- 6FT H-FRAME.
- 10' WIDE GRAVEL ACCESS ROAD. CONTRACTOR SHALL INSTALL ROAD WITHIN EASEMENT.
- GRAVEL TURN-AROUND AND PARKING AREA.
- 4 x 10' CONCRETE PAD FOR EQUIPMENT CABINETS.
- 10' HIGH x 60' LONG EQUIPMENT STAND WITH DUAL ICE BRIDGE CANNY FOR POWER PANEL, TELCO ENCLOSURE, AND OVERHEAD.
- 3.5' x 8' CONCRETE PAD FOR GENERATOR.
- ICE BRIDGE FOR ANTENNA CABLE(S).

NOTE:
ALL CLEARED TIMBER SHALL BE STOCKPILED OUTSIDE OF LEASE PREMISES AT A LOCATION TO BE COORDINATED WITH LAND OWNER CONTACT MIKE (434) 250-1081.



COMPOUND PLAN



1488 ST ANDREWS LN
ASHLAND, VA 23005



1811 BOY COURT
RICHMOND, VA 23222



SITE BY: VANCE
SUGARTREE CHURCH
ROAD
DANVILLE, VA
24540

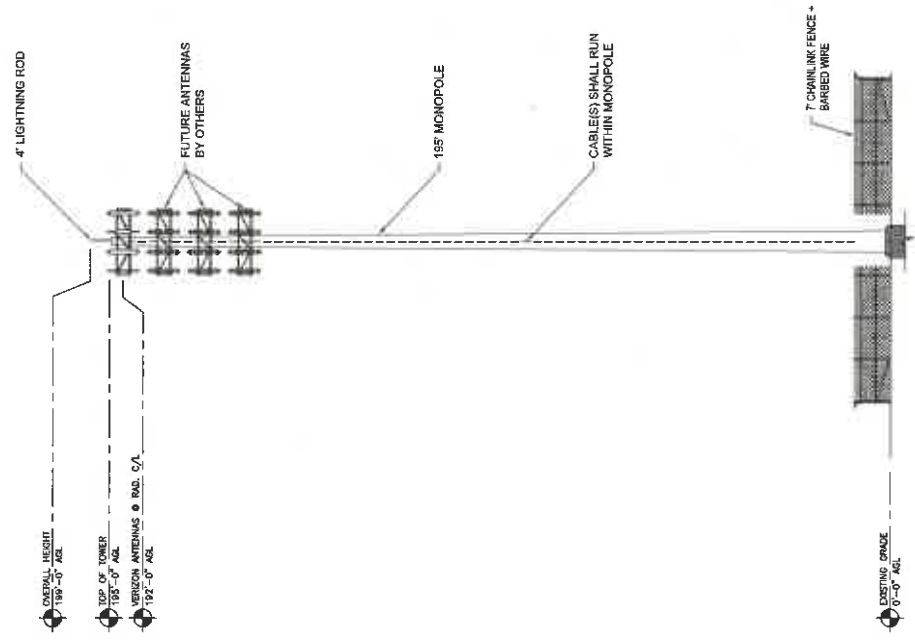
DESIGN:	SFP
DRAWN:	MAA
REVIEW:	SFP
TY DATE:	09/15/23
COMM. NO.:	
DATE:	
DESCRIPTION:	
1. PROJECT:	James O'Neil
2. PROJECT NO.:	230923
3. DRAWING NO.:	020204
4. DRAWING TITLE:	MONOPOLE SUBMITTALS
5. DATE:	09/15/23
6. DRAWN BY:	MAA
7. CHECKED BY:	SFP
8. APPROVED BY:	SFP

SHEET NAME:
ELEVATION

SHEET NO.:
SP-3

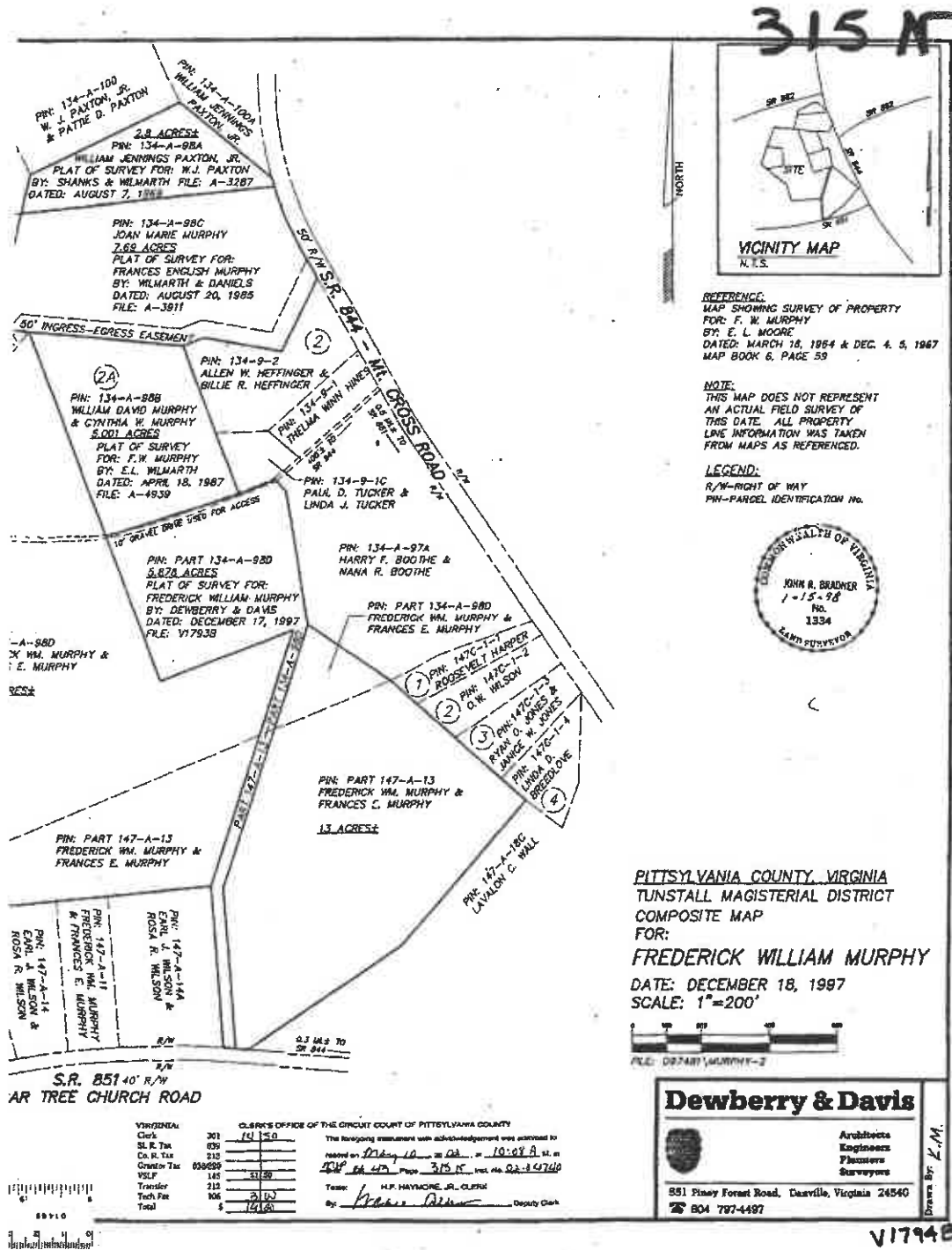
GENERAL NOTES

1. TRANSMITTER EQUIPMENT AND ANTENNAS ARE DESIGNED TO MEET ANSI/EIA 222-H REQUIREMENTS.
2. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
3. MONOPOLE AND FOUNDATION DESIGNED BY OTHERS.
4. TOWER SHALL HAVE A GALVANIZED STEEL FINISH.
5. ILLUMINATION OF TOWER IS NOT REQUIRED OR PROPOSED.



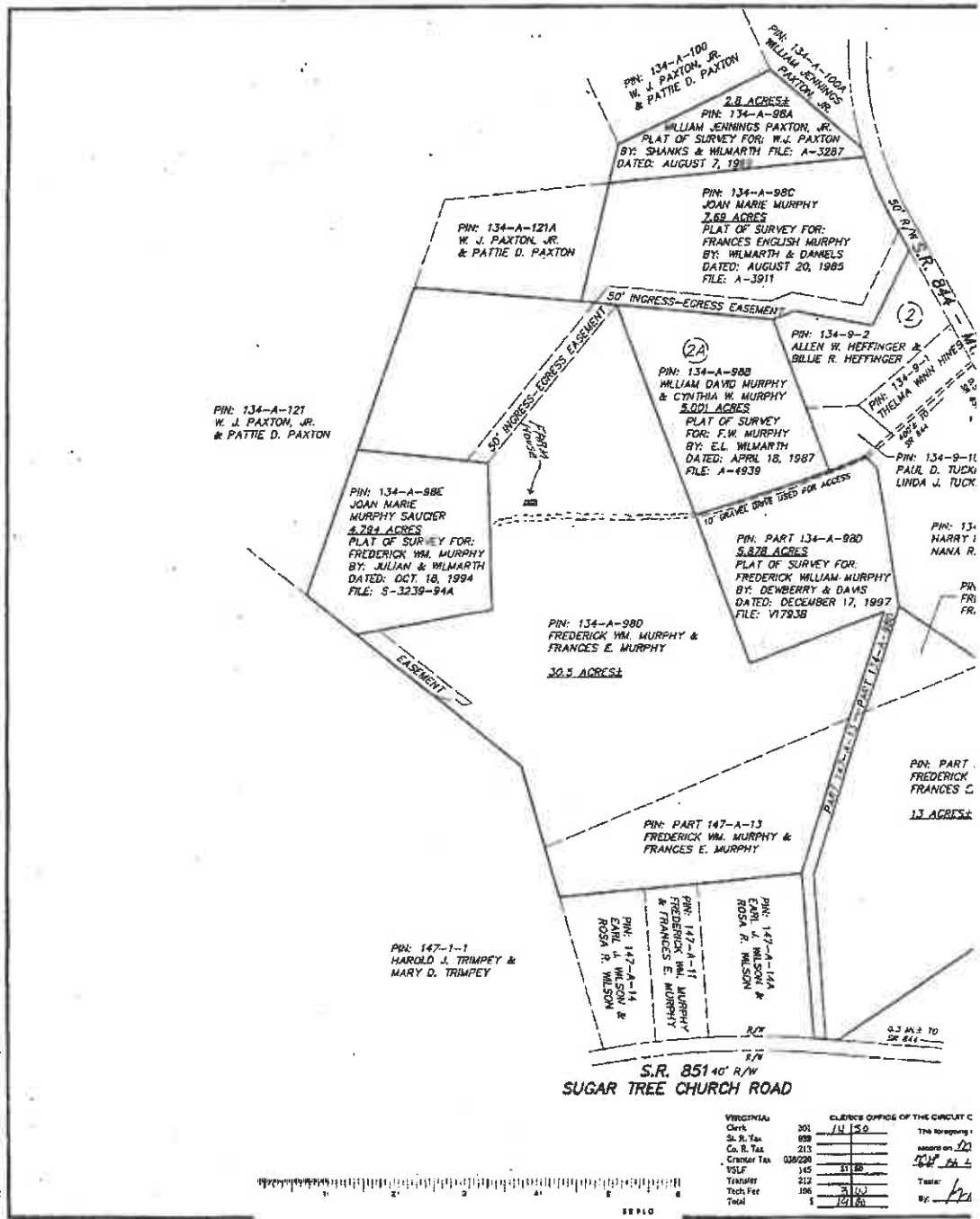
ELEVATION
NO SCALE

M.C. 43-#315N



V1794B

M.C. 43-315N



PIN: 134-A-121
W. J. PAXTON, JR.
& PATRIE D. PAXTON

PIN: 134-A-100
W. J. PAXTON, JR.
& PATRIE D. PAXTON

2.8 ACRES
PIN: 134-A-98A
WILLIAM JENNINGS PAXTON, JR.
PLAT OF SURVEY FOR: W.J. PAXTON
BY: SHANKS & WILMARTH FILE: A-3287
DATED: AUGUST 7, 1911

PIN: 134-A-121A
W. J. PAXTON, JR.
& PATRIE D. PAXTON

PIN: 134-A-98C
JOAN MARIE MURPHY
7.69 ACRES
PLAT OF SURVEY FOR:
FRANCES ENGLISH MURPHY
BY: WILMARTH & DANIELS
DATED: AUGUST 20, 1985
FILE: A-3911

50' INGRESS-EGRESS EASEMENT

PIN: 134-9-2
ALLEN W. HEFFINGER &
BILLIE R. HEFFINGER

PIN: 134-A-98B
WILLIAM DAVID MURPHY
& CYNTHIA W. MURPHY
2.001 ACRES
PLAT OF SURVEY
FOR: F.W. MURPHY
BY: E.L. WILMARTH
DATED: APRIL 18, 1987
FILE: A-4939

PIN: 134-9-1
THELMA ANN HINES

PIN: 134-9-11
PAUL D. TUCK
LINDA J. TUCK

PIN: 134-A-98E
JOAN MARIE
MURPHY SAUCIER
4.784 ACRES
PLAT OF SURVEY FOR:
FREDERICK WM. MURPHY
BY: JULIAN & WILMARTH
DATED: OCT. 18, 1994
FILE: S-3239-94A

PIN: PART 134-A-98D
FREDERICK WILLIAM MURPHY
BY: DEWBERRY & DAVIS
DATED: DECEMBER 17, 1997
FILE: V1793B

PIN: 134-
HARRY J.
NANA R.

PIN: 134-A-98D
FREDERICK WM. MURPHY &
FRANCES E. MURPHY
30.5 ACRES

PIN:
FRI
FR.

PIN: PART 147-A-13
FREDERICK WM. MURPHY &
FRANCES E. MURPHY
13 ACRES

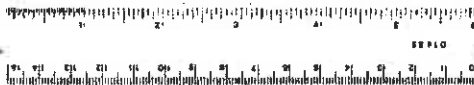
PIN: 147-1-1
HAROLD J. TRIMPEY &
MARY D. TRIMPEY

PIN: 147-A-14A
CARL J. WILSON &
ROSA R. WILSON

PIN: 147-A-11
FREDERICK WM. MURPHY
& FRANCES E. MURPHY

PIN: 147-A-14A
CARL J. WILSON &
ROSA R. WILSON

VERGESSIA		CLERK'S OFFICE OF THE CIRCUIT C	
Clerk	301	14.50	The foregoing is
St. R. Tax	898		based on 12
Co. R. Tax	213		108 24.4
Circuit Tax	000280		
USEF	145	31.88	
Transfer	212		Total:
Tech Fee	106	3.00	By: <i>[Signature]</i>
Total		121.61	



PITTSYLVANIA

COUNTY, VIRGINIA

PLANNING COMMISSION

EXECUTIVE SUMMARY

Public Hearing

Agenda Title:	Case CA-24-001 Amendments to Pittsylvania County Code 35-142 and 35-403.		
Staff Contact(s):	Emily Ragsdale		
Agenda Date:	May 7, 2024	Item Number:	9.f.
Attachment(s):	1.	M-2 Data Center	
	2.	Data Center Supplementary Regs	
Reviewed By:			

SUMMARY:

SUBJECT

The Planning Commission will receive public input and make recommendations to the Pittsylvania County Board of Supervisors on proposed revisions to Pittsylvania County Code ("PCC"), Chapter 35, Division 4, Supplementary Regulations to add regulations concerning Data Centers; and PCC Chapter 35, Division 12. Industrial District (M-2); Heavy Industry, Sec. 35-403. Special Use Permits., adding Data Centers as a use permitted by Special Use Permit.

BACKGROUND/DISCUSSION

Currently, Pittsylvania County Code does not include regulations relating to data centers. Based on current development trends in Virginia, Staff feels that regulations should be added to Pittsylvania County Code, Chapter 35 to ensure that the use can be regulated in a manner that will protect the health, safety, and general welfare of the citizens of Pittsylvania County. A redlined version of the proposed changes is included in the packet. Staff is proposing that the use be added to PCC § 35-403. Special Use Permits. This will allow data centers by Special Use Permit within the M-2, Industrial District, Heavy Industry, zoning district. Additionally, Staff is proposing supplemental regulations be added to PCC, Chapter 35, Division 4, Supplementary Regulations, as Sec. 35-142.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

Staff recommends APPROVAL of Case CA-24-001, as submitted.

MOTION:

1. Recommend approval of Case CA-24-001 as submitted.
2. Recommend denial of Case CA-24-001 as submitted.

DIVISION 12. INDUSTRIAL DISTRICT (M-2); HEAVY INDUSTRY

SEC. 35-403. SPECIAL USE PERMITS

The following uses shall be permitted only by special use permit:

abattoirs (rendering plants)
acetylene mfg.
acid mfg.
automobile, vehicle graveyards
canning
child day care (licensed) (Amended February 18, 1992)
crushed stone operations
curing food
data center
electric transmission-private
electric towers-private
fertilizer mill
feed and grain storage
flour milling
food products mfg.
frozen food products mfg.
fruit processing
gasoline stations
gasoline storage bulk
grain milling
incineration of animals, garbage, wastes-non-radioactive
junkyards, salvage yards
LP gas, natural gas storage
malt products mfg.
matches mfg.
milk bottling
milk, dairy products mfg.
mining (conforming to State regulations)
oil, gas transmission facility
ordnance (explosives) mfg.
petroleum, petroleum by-products refining, processing, storage
poultry processing, packaging
private recreational facilities
public landfills non-hazardous, non-radioactive materials, approved by the Virginia Department of Waste Management and Pittsylvania County Waste Ordinance (Chapter 29)
public recreational facilities
special temporary churches (Amended December 21, 1993)
quarrying (conforming to State regulations)
raceway
roasted coffee, tea products
radio and TV towers
radio and TV transmission/transmitters
salvage yards
spice processing, packaging

DIVISION 4. SUPPLEMENTARY REGULATIONS

SEC. 35-142. DATA CENTER.

- (A) Due to the high water demand, data centers shall be connected to a public water system if a water-based cooling system is utilized.
 - (1) Data centers shall not establish commercial wells for any operations.
- (B) Power generators, water cooling systems, storage facilities, and any other mechanical infrastructure necessary for the operations of the data center shall be within an enclosed structure screened as not to be visible from any adjacent street, use, or building.
 - (1) Ground mounted mechanical equipment is prohibited in front yards.
 - (2) Solid screening walls must be constructed with a design, materials, details, and treatment compatible with those used on the nearest Principal Facade of a building but may include perforated surfaces as needed for ventilation of mechanical equipment.
- (C) Generator testing shall be limited to weekdays between 8:00 a.m. and 5:00 p.m.
- (D) No data center shall be built until evidence has been given as part of the application that the owner has been approved by the utility company.
- (E) Principal façade requirements apply to all building facades that face adjacent existing or planned public roads or that face an adjacent property with existing residential development, an approved plat showing residential development, or zoning district permitting residential dwellings. Principal facades must have differentiated surfaces, consistent design and fenestration to create visual interest and consistency with community character.
- (F) Ground mounted mechanical equipment must be setback from adjacent property with existing residential development, an approved plat showing residential development, or zoning district permitting residential dwellings, a minimum of 75 ft. from the property line.
- (G) During operation, a data center shall not produce a noise level that exceeds 65 dBA as measured at the property line.
- (H) Noise Testing. Operation of all data center uses shall not commence until conformance with the requirements of this Section is confirmed.
 - (1) After completion of construction and prior to commencement of operation, the applicant shall submit a sound test prepared by a qualified full member of the Acoustical Society of America (ASA), a Board Certified member of the Institute of Noise Control Engineering (INCE), or other credentialed professional as approved by the Administrator. The purpose of such test is to confirm noise levels after completion of construction and prior commencement of operation meet the general standards provided above and/or any additional use performance standards and conditions associated with the use.
 - (i) If the sound test finds that noise levels exceed the maximum permissible dBA stated in Section 7-6-2(G), above, or any additional use performance standards and conditions associated with the use, then there shall be no commencement of the use.

- (ii) For projects completed in phases, the above testing requirements shall apply after construction of each phase and prior to full operation.
- (2) Annual Testing. Noise testing as required in Section 7-6-2(A), above, shall be conducted annually and submitted to the Administrator no later than July 1 of each calendar year for the life of the use.
 - (i) If the sound test finds that noise levels exceed the maximum permissible dBA stated in this Division or any additional use performance standards and conditions associated with the use, the applicant shall have 48 hours to mitigate the violation or operations shall be suspended and the Applicant shall cease the use until such time that the Applicant can demonstrate the noise levels are in compliance with this Section.