

**PITTSYLVANIA COUNTY
APPLICATION FOR REZONING**

I/We, Motley Dairy, Inc., as Owner/Contract Purchaser (circle one) of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

- 1. Current Owner of Property Motley Dairy, Inc. Telephone 434-432-8753
Address 3309 Chalk Level Rd. ZIP 24531
- 2. Location of Property: See Exhibit 1 Total Amount: _____
Taken By: _____
- 3. Tax Map Number: See Exhibit 1
- 4. Election District: Banister
- 5. Size of Property See Exhibit 1 acres/square feet
- 6. Existing Land Use: Agricultural
Existing Zoning: A-1; R-1 (9947)
- 7. Proposed Land Use: Industrial; campus for data centers (with future special use permit) with private power generation
Proposed Zoning: M-2
- 8. Are Conditions being Proffered: Yes X No _____

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

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

James T. Motley, President
Applicant

Sworn to and subscribed before me in my presence this 14 day of **November**, 2024, in my City and State aforesaid, by [Signature] Notary Public. My commission Expires: 04/30/2028

OFFICE USE ONLY:
Application No.: _____
Application Deadline: _____ Hearing Date: _____
Received by: _____ Date Received: _____
BOS Hearing Date: _____ Action: _____

**Stefanie E Jackson
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 8102312
My Commission Expires 04/30/2028**

VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF
PITTSYLVANIA COUNTY

A See Exhibit 1 _____ acre parcel of land,)
generally located See Exhibit 1 _____)
within the Banister _____)
Election District, and recorded as _____)
parcel # See Exhibit 1 _____ in the _____)
Pittsylvania County tax records. _____)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY

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

- 1) The Petitioner is the owner of the above-referenced parcel of land, or is the contract purchaser filing with the owner's consent.
- 2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as A-1; R-1 (9947) _____ District.
- 3) Your petitioner now desires to have this property rezoned as M-2 _____
_____ District for the purpose of Electric power _____
generation (private); data centers (with future special use permit) _____

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

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

Respectfully submitted,

James J. Motley, President
Petitioner

Sworn to and subscribed before me in my presence this 14 day of November, 2024, in my City and State aforesaid, by *[Signature]* Notary Public. My commission Expires: 04/30/2028

Stefanie E Jackson
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 8102312
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SPECIAL POWER OF ATTORNEY

Property Description (Tax Map Number, Street Address or Common Description, Borough): See Exhibit 1

Tax Map # See Exhibit 1

I/we Motley Dairy, Inc., am/are:

- the applicant for the above-referenced application
- the owner(s) of the property described above

I/we do hereby make, constitute, and appoint See attached Exhibit A, authorized agent of See attached Exhibit A, my/our true and lawful attorney-in-fact, and grant unto my/our attorney-in-fact full power and authority to make any and all applications and execute any related documents required in connection with all zoning and/or permitting matters related to Application for Rezoning to M-2, on the above described property (the "Property"), and to perform all acts and make all agreements as such person shall deem necessary or appropriate in regard to said zoning and/or permitting matters, including but not limited to the following authority: the authority to negotiate with localities; to sign and submit proffers that would constitute binding conditions on the Property; to agree to conditions and bind the Property with conditions, whether through proffers or other agreements; to sign and submit applications, agreements and/or other documents in connection with rezoning, conditional rezoning, special use permits, conditional use permits, special exceptions, zoning variances, building permits and/or any other permits related to Application for Rezoning to M-2, on the Property; and to modify or amend any documents in whole or in part relating to such applications, agreements and related documents.

I/we ratify all actions taken to date in connection with the zoning and/or permitting of the Property related to Application for Rezoning to M-2, on the Property.

James T. Motley, President
Owner: Print Name Motley Dairy, Inc.

Commonwealth of Virginia City/County of Pittsylvania, to-wit:

Subscribed and sworn to before me this 14 day of November, 2024, in my City and State aforesaid, by [Signature] Notary Public.

My Commission Expires: 04/30/2028

Stefanie E Jackson
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 8102312
My Commission Expires 04/30/2028

Exhibit A

Special Power of Attorney
Application for Rezoning to M-2, Industrial
Motley Dairy, Inc.

Dated: November 14, 2024

1. Steven P. Gould, Esq. of PLDR Law, PC
2. Irfan Ali of Balico, LLC
3. Fred O. Shanks, III of Shanks Associates, P.C.

Exhibit 1

Comprehensive Plan Amendment & Rezoning to M-2, Industrial
Motley Dairy, Inc.

Dated: November 14, 2024

Current Owners of Properties/Parcel Information and Locations

Motley Dairy, Inc.

3309 Chalk Level Road

Chatham, Virginia 24531

Telephone: (434) 432-8753

Parcels: 2426-56-2605 (37.52 acres); 2426-56-8488 (93.16 acres); 2426-58-2580 (28.7 acres); 2427-50-0255 (108.77 acres); 2426-68-2591 (13.82 acres); 2426-38-9947 (9.21 acres); 2436-38-3349 (17.11 acres)

Location: N. of Chalk Level Road or W. of Chalk Level Road (final parcel)

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 _____ Applicant James T. M. By. President Date 11/14/2024

Sworn to and subscribed before me in my presence this 14 day of November, 2024, in my City and State aforesaid, by
[Signature] Notary Public. My commission Expires: 04/30/2028

Stefanie E Jackson
NOTARY PUBLIC
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