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## FLUVANNA COUNTY PLANNING COMMISSION

### REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building

January 28, 2015, at 7:00 pm

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#### TAB AGENDA ITEMS

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#### 1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE

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#### 2 – 2015 Organizational Meeting of the Fluvanna County Planning Commission

- Election of Chairman and Vice Chairman
  - Selection of Dates for the Commission Meetings
  - Resolution entitled “Organizational Meeting of the Fluvanna County Planning Commission 2015”
  - Adoption of the Planning Commission By- Laws and Rules of Procedure
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#### 3 - DIRECTOR’S REPORT

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#### 4 - PUBLIC COMMENTS #1 (3 minutes each)

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#### 5 - APPROVAL OF MINUTES

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Minutes of December 22, 2014

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#### 6 - PUBLIC HEARINGS

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**ZTA 15:01 – Fluvanna County (Public Hearings - Zoning Ordinance)** - Amendment of the Fluvanna County Zoning Ordinance Subsections 22-17-4, 22-20-2, and 22-20-3 (Chapter 22, Article 17-4: Special Use Permits; Chapter 22, Article 20-2: Planning Commission – Public Hearings; Chapter 22, Article 20-3: Governing Body – Public Hearing) to provide the posting of signs to give additional notice of certain proposed zoning actions.

**ZMP 14:04 – Green Springs Timber, LLC** - An ordinance to amend the Fluvanna County Zoning Map with respect to 24.19 acres of Tax Map 5, Section 11, Parcel L5A to rezone the same from A-1, Agricultural, General to I-2, Industrial, General. The affected property is located on the east side of James Madison Highway (Route 15), at the terminus of Cedar Bend Drive, approximately 700 feet southeast of the intersection of Richmond Road (Route 250) and James Madison Highway (Route 15). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

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#### 7 - PRESENTATIONS

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#### 8 - SITE DEVELOPMENT PLANS

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**9 - SUBDIVISIONS**

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**10 - UNFINISHED BUSINESS**

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**11 - NEW BUSINESS**

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Discussion of potential changes to the Zoning Ordinance regarding Agri-business and Agricultural activities.

Discussion of potential changes to the Zoning Ordinance regarding Flood Protection and Floodplain regulations – to be written in cooperation with VA DEQ.

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**12 - PUBLIC COMMENTS #2** (3 minutes each)

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**13 - ADJOURN**

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Planning/Zoning Administrator Review

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**PLEDGE OF ALLEGIANCE**

I pledge allegiance to the flag  
of the United States of America  
and to the Republic for which it stands,  
one nation, under God, indivisible,  
with liberty and justice for all.

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**ORDER**

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman and/or the County Planner shall be the judge of such breaches, however, the Commission may vote to overrule both.

4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

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**Fluvanna County Planning Commission  
PUBLIC HEARING RULES OF PROCEDURE**

1. Purpose:

The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action. A hearing is not a dialog or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.

2. Speakers:

- Speakers should approach the lectern so they may be visible and audible to the Commission.
- Each speaker should clearly state his/her name and address.
- All Comments should be directed to Commission.
- Each speaker is limited to three minutes and time may not be donated from other audience members.
- All questions should be directed to the Chairman. Members of the Commission are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion. Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
- Speakers with questions are encouraged to contact County staff prior to the public hearing.
- Speakers should be brief and avoid repetition of previously presented comments.
- County residents and taxpayers may be given priority in speaking order.

3. Action:

At the conclusion of the public hearing on each item, the Chairman will close the public hearing. The Commission will proceed with its deliberations and will act on or formally postpone action on such item prior to proceeding to other agenda items. Further public comment after the public hearing has been closed generally will not be permitted.

**MOTION:** I move to elect \_\_\_\_\_ as Chairman of the Fluvanna County Planning Commission for the calendar year of 2015.

**MOTION:** I move to elect \_\_\_\_\_ as Vice Chairman of the Fluvanna County Planning Commission for the calendar year of 2015.

**AGENDA                      PLANNING COMMISSION                      January 28<sup>nd</sup> 2015**

**SUBJECT:** Election of Officers

**TIMING:** Routine

**DISCUSSION:** As has been your practice in the past, the Planning Director opens the meeting and calls for the nomination and election of the Chairman.

Upon the election of the Chairman, the elected chairman will then call for the nomination and election of the Vice Chairman.

The Annual or Organizational meeting of the Commission will be conducted first and then move to the Regular meeting and conduct of business.

Staff: Jason Stewart, Planning Director

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Planning Director's Use Only

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Jason Stewart, Planning Director

# 2015



## 2015

January 28, 2015

February 25 2015

March 25, 2015

April 22, 2015

May 27, 2015

June 24, 2015

July 22, 2015

August 26, 2015

September 23, 2015

October 28, 2015

November 23, 2015—Monday!

December 14, 2015—Monday!

Planning Commission Meeting Dates

### JANUARY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

### FEBRUARY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

### MARCH

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

### APRIL

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

### MAY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

### JUNE

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

### JULY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

### AUGUST

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

### SEPTEMBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

### OCTOBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

### NOVEMBER

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

### DECEMBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## PLANNING FOR THE FUTURE

## FLUVANNA COUNTY PLANNING COMMISSION

132 Main Street  
P.O. Box 540  
Palmyra, VA 22963

Phone: 434-591-1910  
Fax: 434-591-1911  
E-mail: [jstewart@fluvannacounty.org](mailto:jstewart@fluvannacounty.org)

**MOTION:** I move the Fluvanna County Planning Commission adopt the Planning Commission 2015 regular Meeting Calendar as presented [which does not include any joint meetings or work sessions].

Staff: Jason Stewart, Planning Director

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Planning Director's Use Only

Comments:

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Jason Stewart, Planning Director



**PLANNING COMMISSION  
County of Fluvanna  
Palmyra, Virginia**

**RESOLUTION**

At a regular monthly meeting of the Fluvanna County Planning Commission held on Wednesday, January 28th, 2015, in Palmyra, Virginia, the following action was taken:

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<u>Present</u>	<u>Vote</u>
Lewis Johnson	
Barry A. Bibb	
Patricia Eager	
Donald Gaines	
Ed Zimmer	

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On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and carried by a vote of \_\_\_\_ the following resolution was adopted:

**Organizational Meeting of the Fluvanna County Planning Commission 2015**

**WHEREAS**, the Code of Virginia requires an annual organizational meeting for the Planning Commission for the election of officers and the conduct of such other business as to meeting times and dates and,

**WHEREAS**, the Planning Commission does now conduct such an organizational meeting.

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission that it does hereby designate the Circuit Courtroom in the Fluvanna Courts Building as its meeting place for regular meetings to be held on the fourth Wednesday of each month at 7:00 p.m. Except in the months of November and December when the meetings shall be on the third Monday at 7:00 p.m. due to the holidays.

Adopted this 28<sup>th</sup> day of January 2015  
by the Fluvanna County Planning Commission

ATTEST:

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Jason Stewart, Planning Director

**January 28<sup>th</sup> , 2015**  
**Fluvanna County Planning Commission**  
**By-laws and Rules of Practice and Procedures**

**CREATION**

The Fluvanna County Planning Commission, hereinafter called the “Commission”, is an appointed body provided by the Code of Virginia, Section 15.2-2210. The Commission consists of five (5) members, one (1) appointed from each election district and one (1) representative of the Board of Supervisors. The Board of Supervisors representative does not vote by directive of the Board of Supervisors.

**PRINCIPAL OFFICE**

132 Main Street, Palmyra, Virginia; Mailing Address: P.O. Box 540, Palmyra, VA 22963

**CHAIRMAN**

At the first meeting of the year, the Commission selects one of its members to serve as Chairman. The Chairman is a voting member and serves for one year.

**VICE-CHAIRMAN**

At the first meeting of the year, the Commission selects one of its members to serve as Vice-Chairman. The Vice-Chairman is a voting member and serves for one year.

**COUNTY PLANNER**

The County Planner shall be Clerk to the Commission and his general duty is set forth in the Code of Virginia, Section 15.2-2217. He shall maintain an office at the same address as the Commission.

**COUNTY ATTORNEY**

The County Attorney assists the Commission in analyzing the facts; provides advice and action in legal matters and represents the Commission in civil actions.

**QUORUM FOR THE EXERCISE OF COMMISSION BUSINESS**

A majority of the commission shall constitute a quorum for the purpose of conducting Commission business. A vote of the majority of those present is necessary to take action on an issue.

**PUBLIC SESSIONS**

1. Except as otherwise directed the regular public meeting of the Commission shall be held on the fourth Wednesday of each month at 7:00 p.m. at the Fluvanna Courts Building in the Circuit Courtroom in Palmyra, VA.
2. A special meeting may be held at the call of the Chair or by the application of three members given to the County Planner. There shall be at least seventy-two (72) hours written notice for a special meeting.

## MEETING AND ATTENDANCE

1. All meetings and business shall be conducted in accordance with the Code of Virginia, Roberts Rules of Order Revised, and these by-laws.
2. Meetings will be held on the fourth Wednesday of each month. If the fourth Wednesday falls on a holiday, a new meeting date will be scheduled by the Chairman. Meetings shall start at the appointed time, and if the Chairman is not present, the Vice-Chairman shall preside. If neither the chairman nor the Vice-Chairman is present, the County Planner shall call the meeting to order and preside for the election of a Temporary Chairman.
3. Any person making a written presentation or demonstrating a matter by way of a plat, brochure, picture, or similar document for inclusion in the record of the hearing shall provide the County Planner five (5) copies of such item seven (7) days prior to the meeting at which such person wishes to make a presentation.
4. The County Planner shall list all items requested on the agenda. If, in the opinion of the County Planner, an item is not appropriate for consideration by the Commission, he shall inform the Chairman, and if the Chairman is in agreement, the Commission shall first discuss whether to entertain the item.
5. The County Planner and Chairman of the Commission shall allocate time to items on the agenda as is necessary for appropriate consideration
6. The Commission shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Commission.
7. Time permitting, items not on the agenda shall be heard as the final items of the Commission's business. If time does not, in the opinion of the Chairman of the Commission, permit hearing items on the agenda, they shall be carried over to the next regular or special meeting.
8. The Chairman's vote on all issues before the Commission shall be recorded as being given with the prevailing side, unless the Chairman clearly votes otherwise.
9. Meetings shall be adjourned no later than 11:00 p.m. unless continued by unanimous vote.

## CONDUCT OF BUSINESS

1. When the question is called and there is no dispute, the Chairman shall call for the vote.
2. Any member abstaining on a vote shall so indicate following the call for the vote.
3. Exhibits before the Commission shall become the property of the Commission and shall be filed with the County Planner.
4. Citizens shall not speak at a meeting until they are recognized. Citizens shall request recognition by addressing "Mr. Chairman" or Ms. Chairman" (as appropriate) and await acknowledgement. At his or her discretion, the Chairman may permit a dialogue without individual recognition between members of the Commission or between a member and a citizen if such dialogue is orderly and contributes to the expedition of the business. Such discussion will be discouraged.
5. Prior to opening a meeting at which one or more public hearings will be held, the Chairman shall recount the rules under which the hearing shall be operated, but he/she may amend the rules during the hearing by giving notice of the change.
6. At the beginning of the public hearing, the Chairman shall call upon the County Planner or the Chairman of the committee handling the matter at hand or shall recount a description of the issue placed before the hearing.

7. Subject to revocation or extension by the majority of the commission assembled, the Chairman may in all matters establish a maximum time for consideration of the matter, and/or limit the amount of time available to each speaker on a matter and/or limit the number of times each speaker may address the Commission on a matter.  
Notwithstanding the foregoing statement, every Commission member shall be entitled to make a statement on every matter before the Commission and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so.
8. All members or citizens shall limit their comments before the Commission. The Chairman has the option of requiring speakers to sign up before being authorized to address the Planning Commission.
9. The Commission has set forth the following rules for presentation time limits:
  - a. Individual presentations placed on the Commission's agenda shall be limited to ten (10) minutes in duration.
  - b. Individual presentation listed under the agenda item "Public Comments" shall be limited to three (3) minutes in duration.
  - c. Statements from the public during the "Public Hearing" on individual agenda items shall be limited to three (3) minutes.
  - d. Complete presentations on Commission action items shall be limited to not more than thirty (30) minutes.
  - e. Either of the above limitations may be extended only by majority consent of the Commission.

#### ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order, the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman shall be the judge of such breaches.
4. When a person engages in such a breach, the Chairman may
  - a. Order the person to stand silent,
  - b. Order the person's removal from the building, or,
  - c. Order the person removed from the County Property.

#### COMMITTEES

There will be no standing committees. Ad Hoc committees will be appointed by the Chairman as needed. Constitutional Officers may be appointed to committees.

## RULES

1. The by-laws may be suspended at anytime by a majority vote of the Commission
2. The by-laws may be amended by a majority vote of the Commission, but only at the regular meeting next held after the proposed amendment has been announced at a regular meeting.

## RECORD OF THE MEETING

The Clerk of the Commission (or another person acting in the capacity) shall electronically record each regular meeting. Recordings are the property of Fluvanna County. A stenographic record shall not be admissible as evidence of what transpired at a meeting, unless the person taking the record has been sworn prior to making the record. Interested persons may listen to the recordings in the County Planner's office or may obtain copies of the recording or portions of a recording by making appropriate arrangements with the County Planner's office. Costs will be borne by the person making the request. Audio recordings are also available on the county website [www.fluvannacounty.org](http://www.fluvannacounty.org).



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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

To: Fluvanna County Planning Commission  
From: Jason Stewart, AICP  
Date: January 20, 2015  
Re: Planning Director's Report

1. Board of Supervisors Actions:

January 7, 2015:

None.

January 21, 2015:

None.

2. Board of Zoning Appeals Actions:

January 13, 2015:

**(Deferred to February 10, 2015)**

**BZA 14:02 – JWS Enterprises LLC**: An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and 22-4-2.1, 22-4-2.2 and 22-22-1 at the property located at Tax Map parcels 3 (A) 31 & 32. The affected property is located in the Palmyra Election District northeast of Union Mills Road on Route 616. The subject property is zoned A-1, Agricultural, General.

**(Deferred to February 10, 2015)**

**BZA 14:03 – JWS Enterprises LLC**: An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and Section 22-17-9 at the property located at Tax Map parcels 51A-A-22. The affected subject property is located in Fork Union Election District at 4985 James Madison Highway Fork Union, VA 23055. The subject property is zoned B-1, Business, General and is located in the Fork Union Community Planning Area.

3. Technical Review Committee:

January 15, 2015:

**ZMP 14:05 – Lake Monticello Volunteer Fire Dept.** - An ordinance to amend the Fluvanna County Zoning Map with respect to 6.134 acres of Tax Map 18, Section A, Parcel 38F to rezone the same from A-1, Agricultural, General to R-4, Residential, Limited. The affected property is located on the west side of South Boston Road (Route 600), approximately 500 feet southwest of its intersection with Slice Road. The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.

**ZMP 15:01** – Memory Lane Property, LLC - An ordinance to amend the Fluvanna County Zoning Map with respect to 6.9 acres of Tax Map 4, Section A, Parcel 97A to rezone the same from I-1, Industrial, Limited, and I-2, Industrial, General, to I-2, Industrial, General. The affected property is located on the south side of Richmond Road (Route 250), approximately ¼ mile from Route 250 at the end of Memory Lane. The property is located in the Palmyra Election District and is within the Zion Crossroads Community Planning Area.



**FLUVANNA COUNTY BUILDING INSPECTIONS  
MONTHLY BUILDING INSPECTION REPORT  
DECEMBER 2014**

USE	Dec-13	VALUE	YTD 13	VALUE	Dec-14	VALUE	YTD 14	VALUE	Dec/Diff	VALUE	YTD	
											PERMITS	VALUE
New Homes	6	1,100,000	76	14,406,483	9	1,425,927	87	16,229,225	3	325,927	11	1,822,742
Duplex	0	0	0	0	0	-	0	-	0	-	0	-
Single Family (Attached)	0	0	12	1,800,000	0	-	8	1,200,000	0	-	-4	(600,000)
Adds&Alterations	29	757,161	301	4,213,267	25	534,482	302	3,552,582	-4	(222,679)	1	(660,685)
Garages & Carports	1	24,762	16	488,502	1	20,000	9	458,500	0	(4,762)	-7	(30,002)
Accessory Buildings	1	900	16	372,780	0	-	10	137,800	-1	(900)	-6	(234,980)
Single Wide MH	1	5,000	3	44,000	0	-	4	113,312	-1	(5,000)	1	69,312
Swimming Pools	0	0	5	121,600	1	38,000	4	101,674	1	38,000	-1	(19,926)
Recreational Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Business Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Industrial Bldgs	0	0	1	50,000	0	-	0	-	0	-	-1	(50,000)
Other Buildings	0	0	10	653,905	1	545,000	5	2,188,385	1	545,000	-5	1,534,480
<b>TOTALS</b>	<b>38</b>	<b>1,887,823</b>	<b>440</b>	<b>22,150,537</b>	<b>37</b>	<b>2,563,409</b>	<b>429</b>	<b>23,981,478</b>	<b>-1</b>	<b>675,586</b>	<b>-11</b>	<b>1,830,941</b>

FEES	Dec-13	PREV TOT	YTD 13	Dec-14	PREV TOT	YTD 14	DIFFERENCE	DIFFERENCE YTD
Building Permits	\$ 9,751.91	99,165.10	108,917.01	\$ 11,567.82	\$ 113,397.47	\$ 124,965.29	1,815.91	16,048.28
Land Disturb Permits	\$ 2,675.00	26,137.50	28,812.50	\$ 2,850.00	\$ 29,362.50	\$ 32,212.50	175.00	3,400.00
Zoning Permits/Proffers	\$ 1,000.00	39,800.00	40,800.00	\$ 1,700.00	\$ 45,400.00	\$ 47,100.00	700.00	6,300.00
<b>TOTALS</b>	<b>\$ 13,426.91</b>	<b>165,102.60</b>	<b>178,529.51</b>	<b>\$ 16,117.82</b>	<b>\$ 188,159.97</b>	<b>\$ 204,277.79</b>	<b>\$ 2,690.91</b>	<b>25,748.28</b>

INSPECTIONS	Dec-13	PREVIOUS	YTD 13	Dec-14	PREVIOUS	YTD 14		
	149	1,667	1,816	162	1,603	1,765	13	-51

Darius S. Lester  
Building Official

( ) represents a negative

# *Monthly Approval Report for December 2014*

<i>District</i>	<i>Action</i>	<i>ID#</i>	<i>Description</i>	<i>Tax Map</i>	<i>Parcels</i>	<i>Total Acreage</i>	<i>Number of Lots</i>
<b>Columbia</b>							
	<i>Approved</i>						
		SUB 14-027	Boundary Adjustment	23	(A)36C, (A)36F	1.198	
<b>Cunningham</b>							
	<i>Approved</i>						
		BSP 14-020	Drain Field Easement	16	(A) 24B & 24B1	0	
		BSP 14-025	physical survey plat	36A	(2)104	0	
		SUB 14-028	consolidation of lots 3&4 into 1 lot	28	(7) parcels 3&4	4.46	1
<b>Fork Union</b>							
	<i>Approved</i>						
		BSP 14-021	Boundary Line Adjustment	51,59	(A) 79 & (A) 138	0	
		BSP 14-024	Physical Survey	51A	(A) 6	0	
		SDP 14-014	Sketch Plan	59	(A) 8	8.41	
		SUB 14-026	Family Subdivision	60	(A) 17	30.601	2
<b>Palmyra</b>							
	<i>Approved</i>						
		BSP 14-022	Boundary Survey	4	(A) 110	0	
	<i>Pending BOS Meeting</i>						

Tuesday, January 20, 2015

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<i>AFD - Agricultural Forestal District</i>	<i>BSP - Boundary Survey Plat</i>
<i>BZA - Board of Zoning Appeals (Variance)</i>	<i>CCE - Code Compliance Enforcement</i>
<i>CPA - Comprehensive Plan Amendment</i>	<i>SDP - Site Development Plan</i>
<i>SUB - Subdivisions</i>	<i>SUP - Special Use Permits</i>
<i>ZMP - Zoning Map Proposal (Rezoning)</i>	<i>ZTA - Zoning Text Amendment</i>

<i>District</i>	<i>Action</i>	<i>ID#</i>	<i>Description</i>	<i>Tax Map</i>	<i>Parcels</i>	<i>Total Acreage</i>	<i>Number of Lots</i>
		ZMP 14-003	single-family, residential	9	(A) 11, 11B, 11F, 11	30.47	
	<i>Pending BZA Meeting</i>						
		BZA 14-002	appeal of zoning violations	3	(A)31&32	101.59	

*Tuesday, January 20, 2015*

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*AFD - Agricultural Forestal District*  
*BZA - Board of Zoning Appeals (Variance)*  
*CPA - Comprehensive Plan Amendment*  
*SUB - Subdivisions*  
*ZMP - Zoning Map Proposal (Rezoning)*

*BSP - Boundary Survey Plat*  
*CCE - Code Compliance Enforcement*  
*SDP - Site Development Plan*  
*SUP - Special Use Permits*  
*ZTA - Zoning Text Amendment*

# Code Compliance Enforcement Activity Report

ID#	Tax Map Parcels	Reported Against	Type of Violation	Comments	Status	Status Date
<b>Columbia</b>						
CCE 13-012	33 (9)-1A	Liberty Homes, LLC, Et Al	Trash	Property address is located west of No.3049 Cedar Lane. Complaint is in regards trash, debris and junk. Site inspection 3-05-2013 noted an accumulation of trash and debris that could be providing a habitat for rodents and vermin. 1st letter sent 4-25-2013. Site inspec. 5-30-2013 noted some progress during new house construction. Monitoring continues.	Awaiting Action	6/27/2013
CCE 13-011	33 (A)-57	Gail Bruce, Et, Al	Trash	Complaint is in regards trash, debris and junk. Site inspection 3-05-2013 noted an accumulation of trash and debris that could be providing a habitat for rodents and vermin. 1st letter sent 4-25-2013. Owner advised 5-30-2013 that her tenant is cleaning up the property. Monitoring continues.	Awaiting Action	6/27/2013
<b>Fork Union</b>						
CCE 12-001	51A (A)22	JWS Enterprises, LLC (James W. Sherrill,	Misc.	4985 James Madison Hwy. Site insp. on 12-20-11 and 1-06-12 noted that the property is being used for general storage which is not a use permitted "by right" or "by SUP". 1st letter sent on 1/12/12. 2nd violation 1/31/12. Letter of intent approved by Darren Coffey 2/29/12. 3rd letter sent by hand delivery 4/09/13. Summons issued 4/29/13. 1st hearing 5-21-13. 2nd hearing 9-10-13.	Pending Court	5/21/2013
<b>Palmyra</b>						
CCE 12-002	3 (A)-31, 32	JWS Enterprises, LLC (James W. Sherrill,	Misc.	Behind 1017 Union Mills Road. Regards to "dumping". Site insp. 1/09/12 noted that contractor type materials are being stored on property. 1st letter sent 1/12/12. 2nd letter sent requesting intentions 1/31/12. Letter of intent approved by Darren Coffey 2/29/12. 3rd letter sent by hand delivery 4/09/13. Summons issued 4/29/13. 1st hearing 5-21-13. 2nd hearing 9-10-13.	Pending Court	5/21/2013

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<b>ID#</b>	<b>Tax Map Parcels</b>	<b>Reported Against</b>	<b>Type of Violation</b>	<b>Comments</b>	<b>Status</b>	<b>Status Date</b>
CCE 10-013	10 (3)-2B	Eric D. Taylor	SUPs	Property is at intersection of Union Mills Road and North Boston Road. SDP 10:09 approved 07/26/11. SDP requirements not implemented as of 9-23-11. 2nd letter sent 9/23/11. 3rd letter sent 1/24/12. Site inspec. 2/3/12 noted newly vegetative screening per/approved SDP. Monitoring conitues.	Awaiting Action	5/8/2012

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## *Transmittal Report December 2014*

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<i>Line Number</i>	<i>Code</i>	<i>Name</i>	<i>ID#</i>	<i>Amount Received</i>
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*Subdivision & Plat Review*

BSP14022	\$50.00
BSP14023	\$50.00
BSP14024	\$50.00
BSP14025	\$50.00

*Sum:* \$200.00

**10000013-318316**

*REZON Rezoning*

ZMP14005	\$1,307.00
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*Sum:* \$1,307.00

**10000013-318319**

*SIGNPT Sign Permit*

MSC14016	\$155.00
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*Sum:* \$155.00

**10000013-318337**

*SITEPL Site Plan Review*

SDP14014	\$150.00
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*Sum:* \$150.00

**10000013-318341**

*Subdivision & Plat Review*

SUB14029	\$750.00
SUB14028	\$225.00

*Sum:* \$975.00

**10000013-318342**

*SPUSEP Special Use Permits*

SUP 04-015	\$200.00
SUP 04-022	\$200.00

*Sum:* \$400.00

<i>Line Number</i>	<i>Code</i>	<i>Name</i>	<i>ID#</i>	<i>Amount Received</i>
<b>100-200220</b>				
	<i>SIGN</i>	<i>Sign Deposit</i>		
			ZMP14005	\$90.00
			<i>Sum:</i>	\$90.00
			<i>Total:</i>	\$3,277.00

**FLUVANNA COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES**

**Circuit Court Room--Fluvanna County Courts**

**December 22<sup>nd</sup>, 2014**

**7:00 p.m.**

**MEMBERS PRESENT:** Barry Bibb, Chairman  
Patricia Eager, Vice-Chair  
Donald Gaines  
Lewis Johnson  
Ed Zimmer  
Tony O'Brien Board of Supervisors Rep

**ALSO PRESENT:** Jason Stewart, Planning and Zoning Administrator  
Frederick Payne, Fluvanna County Attorney  
Steven Tugwell, Senior Planner  
Jay Lindsey, Planner  
Deidre Creasy, Senior Program Support Assistant

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Chairman Bibb called the meeting to order at 7:00p.m., after which the Pledge of Allegiance was recited.

**PLANNING DIRECTOR'S REPORT (Mr. Stewart)**

1. Board of Supervisors Actions:

- **December 3, 2014: None.**
- **December 17, 2014:**

**ZMP 14:03 – I&J Homebuilders, LLC Deferred until further notice-** An ordinance to amend the Fluvanna County Zoning Map with respect to 30.47 acres of Tax Map 9, Section A, Parcels 11, 11B, 11F, and 11G to rezone the same from A-1, Agricultural, General to R-3, Residential, Planned Community. The affected property is located on the south side of Lake Monticello Road (Route 618), approximately 1 ½ miles northwest of its intersection with South Boston Road (Route 600). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

2. Board of Zoning Appeals Actions: Upcoming Board Meeting **January 13, 2015 at 7:30 p.m.**

**BZA 14:02 – JWS Enterprises LLC:** An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and 22-4-2.1, 22-4-2.2 and 22-22-1 at the property located at Tax Map parcels 3 (A) 31 & 32. The affected property is located in the Palmyra Election District northeast of Union Mills Road on Route 16. The subject property is zoned A-1, Agricultural, General.

**BZA 14:03 – JWS Enterprises LLC:** An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and Section 22-17-9 at the property located at Tax Map parcels 51A-A-22. The affected subject property is located in Fork Union Election District at 4985 James Madison Highway Fork Union, VA 23055. The subject property is zoned B-1, Business, General and is located in the Fork Union Community Planning Area.

3. Technical Review Committee:

- **December 11, 2014:**

**ZMP 14:04 – Green Springs Timber, LLC** - An ordinance to amend the Fluvanna County Zoning Map with respect to 24.19 acres of Tax Map 5, Section 11, Parcel L5A to rezone the same from A-1, Agricultural, General to I-2, Industrial, General. The affected property is located on the east side of James Madison Highway (Route 15), at the terminus of Cedar Bend Drive, approximately 700 feet southeast of the intersection of Richmond Road (Route 250) and James Madison Highway (Route 15). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

#### **PUBLIC COMMENTS #1**

Chairman Bibb opened the floor for the first section of public comments.

With no one wishing to speak, Chairman Bibb closed the first public comment section.

#### **APPROVAL OF MINUTES**

##### **MOTION:**

**Mr. Zimmer moved to** approve the minutes of the November 24, 2014 Planning Commission meeting as presented, which **Mrs. Eager seconded**. No vote was conducted and no opposition was stated.

#### **SITE DEVELOPMENT PLANS: None**

#### **SUBDIVISIONS: None**

#### **Public Hearings: None**

#### **PRESENTATIONS: None**

#### **UNFINISHED BUSINESS: A discussion of the Comprehensive Plan.**

Started at Economic Development (Chapter V)

- Mr. Bibb asked if we should go through item by item and Staff was in agreement
- Mr. Lindsey mentioned that Schools' chapter had just been handed to the PC
- Ms. Eager suggested changing the wording of Objective 1.2, from "consider restricting" to "restrict"
  - Asked how to implement 2.1?
- Jay mentioned land use taxation as one solution and said that Cooperative Extension would be charged with implementation of 2.1
  - Zimmer had kept in in because of Land Use taxation
  - Bibb said it will benefit the county, which Zimmer agreed with
  - Bibb said it should stay because it's an objective the county has stated
- Obrien asked about the wording of 1.2 regarding the PUD and if we could apply differing standards in the different CPAs. Staff explained that this would be possible through zoning ordinance and comp plan densities.
  - Mr. Bibb mentioned that the PC would like staff to come up with some new PUD regulations in February
  - Mr. Bibb said that the commission wanted to limit the PUDs to Zion and should keep the plan as is
  - Obrien and Bibb argue for a few minutes and then Mr. Bibb reconfirms that the PC wants to keep that goal
  - Jay read from the PUD section of the ordinance on how "PUDs must implement the goals of the planning area"
- Mr. Bibb asked how, on Objective 2.4, the county could afford to "offer incentives"
  - Jay listed fast track permitting as one option
- Eager asked if on 3.1 we could add distilleries and change "wine" to "beverage"
- Bibb asked if 3.5 was implementable in the timetable provided by Zimmer
  - Staff said it was possible
- PC reconfirmed removing 3.9
- Bibb asked if Bobby Popowicz was already working on 5.3?

- Staff said yes.
  - 5.1 and 5.3 removed previously, should be put back in
- Began Chapter VI Historic Preservation
  - Eager – how many conservation zone in the county
    - Staff – none
  - Eager, Zimmer, Bibb asked about architectural zones
    - MR Payne explained his concerns about them and their subjectivity
  - Eager and Bibb and Payne discussed removing 1.1-1.2 and 1.4 and adding “with landowners’ permission”
  - Bibb asked about Goal 2 being consolidated (already done)
- Begin VII Parks and Rec
  - Bibb - why did we remove the objectives about working with Dept. of Game and Inland fisheries
  - Eager – shorten 4.1
  - Eager – 5.1.b. should include encouraging private entities to provide recreational facilities
  - Begin IX Housing
  - Bibb – remove 2.3 for redundancy
  - Bibb – will staff looking into incentives for Habitat for Humanity as part of mixed income developments
- Discussed the possibility of editing Financial Chapter at a later date
  - Eager requested that in 2.1, staff separate residential from non-residential for LOS standards
  - Obrien asked for specification on LOS’s
  - Bibb and Zimmer disagree about meaning of “positive impact” in 1.2 but eventually chose to leave it in
  - Bibb requests we remove 3.1
- PC needs time to look at education chapter
- PC asked when we could expect Public Safety Chapter

**NEW BUSINESS:** The 2015 Work Session Schedule

- A decision was made to keep the current work session schedule and only change meetings as needed when conflicts arise. No vote was conducted and no members objected to the decision.

**PUBLIC COMMENTS #2**

Chairman Bibb opened the second opportunity for Public Comments.

There being no one wishing to speak, Chairman Bibb closed the second round of Public Comments.

**ADJOURN**

There being no further business, Mr. Bibb adjourned the Planning Commission meeting of December 22<sup>nd</sup>, 2014 at 8:42 p.m.

Minutes recorded by Deidre Creasy, Senior Program Assistant.

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Barry A. Bibb, Chairman  
Fluvanna County Planning Commission

 **DRAFT**

## RESOLUTION

Be it resolved by the Fluvanna County Board of Supervisors, pursuant to Fluvanna County Code Sec. 22-20-1(c), that the Board intends to propose the following amendment to the Fluvanna County Code:

## ORDINANCE

### **AN ORDINANCE TO AMEND CHAPTER 22 OF THE FLUVANNA COUNTY CODE SUBSECTIONS 22-17-4, 22-20-2 AND 22-20-3 TO PROVIDE THE POSTING OF SIGNS TO GIVE ADDITIONAL NOTICE OF CERTAIN PROPOSED ZONING ACTIONS**

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Sections 15.2-2285 and 15.2-2205, that the Fluvanna County Code be, and it is hereby, amended, in Subsections 22-17-4, 22-20-2 and 22-20-3, as follows:

#### **Sec. 22-17-4. Special use permits.**

A. When permitted by this chapter, special use permits may be authorized by the governing body upon the governing body's finding that the proposed use will not be detrimental to the character and development of the adjacent area.

B. The governing body may place conditions on the issuance of a special use permit.

C. All applications for a special use permit shall require notice and public hearing pursuant to Section 15.2-2204 of the Code of Virginia. *In addition to the notice required by Section 15.2-2204, the applicant shall cause a sign to be erected on the property which is the subject of any proposed amendment. Such sign shall be of a type approved by the zoning administrator and shall be posted on the subject property at the nearest public road or at its point of access to the nearest public road.* A rezoning application and, when required, a special use permit, may be applied for simultaneously and the required public hearing and the required notice and the rezoning request and special use permit request may be held jointly.

D. In the governing body's consideration of a special use permit application, the governing body shall consider the following guidelines:

- (a) The proposed use shall not tend to change the character and established pattern of the area or community in which it proposes to locate.
- (b) The proposed use shall be compatible with the uses permitted by right in that zoning district and shall not adversely affect the use and/or value of neighboring property.

**DRAFT**

(a) The applicant shall also submit with the application a current survey of the subject property and a sketch plan of all proposed improvements.

E. Applications for a special use permit shall be accompanied by a filing fee as determined by a fee schedule adopted by the governing body.

F. Any special use permit issued pursuant to this article may, after notice and hearing as provided in subsection C hereof, be revoked by the governing body upon a finding that (1) the use for which such permit was granted has been abandoned; or (2) that the holder of such permit has substantially breached the conditions of such permit. For purposes of this section, a special use permit may be deemed abandoned by the governing body if the approved use has not been initiated within two years from the date of approval.

G. In the event that any parcel which is subject to a special use permit issued pursuant to this article shall be rezoned to any other district, the effect of such rezoning on such permit shall be as follows:

(a) If such use shall be a use by right in such other district, such permit shall be deemed to be repealed and the use shall be deemed a use by right;

(b) If such use shall be a use by special use permit only, such permit shall remain in full force and effect, subject to the provisions of this chapter;

(c) If such use shall not be a permitted use, such permit shall be deemed to have been repealed, and the use permitted thereby shall be deemed to be a non-conforming use in accordance with Article 16 of this chapter.

.....

**Sec. 22-20-2. Planning commission -- Public hearing; recommendations.**

The planning commission shall hold at least one public hearing on such proposed amendment after notice as required by Section 15.2-2204 of the Code of Virginia, and may make appropriate changes in the proposed amendment as a result of such hearing. *In addition to the notice required by Section 15.2-2204, the applicant shall cause a sign to be erected on the property which is the subject of any proposed amendment. Such sign shall be of a type approved by the zoning administrator and shall be posted on the subject property at the nearest public road or at its point of access to the nearest public road.* Upon the completion of its work, the commission shall present the proposed amendment to the governing body together with its recommendations and appropriate explanatory materials.

**Sec. 22-20-3. Governing body -- Public hearing.**

Before approving and adopting any amendment, the governing body shall hold at least one public hearing as required by Section 15.2-2204 of the Code of Virginia, after which the governing body may make appropriate changes or corrections in the proposed amendment; provided, however, that no land may be zoned to a more intensive use classification than was contained in the public notice without an additional public hearing after notice required by Section 15.2-2204 of the Code of Virginia. *In addition to the notice required by Section 15.2-2204, the applicant shall cause a sign to be erected on the property which is the subject of any proposed amendment. Such sign shall be of a type approved by the zoning administrator and shall be posted on the subject property at the nearest public road or at its point of access to the nearest public road.* An affirmative vote of at least a majority of the members of the governing body shall be required to amend the zoning ordinance.

 **DRAFT**



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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

## STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Case Number:** ZMP 14:04  
**Tax Map:** Tax Map 5, Section 11, Parcel L5A  
Tax Map 51, Section 1, Parcel 5 (Louisa County)

**From:** Steve Tugwell  
**District:** Columbia  
**Date:** January 28, 2015

- General Information:** This request is to be heard by the Planning Commission on Wednesday, January 28, 2015 at 7:00 pm in the Circuit Courtroom in the Courts Building.
- Owner/Applicant:** Green Springs Timber, LLC
- Representative:** Richard E. Dost
- Requested Action:** To amend the Fluvanna County Zoning Map with respect to approximately 15.986 acres of Tax Map 5, Section 11, Parcel L5A, to rezone the same from A-1, Agricultural General, to I-2, Industrial, General. (Attachment A)
- Location:** The affected property is located on the east side of James Madison Highway (Route 15), at the terminus of Cedar Bend Drive, approximately 700 feet southeast of the intersection of Richmond Road (Route 250) and James Madison Highway (Route 15). (Attachment B).
- Existing Zoning:** A-1, Agricultural, General
- Proposed Zoning:** I-2, Industrial, General
- Existing Land Use:** Vacant land
- Planning Area:** Zion Crossroads Community Planning Area
- Adjacent Land Use:** Adjacent properties are zoned A-1, B-1, I-1, and I-2. There is an adjoining and accompanying 8.929 acre parcel in Louisa County (TMP 51-1-5).

**Zoning History:**

A boundary line adjustment (SUB 07:69) was approved on December 5, 2007.

**Neighborhood Meeting:**

Including the applicant and his associate, there were four (4) attendees present at the December 10, 2014 Neighborhood meeting. The following comments were noted:

- i. When will there be water availability to this area?
- ii. One neighbor was “*all for growth in this area*”, but stated concerns for additional noise, and wanted to insure that a buffer would be implemented to screen the proposed use from the adjoining residential neighbors.
- iii. Will there be a buffer zone?
- iv. Would the proposed use be for pellets?

(Attachment C)

**Technical Review Committee:**

The Technical Review Committee meeting for this item was held on Thursday, December 11, 2014.

Staff forwarded this rezoning request application to Louisa County staff on December 10, 2014 to solicit their comments and did not receive a response.

(Attachment D)

**Statement of Intent:**

The Statement of Intent indicates the purpose of the zoning district and describes the characteristics of uses generally found within the district.

The Statement of Intent for the I-2, Industrial, General Zoning District is as follows:

The primary purpose of this district is to establish an area as defined by the Comprehensive Plan where the principal use of land is for heavy commercial and industrial operations, which may create some nuisance, and which are not properly associated with, nor particularly compatible with, residential, institutional, and neighborhood commercial service establishments. The specific intent of this district is to:

- (a) encourage the construction of and the continued use of the land for heavy commercial and industrial purposes;
- (b) prohibit residential and neighborhood commercial use of the land and to prohibit any other use which would substantially interfere with the development, continuation or expansion of commercial and industrial uses in the district;
- (c) to encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this ordinance.

**Current Request:**

Mr. Dost intends on constructing a 24,000 square foot metal building on the 15.986 (TMP 5-11-L5A) acre parcel located in Fluvanna County in order to facilitate storage of his packaged wood-pellets products during the winter months.

This is an extension of his existing business (CHIPS, LLC), which is located on an adjoining property along with the business office, which has frontage on Route 250 (Three Notch Road), and is accessed internally from Zion Park Road. The subject parcel, Tax Map 5-11-L5A, is also proposed access from this location.

There is an adjoining and accompanying 8.929 acre parcel located in Louisa County (TMP 51-1-5). Planning staff requested comments from Louisa County staff on December 10, 2014, but did not receive any feedback.

If the rezoning is successful, then a site development plan must be reviewed and approved administratively by planning staff prior to commencement of site construction.

(Attachment E)

**Comprehensive Plan Analysis:**

**Land Use:**

This property is located in the Zion Crossroads Community Planning Area, and according to the 2009 Comprehensive Plan, this area is the “*county’s primary regional economic development area and is targeted as a regional employment center and for primarily mixed-use, mixed-income development that will also help develop the infrastructure needed for such development, as well as diversifying the county’s tax base*”. This Planning Area is conducive to industry due to the transportation networks that connect west to Charlottesville and east to Richmond.

This property is currently in land-use status. If successfully rezoned to I-2, then the parcel may be reclassified out of land-use and into an industrial use category.

**Economic Development:**

The 2009 Comprehensive Plan states that the Zion Crossroads area “*is the primary commercial node, with primarily retail and office uses, but also light industrial and mixed-use, mixed-income residential development*” base and is an area of concentration of major employers. The Comprehensive Plan considers this an area that is very conducive to further development due to its location and proximity to major transportation networks. This area is one that should be zoned for industrial and/or commercial uses and the county should promote economic development in this area at, along, and near Route 250 and Route 15.

**Conclusion:**

This rezoning request appears to meet the intent of the Comprehensive Plan in that, “*this area is the county’s primary regional development area and is targeted as a regional employment center*”

*and for primarily mixed-use, mixed-income development that will also help develop the infrastructure needed for such development, as well as diversifying the county's tax base.”.*

When reviewing this rezoning request, the Planning Commission should take into consideration how this request accomplishes (or does not accomplish) the goals and intent of the Comprehensive Plan.

**Suggested Motion:**

I move that the Planning Commission recommend approval/denial of the attached ordinance for ZMP 14:04, a request to amend the Fluvanna County Zoning Map with respect to approximately 15.986 acres of Tax Map 5, Section 11, Parcel L5A, to rezone the same from A-1, Agricultural, General, to I-2, Industrial, General.

**Attachments:**

- A – Application and APO letter
- B – Aerial Vicinity Map
- C – Neighborhood meeting sign-in sheet
- D – TRC comment letter and emails
- E – Sketch plan
- F – Proposed Ordinance

Copy: File



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
 Application for Rezoning

Received

NOV 06 2014

Planning Dept.

Owner of Record: Green Springs Timber LLC. Applicant of Record: \_\_\_\_\_

E911 Address: 26 2100 Park Rd Troy VA E911 Address: \_\_\_\_\_

Phone: 434-589-2424 Fax: 434-589-2426 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: adost@chiaslbr.com Email: \_\_\_\_\_

Representative: \_\_\_\_\_

**Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.**

E911 Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Is property in Agricultural Forestal District?  No  Yes  
 If Yes, what district: \_\_\_\_\_

Tax Map and Parcel(s): TM 5(11) - LSA Fluvanna Deed Book Reference: DB 915 Page 542  
TM 5(13) - S Louisa

Acreage: 24.915 Zoning: Aq (15.986 acres Fluvanna) Deed Restrictions?  No  Yes (Attach copy)  
WST

Location of Parcel: Southeast Corner of Zions x Roads Cedar Bend Drive to the South  
Fronting Rt 250

Requested Zoning: I-2 Proposed use of Property: \_\_\_\_\_

**Affidavit to Accompany Petition for Rezoning**

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the Board of Supervisors during the normal discharge of their duties in regard to this request.

I/We, being duly sworn, depose and say that we are Owner/Contract Owner of the property involved in this application and that we have familiarized ourselves with the rules and regulations of the Zoning Ordinance with respect to preparing and filing this application, and that the foregoing statements and answers herein contained and the information on the attached map to the best of our ability present the argument on behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of our knowledge.

Date: 11-6-2014 Signature of Owner/Applicant: [Signature]

Subscribed and sworn to before me this 6 day of Nov, 2014 Register # 137674

My commission expires: 10-31-2015 Notary Public: [Signature]

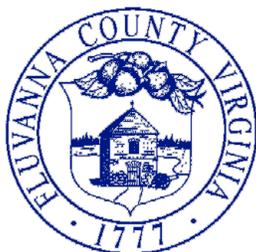
**All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.**

OFFICE USE ONLY	
Date Received: <u>11/06/14</u> Pre-Application Meeting: _____	PH Sign Deposit Received: <u>40.00</u> Application #: <u>ZMP 14 : 004</u>
\$1,000 plus \$50 for per acre plus mailing costs fee paid: <b>Mailing Costs:</b> \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Proffer or Master Plan Amendment: \$750.00 plus mailing costs	
Election District: <u>Columbia</u>	Planning Area: <u>Zion Cross Roads Community Planning Area</u>
Public Hearings	
Planning Commission	Board of Supervisors
Advertisement Dates: _____	Advertisement Dates: _____
APO Notification: _____	APO Notification: _____
Date of Hearing: _____	Date of Hearing: _____
Decision: _____	Decision: _____

# Memorandum

DATE: 12 January 2015  
RE: APO'S for **ZMP 14:04** Public Hearing Letters  
TO: Jason Stewart  
FROM: Deidre Creasy

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the January 28, 2015 Planning Commission Meeting.



**COUNTY OF FLUVANNA**

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**NOTICE OF PUBLIC HEARING**

January 9, 2015

«Owner»  
«Address»  
«City\_State» «Zip\_Code»  
TMP# «TMP»

**Re: Public Hearing on ZMP 14:04**

Dear «Owner»:

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on the above referenced item on **Wednesday, January 28, 2015** at **7:00 PM** in the Circuit Court Room at the Fluvanna County Courts Building in Palmyra, VA. The request is described as follows:

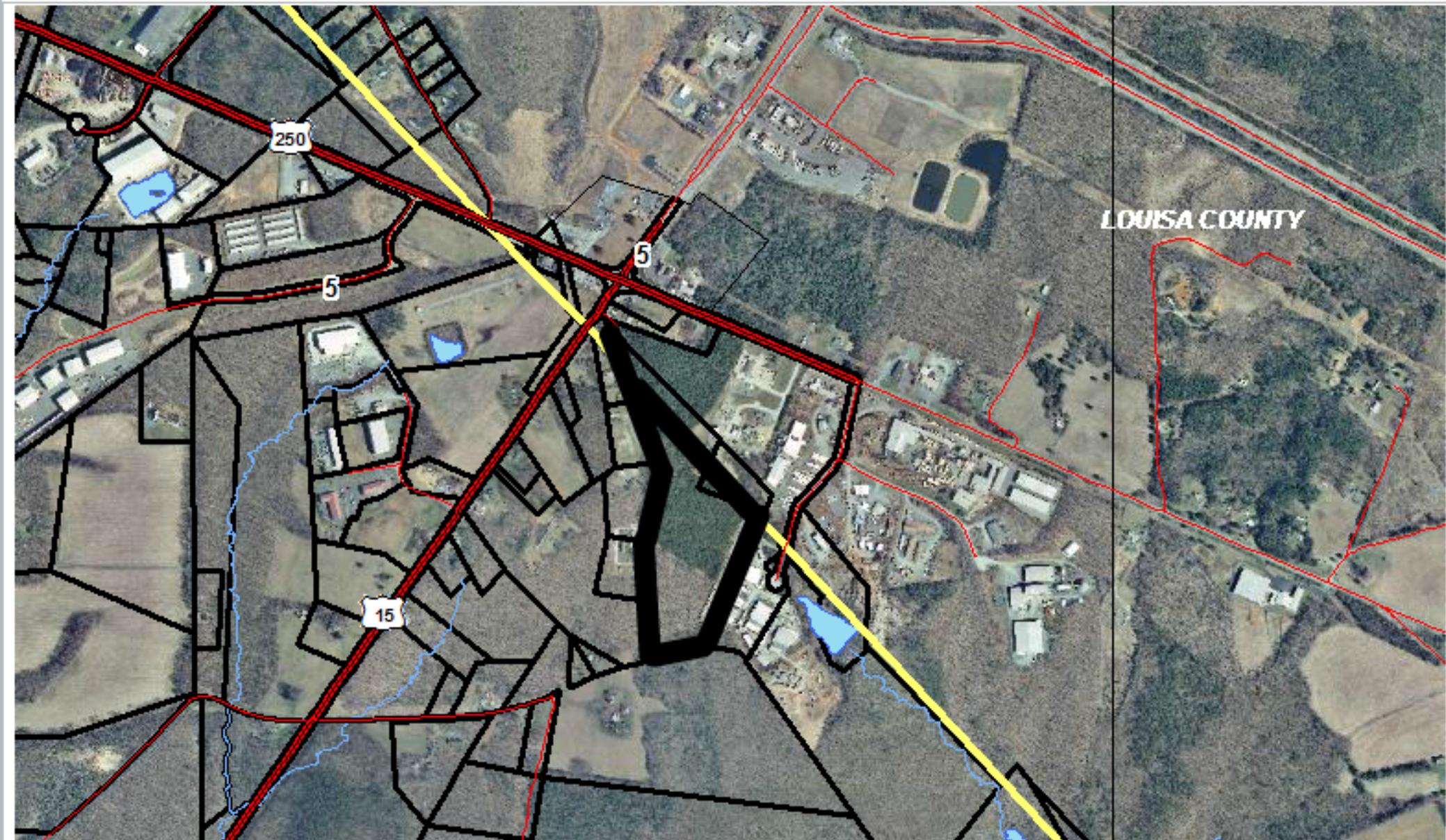
**ZMP 14:04 – Green Springs Timber, LLC** - An ordinance to amend the Fluvanna County Zoning Map with respect to 24.19 acres of Tax Map 5, Section 11, Parcel L5A to rezone the same from A-1, Agricultural, General to I-2, Industrial, General. The affected property is located on the east side of James Madison Highway (Route 15), at the terminus of Cedar Bend Drive, approximately 700 feet southeast of the intersection of Richmond Road (Route 250) and James Madison Highway (Route 15). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

The applicant or applicant’s representative must be present at the Planning Commission meeting. The tentative agenda and staff report will also be available for review by the public in the Fluvanna County Planning and Community Development Department during working hours (8:00 a.m. – 5:00 p.m., Monday through Friday). If you have any questions, please feel free to contact me at 434-591-1910.

Sincerely,

Steven Tugwell  
Senior Planner

ZMP 14-04: Green Springs Timber				
TMP	Owner	Address	City& State	Zip
5 (A) 63	Barry & Ruth Parrish	160 Morris Rd	Troy, Va	22974
5 (11) 7B	Northland Forest Product	220 Zion Park Rd	Troy, Va	22974
5 (11) 7C	Northland Forest Product	220 Zion Park Rd	Troy, Va	22974
5 (11) 5B	I & J Homebuilders	21708 James Madison Highway	Troy, Va	22974
5 (11) 5C	J.C. & Ora Jane Johnson	156 Cedar Bend Dr.	Troy, Va	22974
5 (A)57B	Kenneth & Nancy Blackburn	157 Cedar Bend Dr.	Troy, Va	22974
5 (A) 57C	Santos BM Franco	151 Cedar Bend Dr.	Troy, Va	22974
5 (A) 57A	Robert & Shirley Kendrick Sr.	21452 James Madison Highway	Troy, Va	22974
5 (11) L6A	Allied Concrete Company	P.O. Box 1647	Charlottesville, Va	22902
5(11)L5A	Green Springs Timber LLC	26 Zion Park Rd	Troy, Va	22974



Scale: 1:18055.954822

Date: 01/21/2015

Printed By:

Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).

## December 10, 2014 Neighborhood Meeting

### SIGN IN SHEET FOR:

ZMP 14:04 – Green Springs Timber, LLC - An ordinance to amend the Fluvanna County Zoning Map with respect to 24.19 acres of Tax Map 5, Section 11, Parcel L5A to rezone the same from A-1, Agricultural, General to I-2, Industrial, General. The affected property is located on the east side of James Madison Highway (Route 15), at the terminus of Cedar Bend Drive, approximately 700 feet southeast of the intersection of Richmond Road (Route 250) and James Madison Highway (Route 15). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

#### Please Print Your Name & Address:

1. Michael Passerell - Northland Forest Products
2. Clark Diehl - Chips, Inc. 26 Zion Park Rd.
3. Dick DOST CHIPS INC 26 ZION PARK RD, TROY
4. Ken Blackburn 276 157 CEDAR BEND DR. TROY, VA
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
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9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_




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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

December 17, 2014

Green Springs Timber, LLC  
26 Zion Park Road  
Troy, VA 22974

**Re: TRC comments ZMP 14:04 Rezoning from A-1 to I-2  
Tax Map 5-11-L5A, and 51-1-5 in Louisa County**

Dear Mr. Dost:

The following comments are the result of the Technical Review Committee meeting. Comments are outlined below:

1. Charles Miller stated that they have no comments with regard to this request;
2. Planning staff asked for clarification as to what the building will be used for, planning staff also inquired about the means of ingress and egress; Staff requested a site visit, and staff notified the applicant that a final site development plan will be required;
3. VDOT has made a site visit and reviewed the referenced proposal, VDOT offers the following preliminary comments:

As a follow up to the Fluvanna County TRC Meeting held earlier today concerning the referenced subject, Dickie Dost of Chips, LLC, advised that access to the site will be through the existing state road system Zion Crossroads Industrial Park at this time. An approximately 24,000 sq. ft. warehouse is proposed on the referenced parcel. It is proposed to store pallets with bags of wood pellets and shavings in the warehouse as these are presently stored outside of the Chips' wood pellet plant on the west side of Rte. 795. In addition to the pellets and chips, Mr. Dost advised that lumber may be stored in the warehouse at certain times of the year. Storage of these wood products is not expected to result in any significant increase in the traffic at the Industrial Park Entrance on Rte. 250.

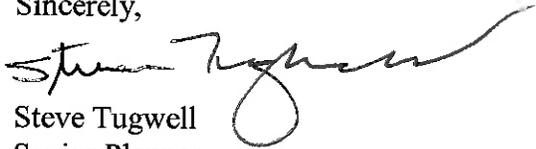
Mr. Dost advised that some time in the future they may develop the section of the parcel that fronts on Rte. 250 immediately west of the Allied Concrete property. I advised that a future entrance on Rte. 250 (Rural Major Collector) would have to meet Access Management Standards for spacing and that according to the County's GIS, the parcel's road frontage provided adequate spacing from the traffic signal (>660 feet)

and there would be adequate spacing from the existing commercial entrance for Allied Concrete (>335 ft.). I advised Mr. Dost that turn lanes may be required on Rte. 250 depending on the traffic generated by the future development and that VDOT would need to look at the entrance in relation to the section of Rte. 250 transitioning from 2 lanes to 1 lane at this location.

The Planning Commission public hearing is scheduled for Wednesday, January 28, 2015 at 7 p.m. in the Circuit Court Room of the Courts Building in Palmyra, VA.

If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,



Steve Tugwell  
Senior Planner  
Dept. of Planning & Community Development

cc: File

**Steven Tugwell**

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**From:** Steven Tugwell  
**Sent:** Wednesday, December 10, 2014 2:18 PM  
**To:** 'afinchum@louisa.org'  
**Subject:** Rezoning request  
**Attachments:** 12 11 2014 TRC agenda.pdf

**Importance:** High

Hi Allyson,

Do you have any comments on this rezoning? Its adjacent to Louisa.

Thanks!  
Steve

**Steve Tugwell**  
**Senior Planner**  
**Dept. of Planning & Community Development**  
**Fluvanna County, VA**  
**434-591-1910**  
[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)

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**Steven Tugwell**

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**From:** Wood, Mark, P.E., L.S (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Thursday, December 11, 2014 3:19 PM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** ZMP 14:04 - Green Springs Timber, LLC (TMS 5-11-L5A on Rte. 250 & Rte. 15), Fluvanna County

**Importance:** High

Steve,

As a follow up to the Fluvanna County TRC Meeting held earlier today concerning the referenced subject, Dickie Dost of Chips, LLC, advised that access to the site will be through the existing state road system Zion Crossroads Industrial Park at this time. An approximately 24,000 sq. ft. warehouse is proposed on the referenced parcel. It is proposed to store pallets with bags of wood pellets and shavings in the warehouse as these are presently stored outside of the Chips' wood pellet plant on the west side of Rte. 795. In addition to the pellets and chips, Mr. Dost advised that lumber may be stored in the warehouse at certain times of the year. Storage of these wood products is not expected to result in any significant increase in the traffic at the Industrial Park Entrance on Rte. 250.

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J. Mark Wood, P.E., L.S.  
Area Land Use Engineer  
Virginia Department of Transportation  
Land Development – South  
P.O. Box 2194  
Louisa, VA 23093  
Phone: (540) 967-3708  
Cell: (540) 223-5240  
Email: [Mark.Wood@VDOT.Virginia.gov](mailto:Mark.Wood@VDOT.Virginia.gov)

**Steven Tugwell**

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**From:** Miller, Charles (VDH) <Charles.Miller@vdh.virginia.gov>  
**Sent:** Wednesday, December 03, 2014 2:54 PM  
**To:** Steven Tugwell  
**Subject:** RE: December 11, 2014 TRC agenda

Steve,

We have no comments regarding the rezoning of TM 5-11-L5A (ZMP 14:04)

Thanks,  
Charles

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**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Wednesday, December 03, 2014 12:38 PM  
**To:** Alyson Sappington; Andrea Gaines; Andy Wills; Barry Bibb; Brad Sheffield; Miller, Charles (VDH); Wright, Chuck (DOF); Deidre Creasy; Donald Gaines; Ed Zimmer; Rice, Gary (VDH); Jason Stewart; Jay Lindsey; Lewis Johnson; Lucas Lyons; Wood, Mark, P.E., L.S (VDOT); Mike Brent; Patricia Eager; Robert Popowicz; Roger Black; [solson@forcvec.com](mailto:solson@forcvec.com); Tony O'Brien; Wayne Stephens  
**Subject:** December 11, 2014 TRC agenda  
**Importance:** High

Dear TRC,

Attached is the TRC agenda for this month. I hope to see you all there, but if you cannot attend the meeting, feel free to email me your questions or comments.

Thanks,  
Steve

**Steve Tugwell**  
**Senior Planner**  
Dept. of Planning & Community Development  
Fluvanna County, VA  
434-591-1910  
[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)

 please conserve, do not print this e-mail unless necessary

**Steven Tugwell**

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**From:** Mike-Kathy Brent <mkbrent7@gmail.com>  
**Sent:** Friday, December 19, 2014 3:52 PM  
**To:** Steven Tugwell  
**Subject:** Re: Dost rezoning comments

Steve  
No comments after I asked him a couple of questions.

Mike

On Wed, Dec 17, 2014 at 1:01 PM, Steven Tugwell <[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)> wrote:

Hi Mike,

Did you have any comments on this rezoning request? I'm trying to get the comment letter to the applicant.

Thanks,

Steve

**Steve Tugwell**

**Senior Planner**

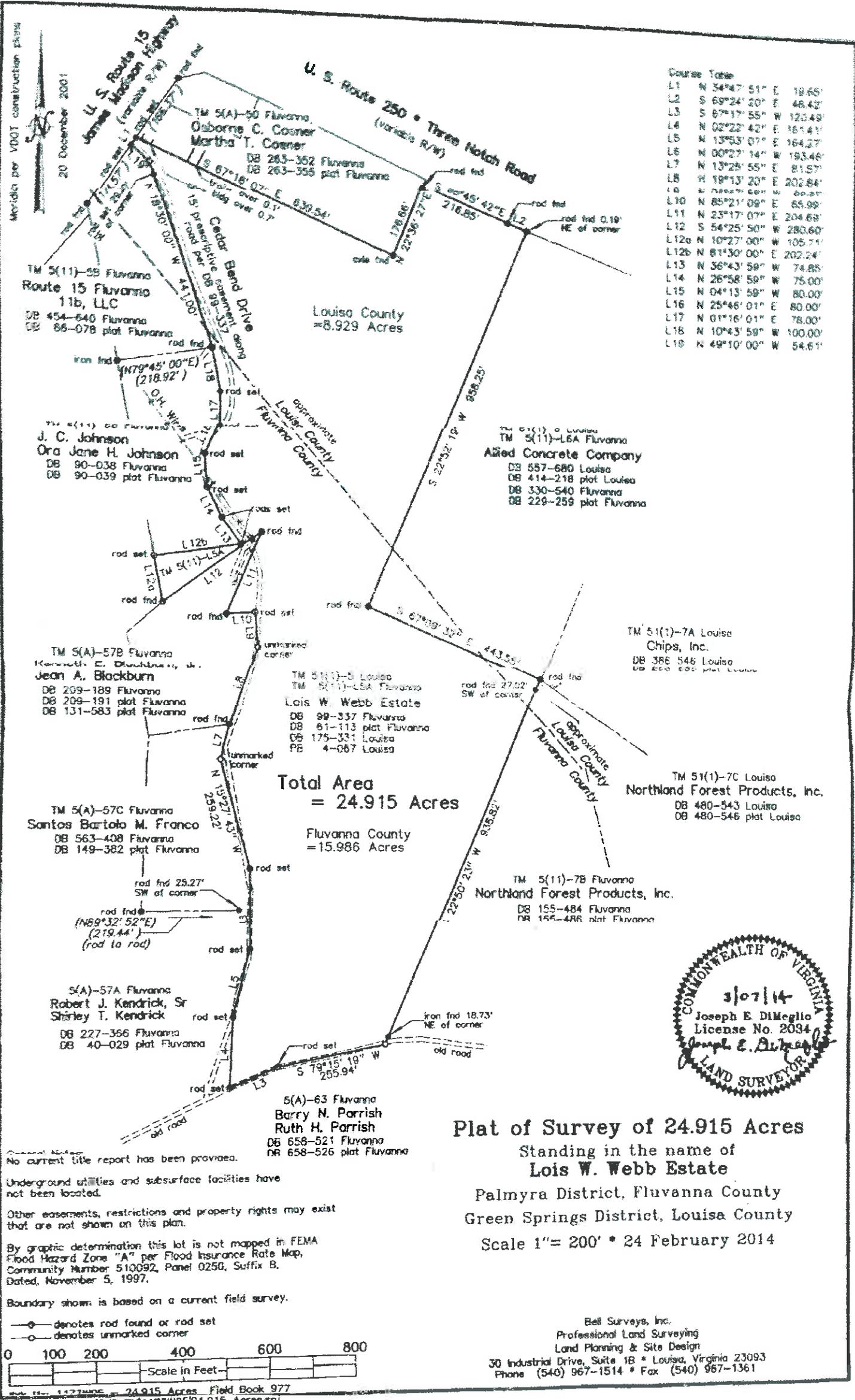
**Dept. of Planning & Community Development**

**Fluvanna County, VA**

**[434-591-1910](tel:434-591-1910)**

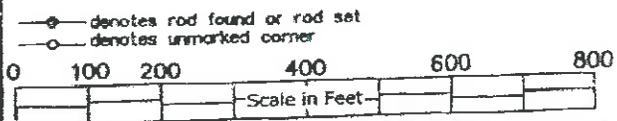
**[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)**

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**General Notes:**  
 No current title report has been provided.  
 Underground utilities and subsurface facilities have not been located.  
 Other easements, restrictions and property rights may exist that are not shown on this plan.  
 By graphic determination this lot is not mapped in FEMA Flood Hazard Zone "A" per Flood Insurance Rate Map, Community Number 510092, Panel 0250, Suffix B, Dated, November 5, 1997.  
 Boundary shown is based on a current field survey.

**Plat of Survey of 24.915 Acres**  
 Standing in the name of  
**Lois W. Webb Estate**  
 Palmyra District, Fluvanna County  
 Green Springs District, Louisa County  
 Scale 1" = 200' • 24 February 2014



Bell Surveys, Inc.  
 Professional Land Surveying  
 Land Planning & Site Design  
 30 Industrial Drive, Suite 1B • Louisa, Virginia 23093  
 Phone (540) 967-1514 • Fax (540) 967-1361

**An Ordinance To Amend The Fluvanna County Zoning Map, With Respect To 15.986 acres of Tax Map 5, Section 11, Parcel L5A to rezone the same from A-1, Agricultural General to I-2, Industrial, General.**

**(ZMP 14:04)**

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Section 15.2-2285, that the Fluvanna County Zoning Map be, and it is hereby, amended, as follows:

That 15.986 acres of Tax Map 5, Section 11, Parcel L5A, be and is hereby, rezoned from A-1, Agricultural, General to I-2, Industrial, General.