



## FLUVANNA COUNTY PLANNING COMMISSION

### REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building

May 27, 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 - DIRECTOR'S REPORT

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

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#### 4 - APPROVAL OF MINUTES

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Minutes of April 22, 2015

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#### 5 - PUBLIC HEARINGS

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**SUP 15:02 – Flick Investments Group, LLC** – *A request for a Special Use Permit (SUP) to operate an auction house with respect to 4.81 acres of a portion of Tax Map 59, Section A, Parcel 8. The property is zoned I-1 (Industrial, Limited), and is located on the west side of Route 15 (James Madison Highway), at its intersection with Route 695 (Creasy Town Road) approximately 0.23 miles south of Route 713 (Bowles Town Lane). The property is located in the Fork Union Election District and is within the Fork Union Community Planning Area.*

**SUP 15:03 – Anthony N. Smith** – *A request for a Special Use Permit (SUP) to operate a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A, and 6.728 acres of Tax Map 22, Section 4, Parcel C. The property is zoned A-1 (Agricultural, General), and is located on the north side of Route 601 (Venable Road), at its intersection with Route 659 (Kents Store Way). The property is located in the Columbia Election District and is within the Rural Preservation Community Planning Area.*

**ZMP 15:02 – Steven L. Peters** - *An ordinance to amend the Fluvanna County Zoning Map with respect to 21.5 acres of Tax Map 8, Section A, Parcel A14A to rezone the same from A-1, Agricultural, General to B-1, Business, General. The affected property is located on the northwest corner of the intersection of Thomas Jefferson Parkway (Route 53), and Lake Monticello Road. The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.*

**ZTA 15:03 – Fluvanna County** - AN ORDINANCE TO AMEND CHAPTER 22, ARTICLES 17 AND 22 OF THE FLUVANNA COUNTY CODE BY CERTAIN AMENDMENTS TO SECTIONS 22-22-1 AND 22-17-8A, INCLUDING AMENDMENTS TO THE DEFINITIONS OF “ELEVATED BUILDING”, “FLOOD, BASE”, “FLOOD ELEVATION, BASE”, “FLOOD HAZARD AREA, SPECIAL”, “FLOODPLAIN OR FLOOD-PRONE AREA”, “FLOODWAY”, AND “SUBSTANTIAL DAMAGE” IN SECTION 22-22-1, AS WELL AS AMENDMENTS TO CERTAIN SUBSECTIONS OF SECTION 22-17-8A, INCLUDING SUBSECTIONS 22-17-

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8A., -8A.2., -8A.3-B., -8A.3-G., -8A.3-H., -8A.3-I., -8A.3-J., -8A.3-K., -8A.3-M., -8A.3-N., -8A.3-P., -8A.3-S., -8A.3-T., -8A.3-U. -8A.3-X., -8A.3-Y., -8A.3-Z., -8A.3-AA., -8A.3-BB., -8A.3-DD., -8A.3-EE., -8A.3-FF., -8A.3-HH., -8A.3-JJ., -8A.3-KK., -8A.4., -8A.4.1, -8A.7., -8A.7.1, -8A.10., -8A.12., -8A.13, -8A.14., -8A.15., -8A.17., -8A.19., -8A.20., -8A.20.1, -8A.21., -8A.21.1, -8A.21.2, -8A.21.3, -8A.21.4, -8A.21.5 AND -8A.21.6. THEREOF, ESTABLISHING FLOODPLAIN DISTRICTS, REQUIRING THE ISSUANCE OF PERMITS FOR DEVELOPMENT, PROVIDING FACTORS AND CONDITIONS FOR VARIANCES TO THE TERMS OF THE ORDINANCE, AND PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE IN CONFORMITY WITH REVISED FEDERAL FLOOD INSURANCE REGULATIONS.”

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## **6 - PRESENTATIONS**

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## **7 - SITE DEVELOPMENT PLANS**

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**SDP 15:05 – Wray Brothers Inc.** - *A site development plan request to construct a 9,500 +/- square foot self-storage building addition with respect to 10.25 acres of Tax Map 5, Section 7, Parcel 9B. The property is zoned B-1, Business, General, and is located approximately 800 feet southwest of Richmond Road (Route 250) at the intersection of Better Living Drive and Richmond Road. The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.*

**SDP 15:06 – LMOA – New Golf Clubhouse** - *A site development plan request to construct a at 9760 SF Clubhouse, a 5600 SF cart barn, and eleven (11) additional parking spaces, with respect to 10.25 acres of Tax Map 18A, Section 4, Parcel 224A. The property is zoned R-4, Residential, Limited, and is located on Bunker Boulevard approximately 900 feet south of its intersection with Oak Grove Road. The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.*

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## **8 - SUBDIVISIONS**

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## **9 - UNFINISHED BUSINESS**

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None

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**10 - NEW BUSINESS**

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

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**12 - 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.



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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: May 12, 2015  
Re: Planning Director's Report

1. Board of Supervisors Actions:

May 6, 2015:

The 2014 Development Activity Report was presented.

May 20, 2015:

**(Approved) SUP 15:01 – Stubben North America** – A request to amend special use permit (SUP 04:25) to allow for “specialty retail sales” by appointment only with respect to 34.501 acres of Tax Map 10, Section A, Parcel 54A. The applicant is proposing to amend condition # 4 by deleting the 2<sup>nd</sup> sentence which reads, “The warehouse shall not be used as a display center that is open to regular (daily or weekly) visitors”, and replace it with “specialty retail sales by appointment only, with hours of operation to be 7 a.m. to 9 p.m. Monday through Sunday.” The property is zoned A-1 and is located on west side of Wounded Knee Lane approximately ½ mile north west of Route 631 (Troy Road). The property is located in the Palmyra Election District and is within the Rural Residential Planning Area.

2. Board of Zoning Appeals Actions:

May 12, 2015:

**(Approved) BZA 15:01 – JA-ZAN, LLC:** A request for a variance to Fluvanna County Code Section 22-11-5. to allow for the reduction of the minimum parking setback required from 50 feet to 25 feet, and to allow for the reduction of the building setback from 100 feet to 50 feet with respect to 1.695 acres of Tax Map 5, Section 24, Parcel 2. The affected property is located in the Columbia Election District on the south side of State Route 250 (Richmond Road) approximately .60 miles northwest of its intersection with State Route 15 (James Madison Highway). The property is zoned I-1, Industrial, Limited, and is within the Zion Crossroads Community Planning Area.

**(Approved) BZA 15:02 – Evergreen Baptist Church:** A request for a variance to Fluvanna County Code Section 22-16-5, and Sec.3-3 of the January 1, 1974 Zoning Ordinance to allow for the reduction of the minimum building setback required from 75 feet to 65 feet with respect to 1.006 acres of Tax Map 31,

Section A, Parcel 74. The affected property is located in the Columbia Election District on the north side of State Route 628 (Evergreen Church Road) approximately .40 miles northwest of its intersection with State Route 608 (Rising Sun Road). The property is zoned A-1, Agricultural, General and is within the Rural Preservation Planning Area.

3. Technical Review Committee:

May 14, 2015:

- I. **SDP 15:07 – Green Springs Timber** - A site development plan request for a two (2) phase project to construct a 240x100 metal storage building, and a 300x80 metal storage building, and associated gravel road and parking with respect to 15.49 acres of Tax Map 5, Section 11, Parcel L5A. The property is zoned I-1, Industrial, Limited, and 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.
- II. **SDP 15:08 – Lake Monticello Fire Dept.** - A site development plan request to construct a new parking facility with respect to 8.192 acres of Tax Map 18A, Section A4, Parcel 38F and Tax Map 18A, Section 4, Parcel 13B. The property is zoned R-4, Residential, Limited, and 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.
- III. **SUP 15:03 – Anthony N. Smith** – A request for a Special Use Permit (SUP) to operate a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A, and 6.728 acres of Tax Map 22, Section 4, Parcel C. The property is zoned A-1 (Agricultural, General), and is located on the north side of Route 601 (Venable Road), at its intersection with Route 659 (Kents Store Way). The property is located in the Columbia Election District and is within the Rural Preservation Community Planning Area.
- IV. **ZMP 15:03 – White Oak Stone Company** - An ordinance to amend the Fluvanna County Zoning Map with respect to 4.337 acres of Tax Map 5, Section A, Parcel 59 to rezone the same from A-1, Agricultural, General to I-1, Industrial, Limited. The affected property is located on the eastern side of State Route 15 (James Madison Highway) approximately 1000 feet southwest of its intersection with State Route 250 (Richmond Road). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.



**FLUVANNA COUNTY BUILDING INSPECTIONS  
MONTHLY BUILDING INSPECTION REPORT  
APRIL 2015**

USE	Apr-14	VALUE	YTD 14	VALUE	Apr-15	VALUE	YTD 15	VALUE	Apr/Diff	VALUE	YTD	
											PERMITS	VALUE
New Homes	6	990,650	18	3,368,186	9	1,903,000	28	5,524,115	3	912,350	10	2,155,929
Duplex	0	0	0	0	0	-	0	-	0	-	0	-
Single Family (Attached)	0	0	6	750,000	0	-	2	423,000	0	-	-4	(327,000)
Adds&Alterations	29	10,576	80	781,757	28	1,594,370	117	2,942,783	-1	1,583,794	37	2,161,026
Garages & Carports	0	0	2	141,000	4	70,000	9	147,500	4	70,000	7	6,500
Accessory Buildings	0	0	2	52,000	0	-	4	255,339	0	-	2	203,339
Single Wide MH	0	0	2	48,000	0	-	0	-	0	-	-2	(48,000)
Swimming Pools	0	0	0	-	0	-	1	36,500	0	-	1	36,500
Recreational Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Business Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Industrial Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Other Buildings	1	1,538,885	1	1,538,885	0	-	2	100,000	-1	(1,538,885)	1	(1,438,885)
<b>TOTALS</b>	<b>36</b>	<b>2,540,111</b>	<b>111</b>	<b>6,679,828</b>	<b>41</b>	<b>3,567,370</b>	<b>163</b>	<b>9,429,237</b>	<b>5</b>	<b>1,027,259</b>	<b>52</b>	<b>2,749,409</b>

FEES	Apr-14	PREV TOT	YTD 14	Apr-15	PREV TOT	YTD 15	DIFFERENCE	DIFFERENCE YTD
Building Permits	\$ 11,601.13	21,856.07	33,457.20	\$ 16,037.18	\$ 28,793.35	\$ 44,830.53	4,436.05	11,373.33
Land Disturb Permits	\$ 2,300.00	5,750.00	8,050.00	\$ 3,425.00	\$ 4,075.00	\$ 7,500.00	1,125.00	(550.00)
Zoning Permits/Proffers	\$ 1,100.00	3,050.00	4,150.00	\$ 2,600.00	\$ 3,850.00	\$ 6,450.00	1,500.00	2,300.00
<b>TOTALS</b>	<b>\$ 15,001.13</b>	<b>30,656.07</b>	<b>45,657.20</b>	<b>\$ 22,062.18</b>	<b>\$ 36,718.35</b>	<b>\$ 58,780.53</b>	<b>\$ 7,061.05</b>	<b>13,123.33</b>

INSPECTIONS	Apr-14	PREVIOUS	YTD 14	Apr-15	PREVIOUS	YTD 15		
	180	387	567	214	388	602	34	35

  
 Darius S. Lester  
 Building Official

( ) represents a negative

# Monthly Approval Report April 2015

<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 15-009	Lovin Ridge Subdivision	44	(5) 10,11	7.229	2
<i>Text75:</i>							
<b>Cunningham</b>							
	<i>Approved</i>						
		SDP 15-003	minor site plan	36	(4) 6A	0	
<i>Text75:</i>							
		ZMP 14-005		18	(A)38F	6.134	
<i>Text75:</i>							
<b>Fork Union</b>							
	<i>Approved</i>						
		BSP 15-005	Physical Survey	51	(A) 123	0	
<i>Text75:</i>							
		BSP 15-006	Boundary Survey	52	(A) 78,79	0	
<i>Text75:</i>							
		ZUP 15-003	Add to existing Cell Tower	51	(A) 78	0	
<i>Text75:</i>							
<b>Palmyra</b>							

<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>
	<i>Approved</i>						
<i>Text75:</i>		SUB 15-011	Ordinance of Vacation	3	(16) 2,3,4	2	3
<i>Text75:</i>		ZUP 15-001	Add antennas to existing cell tower	30	(2) 1	0	
<i>Text75:</i>		ZUP 15-002	Add antennas to existing cell tower	8	(A) 29	0	
<i>Text75:</i>		ZUP 15-004	Add to existing cell tower	8	(A) 4	0	

*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 April 2015*

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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*

BSP15006	\$50.00
ZUP15005	\$4,000.00
SUB15012	\$100.00
<b>Sum:</b>	<b>\$4,150.00</b>

**10000013-318316**

*REZON*    *Rezoning*

ZMP15002	\$2,075.00
ZMP15003	\$1,216.85
<b>Sum:</b>	<b>\$3,291.85</b>

**10000013-318319**

*SIGNPT*    *Sign Permit*

BZA15001	\$90.00
ZMP15002	\$90.00
MSC15002	\$155.00
ZMP15003	\$90.00
<b>Sum:</b>	<b>\$425.00</b>

**10000013-318337**

*SITEPL*    *Site Plan Review*

SDP15006	\$1,100.00
<b>Sum:</b>	<b>\$1,100.00</b>

**10000013-318338**

*VARINC*    *Variances*

BZA15001	\$550.00
BZA15002	\$90.00
BZA15002	\$550.00
<b>Sum:</b>	<b>\$1,190.00</b>

**10000013-318341**

<i>Line Number</i>	<i>Code</i>	<i>Name</i>	<i>ID#</i>	<i>Amount Received</i>
		<i>Subdivision &amp; Plat Review</i>		
			SUB15008	\$600.00
			SUB15009	\$225.00
			SUB15010	\$600.00
			SUB15011	\$225.00
			<i>Sum:</i>	\$1,650.00
			<i>Total:</i>	\$11,806.85

**FLUVANNA COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES**

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

**April 22th, 2015**

**7:00 p.m.**

**MEMBERS PRESENT:** Ed Zimmer, Vice-Chairman  
Lewis Johnson  
Patricia Eager  
Donald Gaines (7:01 PM)

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

**ABSENT :** Barry Bibb, Chairman  
Tony O'Brien Board of Supervisors Rep

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Ed Zimmer, Vice Chairman 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:**

April 1, 2015: (Approved) MOTION: I move to renew the Bowlesville Agricultural/Forrestal District, which consists of 11 parcels totaling 732.76 acres, for an additional 8 year period, expiring on August 1, 2023.

➤ **April 15, 2015:**

**ZMP 14:05 – (Approved) 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.

**2. Board of Zoning Appeals Actions:**

**No April Meeting:**

**3. Technical Review Committee:**

**April 16, 2015:**

- I. **SDP 15:05 – Wray Brothers Inc.** - A site development plan request to construct a 9,500 +/- square foot self-storage building addition with respect to 10.25 acres of Tax Map 5, Section 7, Parcel 9B. The property is zoned B-1, Business, General, and is located approximately 800 feet southwest of Richmond Road (Route 250) at the intersection of Better Living Drive and Richmond Road. The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.
- II. **SDP 15:06 – LMOA – New Golf Clubhouse** - A site development plan request to construct a at 9760 SF Clubhouse, a 5600 SF cart barn, and eleven (11) additional parking spaces, with respect to 10.25 acres of Tax Map 18A, Section 4, Parcel 224A. The property is zoned R-4, Residential, Limited, and is located on Bunker Boulevard approximately 900 feet south of its intersection with Oak Grove Road. The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.
- III. **SUP 15:02 – Flick Investments Group, LLC** – A request for a Special Use Permit (SUP) to operate an auction house with respect to 4.81 acres of a portion of Tax Map 59, Section A, Parcel 8. The property is zoned I-1 (Industrial, Limited), and is located on the west side of Route 15

(James Madison Highway), at its intersection with Route 695 (Creasy Town Road) approximately 0.23 miles south of Route 713 (Bowles Town Lane). The property is located in the Fork Union Election District and is within the Fork Union Community Planning Area.

- IV. **ZMP 15:02 – Steven L. Peters** - An ordinance to amend the Fluvanna County Zoning Map with respect to 21.5 acres of Tax Map 8, Section A, Parcel A14A to rezone the same from A-1, Agricultural, General to B-1, Business, General. The affected property is located on the northwest corner of the intersection of Thomas Jefferson Parkway (Route 53), and Lake Monticello Road. The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

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

Vice Chairman Zimmer opened the floor for the first section of public comments.

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

**\*Mr. Donald Gaines entered the meeting at this point and participated in voting thereafter\***

#### **APPROVAL OF MINUTES**

**MOTION:** Mrs. Eager moved to accept the minutes of the March 25, 2015 as presented with a couple typographical corrections as submitted, **Mr. Gaines seconded. The motion carried a vote of 4-0-0. AYES: Zimmer, Eager, Johnson and Gaines NAYS: None. ABSTAIN: None**

**SUBDIVISIONS:** None

#### **Public Hearings:**

**SUP 15:01 – Stubben North America** – A request to amend special use permit (SUP 04:25) to allow for “specialty retail sales” by appointment only with respect to 34.501 acres of Tax Map 10, Section A, Parcel 54A. The applicant is proposing to amend condition # 4 by deleting (“Regular (daily or weekly) influx of vendor or meeting traffic on the access road shall not be permitted. The warehouse shall not be used as a display center that is open to regular (daily or weekly) visitors.”) and replacing it with “specialty retail sales by appointment only.” The property is zoned A-1 and is located on west side of Wounded Knee Lane approximately ½ mile north west of Route 631 (Troy Road). The property is located in the Palmyra Election District and is within the Rural Residential Planning Area.

Senior Planner Steve Tugwell conducted a brief presentation and addressed Board

**Payne:** Made the observation that the existing condition deals with two subjects, first suppliers and vendors and secondly, customers. Suppliers arrive periodically, however UPS delivers to the company not “semi” type trucks. The second part is previously, the planning commission was concerned about traffic coming in and out for customers. Has the applicant considered both aspects of the condition?

**Applicant:** Stated that Stubben North America is a wholesale distributor and only sells Stubben products. She advised there are no 18 wheelers delivering because they won’t fit on the road and most products come from Pakistan or China once every other week. She then stated that their customers buy online and never in store if they visit the facility.

**Payne:** Pointed out that if the condition is deleted and the new proposed condition substituted, the suppliers will not be regulated.

**Zimmer:** Correct

**Eager:** Explained that Stubben is the only distributor of its kind in the U.S. and that is impressive to have it in Fluvanna.

**Applicant:** Added that their staff is composed of 6 people who live in Fluvanna

**Eager:** Asked the applicant if there would be any reason that big trucks would ever come to the site?

**Applicant:** Advised, No the trucks are unable to turn around

**Zimmer:** Clarified with the applicant that the supply portion of the business would not change?

**Applicant:** Agreed and advised that they are only authorized to sell Stubben products

**Zimmer:** Inquired if the company’s needs would be met if the first portion of the condition was kept and the second half that didn’t allow visitors was changed?

**Applicant:** Agreed

**Zimmer:** Asked if there were any more questions for the applicant?

#### **Public Hearing Comments**

Vice Chairman Zimmer opened the floor for the public hearing section of public comments.

**With no one wishing to speak, Vice Chairman Zimmer closed the public hearing comment section and opened Planning Commission discussion.**

**Gaines:** How would the Planning Commission reinstate the 1<sup>st</sup> part of the SUP?

**Payne:** Advised Gaines to leave the first sentence and substitute the required language for the second sentence.

**Zimmer:** Confirmed with the applicant that she was comfortable making the decision since she was not he owner?

**Applicant:** Stated Yes

**MOTION:**

**Mrs. Eager moved to recommend approval SUP 15:01 – Stubben North America, Mr. Johnson seconded.** The motion carried **with a vote of 4-0-0.** **AYES: Zimmer, Eager, Johnson, Gaines NAYS: None. ABSTAIN: None**

**SITE DEVELOPMENT PLANS: NONE**

**PRESENTATIONS: NONE**

**UNFINISHED BUSINESS: COMPREHENSIVE PLAN REVIEW-** Planner Lindsey advised the Board that at this time nothing has been received from the Emergency Services Coordinator on the matter.

**NEW BUSINESS:**

Stewart: Explained that the planning staff is almost complete with the subdivision street database and it will be brought before the Board this spring, or summer. He then informed the Planning Commission that they will have a work session next month. Likewise he added that John Thompson, extension agent will be at the May 29<sup>th</sup> Planning Commission meeting to discuss Agri-Tourism and Planner Lindsey has been working with the finance department on cash proffers to bring information to the Board.

**ADJOURN**

There being no further business, Mr. Gaines made a motion to adjourn the Planning Commission meeting of April 22, 2015 at 7: 19 p.m., Mrs. Eager seconded, The motion carried **with a vote of 4-0-0.** **AYES: Zimmer, Eager, Johnson, Gaines NAYS: None. ABSTAIN: None**

Minutes recorded by Deidre Creasy, Senior Program Assistant.

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Barry A. Bibb, Chairman  
Fluvanna County Planning Commission





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# COUNTY OF FLUVANNA

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## STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Case Number:** SUP 15:02  
**Tax Map:** Tax Map 59, Section A, Parcel 8

**From:** Steve Tugwell  
**District:** Fork Union  
**Date:** May 27, 2015

**General Information:** This request is to be heard by the Planning Commission on Wednesday, May 27, 2015 at 7:00 pm in the Circuit Court Room in the Courts Building.

**Owner/Applicant:** JCM III, LLC

**Representative:** Flick Investment Group, LLC, Mr. John H. Flick

**Requested Action:** Request for a special use permit to allow for an auction house with respect to 4.81 acres of Tax Map 59, Section A, Parcel 8. The applicant is proposing to operate an auction house. (Attachment A)

**Location:** The affected property is located on the west side of Route 15 (James Madison Highway), at its intersection with Route 695 (Creasy Town Road) approximately 0.23 miles south of Route 713 (Bowles Town Lane). (Attachment B)

**Existing Zoning:** I-1, Industrial, Limited (Attachment C)

**Planning Area:** Fork Union Community Planning Area

**Existing Land Use:** 100 x 200 metal building

**Adjacent Land Use:** The surrounding area is zoned A-1, R-1, and B-1.

**Zoning History:** This property was rezoned from B-1 to I-1 on June 19, 2013 (ZMP 13:01).

## **Comprehensive Plan:**

### **Land Use:**

This property is located in the Fork Union Community Planning Area, in Neighborhood Residential, and according to the 2009 Comprehensive Plan, the “*areas along Route 6 and West River Road in Fork Union proper should continue to be developed as a village, and the areas to the northeast should develop as neighborhood residential areas*”. Additionally, “*Fork Union should continue to develop as a village in the core area near Fork Union Military Academy (FUMA), surrounded by residential neighborhoods*”. While the Comprehensive Plan does not specifically recommend I-1 uses in neighborhood residential areas, it does recommend some small commercial and institutional uses be incorporated into the neighborhood residential community element. The subject parcel is located on the southern fringe of the Fork Union CPA, well out of Fork Union proper. There is existing B-1 zoning and commercial uses near the subject property, and the prior use of this parcel suggests light-industrial may have been compatible to the area.

### **Analysis:**

The applicant is proposing to operate an auction house within the 100 x 200 existing metal building on the 4.81 acre portion of the parcel. This portion of Tax Map 59-A-8 was rezoned from B-1 to I-1 in June of 2013, and auction houses are a use permitted by special permit in the I-1 zoning district. Mr. Flick has stated that he intends on the hours of operation to be Monday through Friday 9 a.m. to 6 p.m. (office hours), and then Saturday 10 a.m. to midnight for the auction. There is ample on-site parking. (Attachment D)

The County’s definition of an *auction house* is “*a place where objects of art, furniture, and other goods are offered for sale to persons who bid on the object in competition with each other, with all events an storage of inventory entirely enclosed in a building or structure*”. Mr. Flick has indicated that all activities related to the auction will be conducted within the building.

Per Sec. 22-11-2.2 of the zoning ordinance, auction houses are allowed with a special use permit in the I-1 (Industrial, Limited) zoning district.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

**First, the proposed use should not tend to change the character and established pattern of the area or community.**

The proposed location for the auction house is a 4.81 acre parcel situated on the west side of Route 15 (James Madison Highway), at its intersection with Route 695 (Creasy Town Road) approximately 0.23 miles south of Route 713 (Bowles Town Lane. There is a Church located on the adjacent property, but the auction is not scheduled to operate on Sundays. Route 15 is a heavily traveled north-south corridor, and its traffic-generated noise levels may make potential noise levels generated by the auction house negligible. The nearest occupied dwelling is more than 500 feet from the building where the auction will take place.

**Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.**

Auction houses and fast-food restaurants are allowed by special use permit in the I-1 zoning district. By-right uses that are similar, in operation or size of structures, to this application may include flea markets, general retail stores, and gas stations. There is a retail store located across the street from the proposed auction house.

Sec. 22-1-2 of the zoning ordinance states that the purpose of the zoning ordinance is “*to protect against over crowding of land*”. Auction houses may be generally considered more intensive uses, however given the proximity of this property to Route 15, this proposal may be less impactful to neighboring properties.

**Neighborhood Meeting:**

With the exception of the applicant’s, there were no other attendees present for this item at the April 15, 2015 Neighborhood meeting.

**Technical Review Committee:**

At the April 16, 2015 Technical Review Committee meeting, the following comments were generated:

1. VDOT stated that they had previously visited this site and reviewed a proposed entrance location off Rte. 695 to access the existing storage building. The proposed entrance is located over 500 ft. off Rte. 15 and will provide for “stacking” of vehicles while customers make a right turn into the site. A commercial entrance permit will be required, entrance radii will be based on the size of delivery trucks coming into the site.
2. Planning staff inquired about the hours of operation, and whether or not the auction will take place within the enclosed building ;
3. The Fire Chief stated to be aware of occupancy requirements for people in the building and to prepare or adhere to them;
4. Health Dept. stated they have no comments.

(Attachment E)

**Conclusion:**

The Planning Commission should consider any potential adverse impacts, such as traffic entering and exiting the property, noise, dust, or visual clutter.

**Recommended Conditions:**

If approved Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
5. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
6. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
7. Hours of operation shall be Monday through Friday 9 a.m. to 6 p.m. for office hours, and Saturday 10 a.m. to midnight.

**Suggested Motion:**

I move that the Planning Commission recommend approval/denial of SUP 15:02, a special use permit request to allow for an auction house with respect to 4.81 acres of Tax Map 59, Section A, Parcel 8, [if approved] subject to the seven (7) conditions listed in the staff report.

**Attachments:**

- A – Application, email from applicant, owner’s letter of authorization & APO Letter
- B – Aerial Map
- C - Zoning Map
- D – Sketch
- E – TRC comment letter and emails

Copy:

Owner – JCM III, LLC, 30 Highpockets Road, Cartersville, VA 23027 - [cametts@aol.com](mailto:cametts@aol.com)

Applicant – Flick Investment Group, LLC, 98 Creasy Town Lane, Bremo Bluff, VA 23022 - [john@steadfastauctions.com](mailto:john@steadfastauctions.com)

File



COMMONWEALTH OF VIRGINIA  
**COUNTY OF FLUVANNA**  
**Application for Special Use Permit (SUP)**

**Owner of Record:** JCM, III  
 E911 Address: 30 Highockets Rd Cartersville VA 23027  
 Phone: 804 814 1955 Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**Applicant of Record:** Flich Investment Group LLC  
 E911 Address: 98 Cressy Town Ln Brema Bluff VA 23022  
 Phone: 434 842 2002 Fax: \_\_\_\_\_  
 Email: John@SteadfastAuctions.com

**Representative:** \_\_\_\_\_  
 E911 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**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.**

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

**Tax Map and Parcel(s):** 59 Sect A Parcel 8 **Deed Book Reference:** \_\_\_\_\_

**Acreage:** 5 **Zoning:** I-1 **Deed Restrictions?**  No  Yes (Attach copy)

**Request for a SUP in order to:** Operate Auction House **Proposed use of Property:** Auction House

\*Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

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 and acknowledges that county employees will make regular inspections of the site.

Date: 3/20/15 Signature of Owner/Applicant: [Signature]

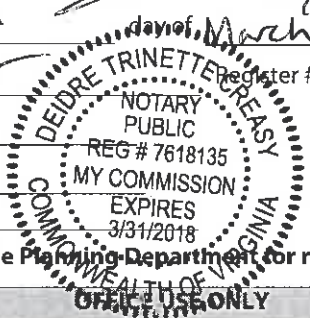
Subscribed and sworn to before me this 20th day of March, 2015

Notary Public: Deidre Cooney Register # 7618135

My commission expires: 3/31/2018

Certification: Date: \_\_\_\_\_

Zoning Administrator: \_\_\_\_\_



Received

MAR 20 2015

Planning Dept.

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

<b>OFFICE USE ONLY</b>	
Date Received: <u>03/20/15</u>	Pre-Application Meeting: <input checked="" type="checkbox"/>
\$800.00 fee plus mailing costs paid: <input checked="" type="checkbox"/>	PH Sign Deposit Received: <input checked="" type="checkbox"/>
Amendment of Condition: \$400.00 fee plus mailing costs paid: _____	Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Mail
Telecommunications Tower \$1,500.00 fee plus mailing costs paid: _____	\$5,500 w/Consultant Review paid: _____
Election District: <u>Form Union</u>	Planning Area: <u>Form Union CPA</u>
<b>Public Hearings</b>	
<b>Planning Commission</b>	<b>Board of Supervisors</b>
Advertisement Dates: <u>5/4/2015</u>	Advertisement Dates: <u>5/25/2015</u>
APO Notification: <u>5/11/2015</u>	APO Notification: <u>6/01/2015</u>
Date of Hearing: <u>5/20/2015</u>	Date of Hearing: <u>6/17/2015</u>
Decision: _____	Decision: _____

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

Use of existing structures only

**NECESSITY OF USE:** Describe the reason for the requested change.

To operate an Auction House on premises with scheduled auctions to be held in the building and on premises.

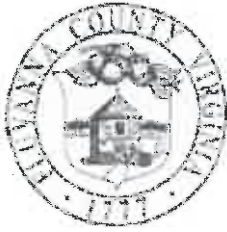
**PROTECTION OF ADJOINING PROPERTY:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

No further protection is needed. Property is surrounded by woods on 3 sides.

**ENHANCEMENT OF COUNTY:** Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

The addition of our business will bring jobs and consumers to the county, particularly to the Fork Union area.

**PLAN:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application. Remarks:



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
**Public Hearing Sign Deposit**

MAR 20 2015

Name: Flick Investment Group, LLC Planning Dept.

Address: 98 Creasy Town LN

City: Bremo Bluff

State: VA Zip Code: 23022

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

[Signature]  
 Applicant Signature

3/14/15  
 Date

\*Number of signs depends on number of roadways property adjoins.

**OFFICE USE ONLY**

Application #: BZA \_\_\_\_\_ : CPA \_\_\_\_\_ : SUP 15:02 ZMP \_\_\_\_\_ : ZTA \_\_\_\_\_ :

\$90 deposit paid per sign\*:

Approximate date to be returned:

**Steven Tugwell**

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**From:** John Flick <john@steadfastauctions.com>  
**Sent:** Thursday, May 21, 2015 2:32 PM  
**To:** Steven Tugwell  
**Subject:** Re: auction house SUP conditions

**Importance:** High

Steve,  
I can call you in a bit. Kimberly called me and said it was about hours.  
Mon-Friday 9-6pm office hours  
Saturday 10am-Midnight (varying amongst those hours, not open whole time)  
Thanks  
John

On May 21, 2015 12:46:51 PM Steven Tugwell <[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)> wrote:

Hi Mr. Flick,

Please call me regarding the conditions of approval for your auction house special use permit.

I'm writing the staff report for the planning commission and I just need to button up the conditions.

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



J. Cabell Metts, III  
JCM III, LLC  
30 Highpockets Rd  
Cartersville, VA 23027  
March 18, 2015

County of Fluvanna  
Planning Commission  
Palmyra, VA 22963

Received

MAR 20 2015

Planning Dept.

County of Fluvanna:

Please be advised that John H. Flick of Flick Investment Group, LLC dba Steadfast Auctions, is hereby designated as my authorized agent for the purpose of all matters relating to the Application of a Special Use Permit to be filed with the County of Fluvanna on or before March 20, 2015 specifically for the purpose of Flick Investment Group, LLC to open and operate an Auction House at 98 Creasy Town Ln, Brems Bluff, VA 23022, also known as approximately 5 acres of Tax Map 59 Section A Parcel 8, which is currently zoned as Industrial Limited District I-1. Flick Investment Group, LLC is currently leaseholder of the aforementioned property. Please copy me on any correspondence concerning this SUP.

Sincerely,

J. Cabell Metts, III  
JCM III, LLC

# Memorandum

DATE: May 11, 2015  
RE: Planning Commission APO Letter  
TO: Jason Stewart  
FROM: Deidre Creasy

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the May 27, 2015 Planning Commission Meeting.




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### NOTICE OF PUBLIC HEARING

May 11, 2015

«Owner»

«Address»

«City\_State» «Zip\_Code»

TMP# «TMP»

#### Re: Public Hearing on SUP 15:02

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, May 27, 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:

***SUP 15:02 – Flick Investments Group, LLC*** – *A request for a Special Use Permit (SUP) to operate an auction house with respect to 4.81 acres of a portion of Tax Map 59, Section A, Parcel 8. The property is zoned I-1 (Industrial, Limited), and is located on the west side of Route 15 (James Madison Highway), at its intersection with Route 695 (Creasy Town Road) approximately 0.23 miles south of Route 713 (Bowles Town Lane). The property is located in the Fork Union Election District and is within the Fork Union Community Planning Area.*

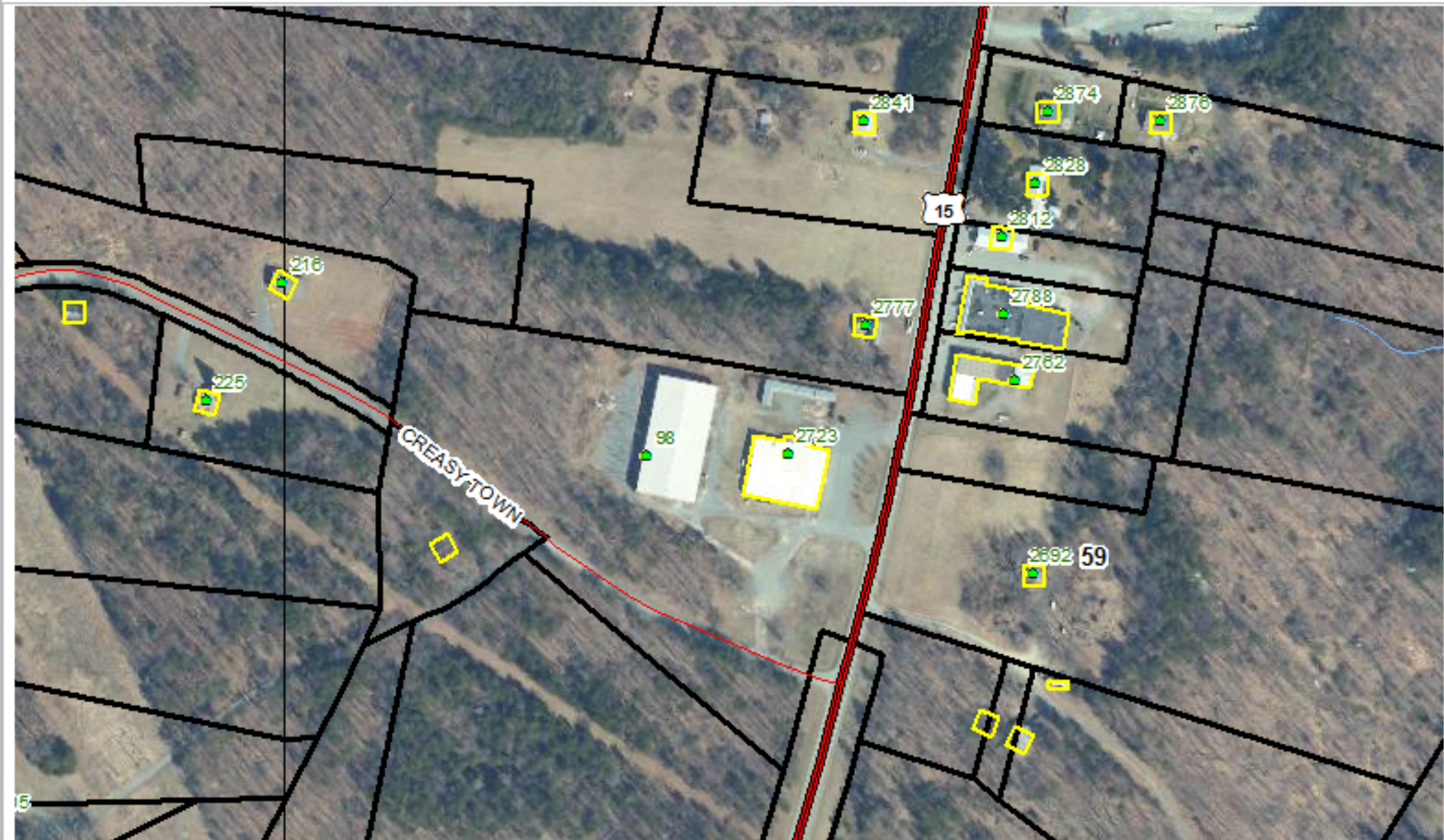
The applicant or applicant’s representative must be present at the Planning Commission meeting. The tentative agenda and staff report will also be available for review by the public in the Fluvanna County Planning and Community Development Department during working hours (8:00 a.m. – 5:00 p.m., Monday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

Sincerely,

Steven Tugwell  
Senior Planner

## SUP 15:02 JCM Auction House

TMP	Name	Address	City, State	Zip
59 4	1J Michael Scott and Susan Hughes	P.O. Box 14	Fork Union, Va	23055
59 4	1I W T JR & BARBARA Melton	2692 JAMES MADISON HWY	Bremo Bluff, Va	23022
59 4	1F W T JR & BARBARA Melton	2692 JAMES MADISON HWY	Bremo Bluff, Va	23022
59 A	10 W T JR & BARBARA Melton	2692 JAMES MADISON HWY	Bremo Bluff, Va	23022
59 A	6 CLEOPHUS & EVA Smith	1705 Brentwood Rd	Richmond, Va	23222
59 A	9 CLEOPHUS & EVA Smith	1705 Brentwood Rd	Richmond, Va	23222
59 A	4 DARRYL G. Fleming	3532 Wentworth Crew	Jacksonville, Fl	32277
59 A	8 JCM III LLC	30 Highpockets Rd	Cartersville, Va	23027
58 2	1H ELEANOR L & DAVID M Tolliver	1620 Teepee Town Rd	Bremo Bluff, Va	23022

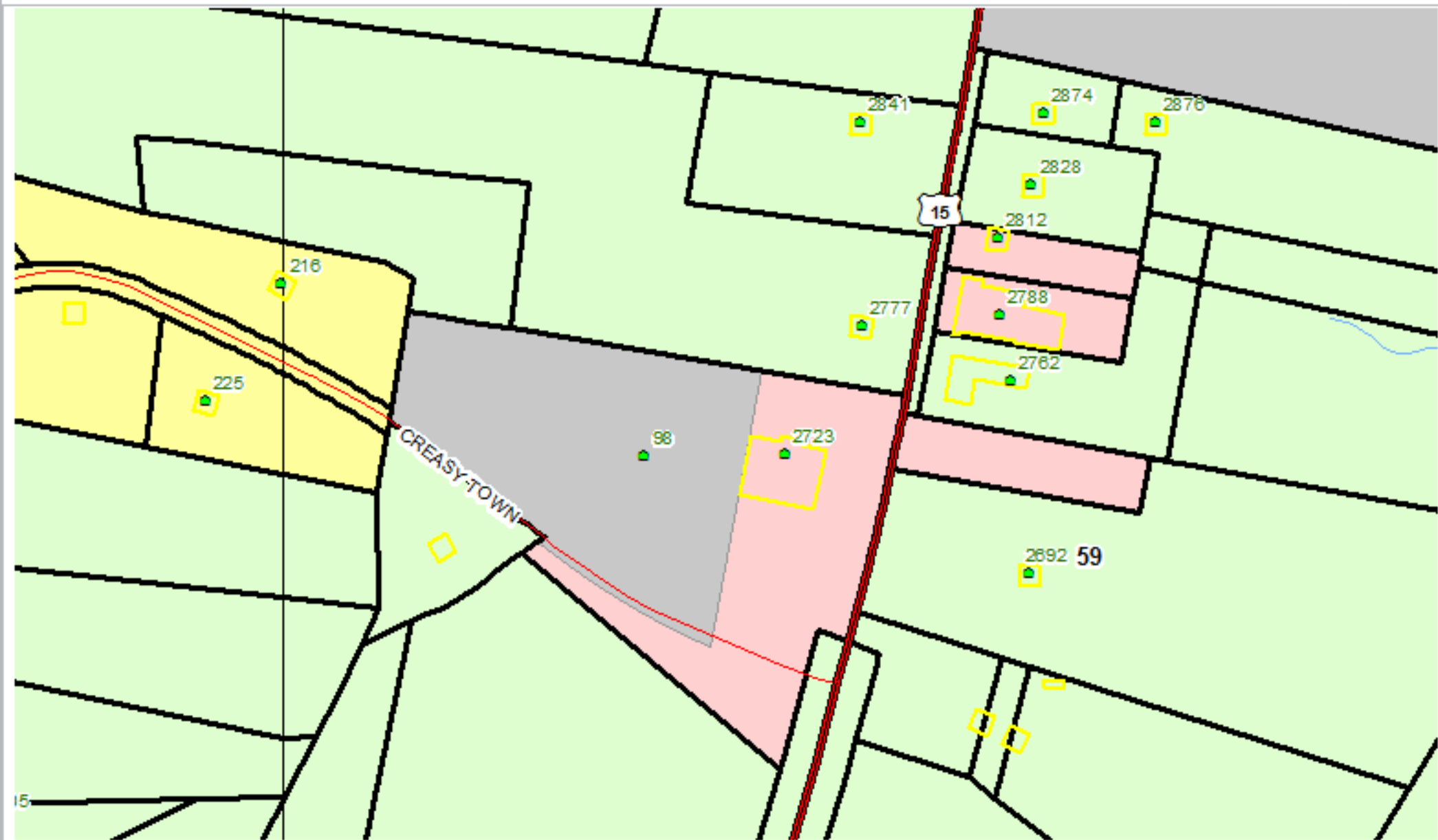


Scale: 1:4513.988705

Date: 05/21/2015

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).

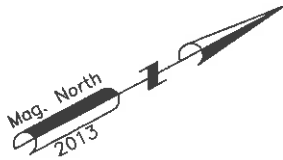


Scale: 1:4513.988705

Date: 05/21/2015

Printed By:

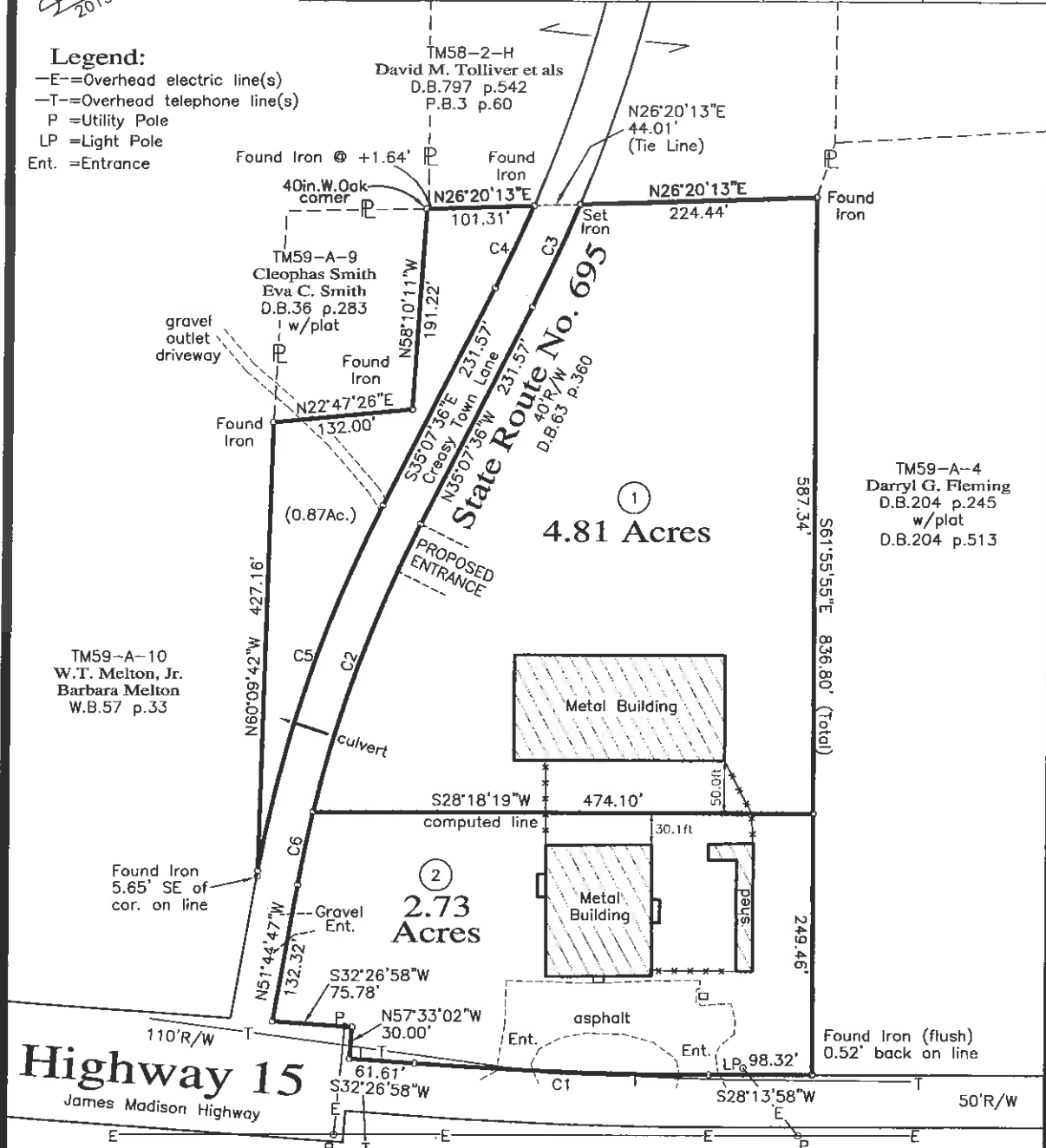
Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).



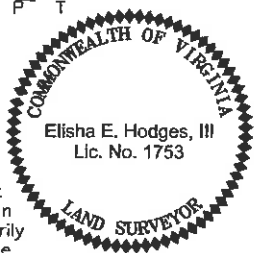
CURVE	RADIUS	ARC LENGTH	CHORD LEN.	CHORD BEARING	DELTA ANGLE
C1	3794.71'	279.27'	279.21'	S30°20'28"W	04°13'00"
C2	1253.24'	292.60'	291.93'	N41°48'54"W	13°22'37"
C3	1447.96'	107.64'	107.62'	N37°15'23"W	04°15'34"
C4	1407.96'	86.57'	86.56'	S36°53'17"E	03°31'23"
C5	1293.24'	368.37'	367.12'	S43°17'12"E	16°19'13"
C6	1253.24'	70.93'	70.92'	N50°07'30"W	03°14'35"

**Legend:**

- E- = Overhead electric line(s)
- T- = Overhead telephone line(s)
- P = Utility Pole
- LP = Light Pole
- Ent. = Entrance



**Highway 15**  
James Madison Highway



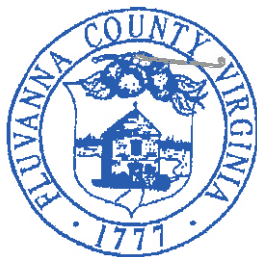
**Notes:**

1. Tax Map Parcel No. 59-A-8.
2. This plat has been done without the benefit of a title examination and therefore does not necessarily indicate all encumbrances on the property.
3. This plat agrees with found plats, deed descriptions, ground evidence and local witnesses as near as possible.
4. This plat is based on a current field survey.

Conceptual Division of Property  
for  
**JCM III, L.L.C.**  
Current Owner by D.B.869 p.970  
Fork Union District, Fluvanna County  
Virginia

May 8, 2013  
Scale: 1 in. = 100 ft.  
0' 100' 200' 300'  
13S0005  
FB1183-12

**Maxey & Associates, P.C.**  
Land Surveyors • Engineers • Planners • Consultants  
P.O. Box 90 • Farmville Virginia 23901 • Tel: 434-392-8827



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## COUNTY OF FLUVANNA

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May 4, 2015

JCM, III  
30 Highpockets Road  
Cartersville, VA 23027

Delivered via email

**Re: SUP 15:02 JCM, III special use permit request for an auction house in I-1**  
**Tax Map: 59, Section A, Parcel 8**

Dear Mr. Metts:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, April 16, 2015.

1. VDOT stated that they had previously visited this site and reviewed a proposed entrance location off Rte. 695 to access the existing storage building. The proposed entrance is located over 500 ft. off Rte. 15 and will provide for "stacking" of vehicles while customers make a right turn into the site. A commercial entrance permit will be required, entrance radii will be based on the size of delivery trucks coming into the site.
2. Planning staff inquired about the hours of operation, and whether or not the auction will take place within the enclosed building ;
3. The Fire Chief stated to be aware of occupancy requirements for people in the building and to prepare or adhere to them;
4. Health Dept. stated they have no comments.

The Planning Commission will have a meeting to discuss this item at their Wednesday, May 27, 2015 meeting. Your attendance is required at this meeting.

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: Mr. John Flick via email – [john@steadfastauctions.com](mailto:john@steadfastauctions.com)  
File

**Steven Tugwell**

---

**From:** Wood, Mark, P.E., L.S (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Wednesday, April 29, 2015 5:30 PM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** VDOT's April 16, 2015 Fluvanna County TRC Comments

**Importance:** High

Steve,

**SDP 15:05 – Wary Brothers Inc. (Tax Map 5, Section 7, Parcel 9B), Fluvanna County (Better Living Drive)**

VDOT has made a site visit and reviewed the existing gravel Low Volume Entrance that serves the Zion Crossroads Self Storage. The existing gravel entrance is adequate to support the proposed 9,500 sq. ft. climate controlled storage building. Paving the first 25 ft. of the existing gravel entrance would be a nice improvement and is suggested, however, it is not a requirement.

**SDP 15:06 – LMOA – New Golf Clubhouse (Tax Map 18A, Section 4, Parcel 224A), Fluvanna County (Bunker Boulevard – private road)**

VDOT reviewed the site plan for the proposed Clubhouse, Cart Barn and expanded parking lot in Lake Monticello and the proposed project will not negatively impact VDOT's road system.

**SUP 15:02 – Flick Investments Group, LLC (Tax Map 59, Section A, Parcel 8), Fluvanna County (Rte. 695, Creasy Town Road)**

VDOT had previously visited this site and reviewed a proposed entrance location off Rte. 695 to access the existing storage building. The proposed entrance is located over 500 ft. off Rte. 15 and will provide for "stacking" of vehicles while customers make a right turn into the site. A commercial entrance permit will be required, entrance radii will be based on the size of delivery trucks coming into the site.

VDOT understands that the Applicant has an agreement with the adjacent church for overflow parking, the church has access off both Rte. 15 and Rte. 695. VDOT further understands that trucks will deliver estate type items to the storage building approximately two times per week, "Live Auctions" will be held on Thursdays 6:00 p.m. to approximately 11:00 – 12:00 a.m. and on Saturdays. Online auctions will be conducted from the building as well.

**ZMP 15:02 – Steven L. Peters (Tax Map 8, Section A, Parcel A14A), Fluvanna County (Rte. 53, Thomas Jefferson Parkway/Rte. 618, Lake Monticello Road.**

VDOT has been working on a turn lane improvement project at this location, however, progress recently slowed due to Right of Way acquisition which will include land on the southwest side of Rte. 53 that is in a Virginia Outdoor Foundation Easement. The developer proposes a roundabout at this location which would be an ideal long term fix at this location. Rte. 53 and Rte. 618 are both Major Collectors. Based on VDOT's 2014 Traffic Data, Rte. 53 carries 6900 AADT and while Rte. 618 carries 3,000 AADT. Given the existing traffic volumes and the proposed commercial growth in this area, this intersection is a good candidate for a roundabout. The Right of Way dedication proposed by the developer would allow for much of the roundabout to be constructed outside of the existing Rte. 53 and Rte. 618 travel lanes which would reduce both construction time and cost.

The proposed concept plan for a roundabout at the intersection of Rte. 53/618 has been provided to Location & Design staff at the Culpeper District staff for review. VDOT does not currently have funds to construct a roundabout at this location.

**Steven Tugwell**

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**From:** Steve Olson <solson@MyCVEC.com>  
**Sent:** Monday, May 04, 2015 10:55 AM  
**To:** Steven Tugwell  
**Subject:** RE: April 16, 2015 TRC meeting comments

Steve,

No comments on the Wray Bothers Inc. Project. Power is already on site. Contact Engineering when ready if a new service is needed.

LMOA Clubhouse will need to contact CVEC get a work order to remove the overhead line where the new building is to be located. May want to consider leaving the old pole in place that is serving the existing facilities if possible. This could save on some costs but this depends on the routing of the existing secondary conductors that run to the old clubhouse. The new service for the new facilities whether single phase or three phase could be buried but there would be cost. Once the project is approved contact CVEC to create a new work order for the new service. At that time you can schedule an onsite meeting to discuss all available options.

Flick Investments Group, LLC. This project is in Dominion's Service Territory.

Steven L. Peters. This project is in Dominion's Service Territory.

Thanks,

Steven C. Olson  
Field Engineering Supervisor  
Reliability & System Engineering  
P. O. Box 247  
Lovingston, VA 22949  
800.367.2832, Ext. 1450  
Direct: 434.263.7631  
[www.mycvec.com](http://www.mycvec.com)



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**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Monday, May 04, 2015 10:34 AM  
**To:** Mike Brent; Steve Olson; Miller, Charles (VDH)  
**Cc:** Roger Black  
**Subject:** April 16, 2015 TRC meeting comments



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# COUNTY OF FLUVANNA

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## STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Case Number:** SUP 15:03  
**Tax Map:** Tax Map 22, Section 4, Parcel A

**From:** Steve Tugwell  
**District:** Columbia  
**Date:** May 27, 2015

**General Information:** This request is to be heard by the Planning Commission on Wednesday, May 27, 2015 at 7:00 pm in the Circuit Court Room in the Courts Building.

**Owner/Applicant:** Anthony N. Smith

**Representative:** Nick Smith

**Requested Action:** Request for a special use permit to allow for a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A. The applicant is proposing to operate a commercial amusement. (Attachment A)

**Location:** The affected property is located on the north side of Route 601 (Venable Road), at its intersection with Route 659 (Kents Store Way). (Attachment B)

**Existing Zoning:** A-1, Agricultural, General (Attachment C)

**Planning Area:** Rural Preservation Planning Area

**Existing Land Use:** Single-family dwelling

**Adjacent Land Use:** The surrounding parcels are zoned A-1

**Zoning History:** None

## **Comprehensive Plan:**

### **LAND USE**

Under the Rural Areas section of the Land Use Chapter it states that maintaining the rural character of the county is the primary principal and vision that drives this plan, as expressed by Fluvanna citizens throughout the planning process (see appendix A in the Comprehensive Plan under the “2006 Planning Issues Survey”).

Under the Rural Preservation section in the Land Use Chapter is states that the rural preservation areas are intended to be the least developed areas of the county. They are directly correlated with the rural preservation community element. Large parks, agricultural and forestal districts, working farms, and passive open space should comprise most of the land use, with very low-density residential development (e.g. less than one unit every five acres).

### **ECONOMIC DEVELOPMENT**

Goal number two under the Course of Action section in the Economic Development chapter states that the county wants to utilize the county’s natural resources, culture, and historic and recreational sites to capitalize on heritage, ecological, and recreational tourism, as well as attracting visitors.

Goal number three says to support the development of local economies, locally owned businesses, and entrepreneurial opportunities; particularly those that are of rural character and will require little provision of infrastructure.

The Rural Preservation Planning Area may be an appropriate place for a commercial amusement, which could include an event such as “The Bonfire Concert”. A concert event could draw in patrons from all over the region, which could have a positive impact on Fluvanna County’s local economy. An outdoor concert event is typically considered to generate higher noise levels and it should be held in a remote place where residents of the county will be minimally disturbed. If this event is successful, the applicant may want to schedule it at the Pleasant Grove facility next year.

### **Analysis:**

The applicant is proposing to have an outdoor “bonfire concert” event which will charge ticket admission. This event would be held on Saturday, June 6, 2015, and into early Sunday, June 7, 2015. The event will include live entertainment, and written permission has been granted from the adjoining property owner for their property to be used as the designated parking area. There will also be proper signage for parking and for entering and exiting the site, as suggested by the Virginia Department of Transportation. There will be a stage area for this event, but no permanent structures are planned. The applicant has secured insurance for this event to cover injuries and inclement weather.

With an approved permit from the Virginia Alcoholic Beverage Control Agent, this event will serve alcohol in designated areas only, and event attendees will be required to wear a wristband indicating they are of legal age to consume alcohol. Alcohol sales will be managed by the

Fluvanna S.P.C.A., and they will handle and facilitate the beer sales. As of 5/22/2015, a permit is pending from the Virginia ABC agent. Physical barriers will be placed around the designated drinking areas. Not less than one (1) portable toilet per every one-hundred people, one (1) handicap accessible unit, and a hand-wash unit, as required by the Health Dept. The applicant is securing all required permits from the Health Department. Food vendors are also planned, and they will secure the necessary permits through the Health Department.

(Attachment D)

The County's definition of a *commercial amusement* is "*the provision of entertainment or games of skill to the general public for a fee, as permitted by general law*". Per Sec. 22-4-2.2 of the zoning ordinance, *commercial amusements* are allowed with a special use permit in the A-1 (Agricultural, General) zoning district.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

**First, the proposed use should not tend to change the character and established pattern of the area or community.**

The proposed location for the commercial amusement is a 2.43 acre parcel situated on the north side of Route 601 (Venable Road), at its intersection with Route 659 (Kents Store Way). There are no permanent structures planned with this event, and all trash, vehicles, and otherwise temporary set-up items will be removed from the site within 48 hours of the end of the event.

**Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.**

Commercial amusements are allowed by special use permit in the A-1 zoning district. The adjoining property owner has consented to allow concert goers for this event to park on her property, and there did not appear to be any opposition from the neighbors who appeared at the neighborhood meeting on Wednesday, May 13<sup>th</sup>. The closest dwelling is just a little more than 200 feet away from the proposed stage area. If permitted, this event would take place not more than two (2) times per year, between the months of May and August only.

### **Neighborhood Meeting:**

There were approximately six (6) attendees at the May 13, 2015 Neighborhood meeting. None of them appeared to object to the proposed event. Their questions were as follows:

- What date is the permit for?
- Where will parking be located?
- Will alcohol be served?
- Will security officers be on duty?
- Will you have insurance?
- Will there be any county or state security provided?
- Will you keep people out of the nearby fields?

### **Technical Review Committee:**

At the May 14, 2015 Technical Review Committee meeting, the following comments were generated:

1. VDOT stated the following:
  - Coordinate the event with the Fluvanna County Sheriff's Office (LCSO) and provide traffic control on state roads as recommended by FCSP;
  - Provide personnel at entry/exit points during peak arrival/departure times to reduce potential backups and delays on state roads and to ensure that internal circulation on the site is operating efficiently;
  - Coordinate the event with Fire & Rescue
  - Coordinate the event with local media;
  - Provide directional signage for entry/exit of site and for parking area;
  - All entry/exit off Route 601 through either existing hard surface entrances or temporary hard surfaces entrances (VDOT Land Use Permit required for a new entrance or a temporary entrance).
2. The Fire Chief asked how many people are expected to attend the event, and that he echoes the comments that were submitted from the Virginia Department of Forestry.
3. Virginia Department of Forestry. (attached)
4. Health Dept. (attached)

(Attachment E)

### **Conclusion:**

The Planning Commission should consider any potential adverse impacts, such as traffic entering and exiting the property, noise, or dust.

### **Recommended Conditions:**

If approved Staff recommends the following conditions:

1. No more than two (2) concert event will be held per year during the months of May and August.
2. Event will serve alcohol with an approved permit as regulated and issued by the Virginia Alcohol Beverage Control Agent. Physical barriers will be placed around designated drinking areas.
3. No less than one (1) portable toilet per every one-hundred (100) people, one (1) handicap accessible unit, and a hand-wash unit, as required by the Health Department.
4. One (1) licensed security officer per every one-hundred (100) people is required, as well as one (1) EMT or off-duty fire and rescue personnel dedicated to the event, and shall be on

- the premises at all times during the event. An E911 address shall be clearly identified for this property to ensure that all emergency services can locate the property.
5. Event time shall be from 4:30 p.m. until 2 a.m.
  6. Event parking shall be located on adjacent parcel (Tax Map 22-4-C), with the owner's written permission, and also on the A.R.C. club property (Tax Map 22-A-60), with the owner's written permission.
  7. Proper signage for parking and for entering and exiting the site, along with traffic control measures are required. At least two (2) 24"x36" brown or green signs with white text that are professionally made shall be displayed at the site entrance.
  8. All food vendors working at the event must be certified by the Virginia Dept. of Health.
  9. The property owner shall remove all trash created by the event from the property within 48 hours.
  10. The site must meet all VDOT requirements.
  11. This Special Use Permit shall remain in effect for the period of time that Mr. Smith owns the property known as Tax Map parcel 22-4-A provided that all required conditions are adhered to; any amendment to this Special Use Permit or subsequent Special Use Permit regarding the same or similar commercial amusement events on Tax Map parcel 22-4-A shall take precedence when there shall be any conflicting conditions; at any time that Mr. Smith shall no longer retain ownership of this property, this Special Use Permit shall be considered invalid and all commercial amusement events allowed by this permit shall immediately cease.
  12. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
  13. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
  14. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.

**Suggested Motion:**

I move that the Planning Commission recommend approval/denial of SUP 15:03, a special use permit request to allow for a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A, [if approved] subject to the fourteen (14) conditions listed in the staff report.

**Attachments:**

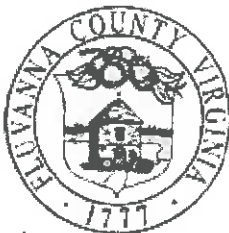
- A – Application & APO Letter
- B – Aerial Map
- C - Zoning Map
- D – Applicant's sketch and written permission from neighbor to allow parking
- E – TRC comment letter and emails

Copy:

Owner/Applicant – Anthony N. Smith, 5171 Venable Road, Kents Store, VA 23084 - nicksmithcountry@gmail.com  
File



Received



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA

MAY 01 2015

Application for Special Use Permit (SUP)

Planning Dept.

**Owner of Record:** Anthony N Smith **Applicant of Record:** \_\_\_\_\_  
 E911 Address: 5171 Venable Rd Kents Store VA E911 Address: \_\_\_\_\_  
 Phone: 804-314-2038 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: Nick Smith country@gmail.com Email: \_\_\_\_\_

**Representative:** Anthony N. Smith  
 E911 Address: 5171 Venable Rd Kents Store, VA 23084  
 Phone: 804-314-2038 Fax: \_\_\_\_\_  
 Email: Nick Smith country@gmail.com

**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.**

**Tax Map and Parcel(s):** 22(4)A **Deed Book Reference:** \_\_\_\_\_  
**Acres:** 2.43 **Zoning:** A-1 **Deed Restrictions?**  No  Yes (Attach copy)  
 Request for a SUP in order to: \_\_\_\_\_ **Proposed use of Property:** \_\_\_\_\_

\*Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

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 and acknowledges that county employees will make regular inspections of the site.

Date: 5/1/15 Signature of Owner/Applicant: [Signature]  
 Subscribed and sworn to before me this 1st day of MAY, 2015  
 Notary Public: Deidre Creasy Register # 7618135  
 My commission expires: 03/31/2018  
 Certification: Date: \_\_\_\_\_  
 Zoning Administrator: \_\_\_\_\_



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>05/01/15</u>	Pre-Application Meeting: _____ PH Sign Deposit Received: <u>Cash</u> Application #: SUP <u>15</u> : <u>003</u>
\$800.00 fee plus mailing costs paid: _____	Mailing Costs: \$20.00 Adjacent Property Owner (APO) after 1st 15, Certified Mail
Amendment of Condition: \$400.00 fee plus mailing costs paid: _____	
Telecommunications Tower \$1,500.00 fee plus mailing costs paid: _____	\$5,500 w/Consultant Review paid: _____
Election District: <u>Columbia</u>	Planning Area: <u>Rural preservation</u>
Public Hearings	
Planning Commission	Board of Supervisors
Advertisement Dates: <u>May 4th (May 14th &amp; 21st)</u>	Advertisement Dates: <u>May (14th) (May 21st &amp; 28th)</u>
APO Notification: <u>May 11th</u>	APO Notification: <u>May 18th</u>
Date of Hearing: <u>May 27th</u>	Date of Hearing: <u>June 3rd</u>
Decision: _____	Decision: _____

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

No building will be used.

**NECESSITY OF USE:** Describe the reason for the requested change.

To provide a temporary community event in which includes, live entertainment, etc. Permission from personal property owners was granted pertaining to the event in which everyone involved and not involved sees a positive outcome.

**PROTECTION OF ADJOINING PROPERTY:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

Minor usage upon permission that will have limited to nearly zero impact since the event would occur 2x or less per year. We will have proper usage and direction signs at all times.

**ENHANCEMENT OF COUNTY:** Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

This event will garner social entertainment, possible expansion is a future outcome that would involve profit gain for the county of Fluvanna. Fluvanna Spca, volunteer fire dept., etc

**PLAN:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application. Remarks:

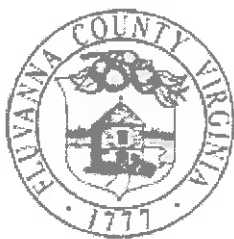
Received

MAY 01 2015

Planning Dept.

Received

MAY 01 2015



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
**Public Hearing Sign Deposit**

Planning Dept.

Name: Anthony N. Smith  
 Address: 5171 Venable Rd.  
 City: Kents Store,  
 State: VA Zip Code: 23084

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

[Handwritten Signature]  
 Applicant Signature

4/30/15  
 Date

\*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY	
Application #: <b>BZA</b> _____ : _____ <b>CPA</b> _____ : _____ <b>SUP 15</b> : <b>003</b> <b>ZMP</b> _____ : _____ <b>ZTA</b> _____ :	
\$90 deposit paid per sign*: <input checked="" type="checkbox"/> Cash	Approximate date to be returned: <u>06/04/15</u>

# Memorandum

DATE: May 11, 2015  
RE: Planning Commission APO Letter  
TO: Jason Stewart  
FROM: Deidre Creasy

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the May 27, 2015 Planning Commission Meeting.




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## COUNTY OF FLUVANNA

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### NOTICE OF PUBLIC HEARING

May 11, 2015

«Owner»

«Address»

«City\_State» «Zip\_Code»

TMP# «TMP»

#### Re: Public Hearing on SUP 15:03

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, May 27, 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:

***SUP 15:03 – Anthony N. Smith*** – *A request for a Special Use Permit (SUP) to operate a commercial amusement with respect to 2.43 acres of Tax Map 22, Section 4, Parcel A, and 6.728 acres of Tax Map 22, Section 4, Parcel C. The property is zoned A-1 (Agricultural, General), and is located on the north side of Route 601 (Venable Road), at its intersection with Route 659 (Kents Store Way). The property is located in the Columbia Election District and is within the Rural Preservation Community Planning Area.*

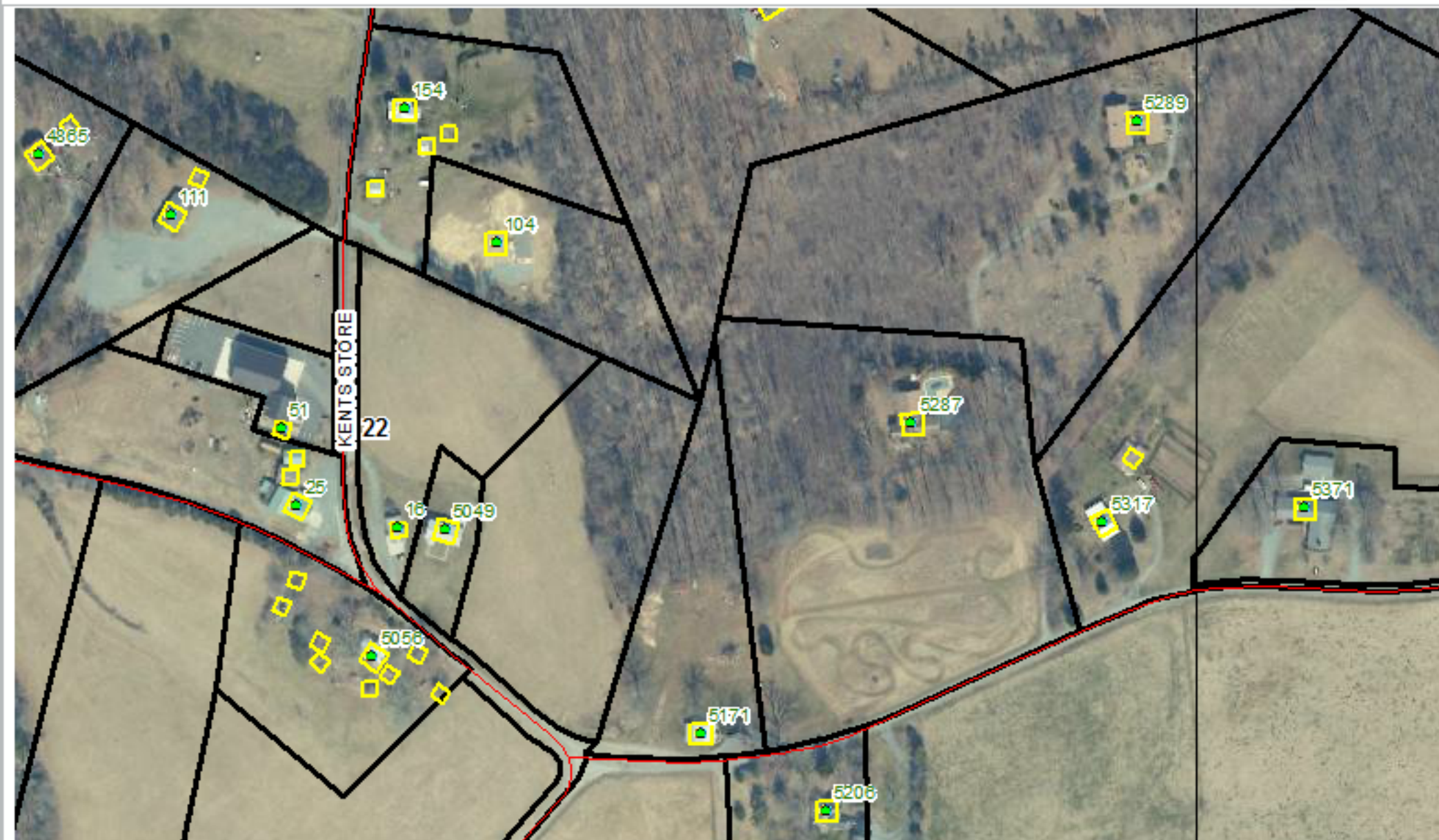
The applicant or applicant’s representative must be present at the Planning Commission meeting. The tentative agenda and staff report will also be available for review by the public in the Fluvanna County Planning and Community Development Department during working hours (8:00 a.m. – 5:00 p.m., Monday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

Sincerely,

Steven Tugwell  
Senior Planner

## SUP 1503 Nick Smith

TMP	Name	Address	City, State	Zip
22 4 A	Anthony N. Smith	5171 VENABLE RD	Kents Store, Va	23084
22 A 65	Patricia P. Kunard Trust	5206 VENABLE RD	Kents Store, Va	23084
22 A 66	G.L. Howard Inc.	P.O. Box 9	Rockville, Va	23146
22 4 C	Edward Vasquez	P.O. Box 2485	Spotsylvania, Va	22553
22 9 2	Trenton Paul & Megan Marie Hardee	76 HILLSBOROUGH RD	Kents Store, Va	23084
22 A 68AA	Helen M. & Thomas W. Fleming	P.O. Box 55	Kents Store, Va	23084
22 9 1A	Christine A. Bantz	104 KENTS STORE WAY	Kents Store, Va	23084
22 4 B	Shawn V. & Melissa G Kenney	5289 Venable Rd	Kents Store, Va	23084
23 A 28	Granville & Mary Westermann	5317 Venable Rd	Kents Store, Va	23084

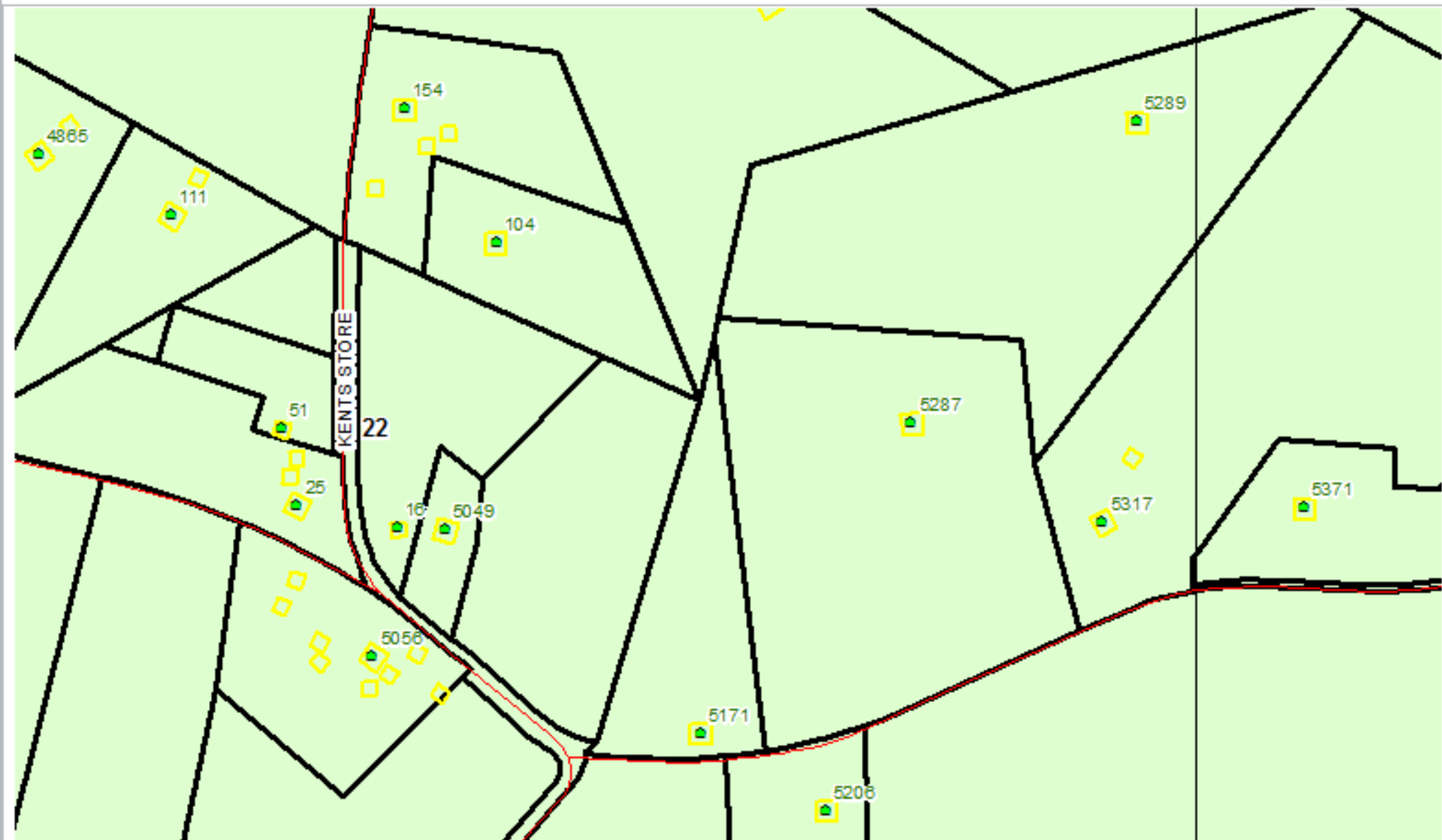


Scale: 1:4513.988705

Date: 05/21/2015

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).



Scale: 1:4513.988705

Date: 05/21/2015

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).





Scale: 1:2256.994353

Date: 04/30/2015

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).

- = Full physical perimeter fencing (temporary)
- E = Event space, alcohol perimeter area
- S = Stage
- SLA = Stage loading area
- P = Parking
- G1 = Entry gate (vehicles) 30'
- G2 = Exit gate (vehicles) 30'
- G3 = Walk in gate (ticket, ID area)

Received

MAY 01 2015

Planning Dept.

# NS Productions

## Letter of Request for Permission To Use and Enter Private Property

Dear property owner's:

Donna and Eddie Vasquez

I Nick Smith hereby ask your approval on the following information provided below.

All liability for any incident or damage that may occur from our use on your property from "The Bonfire Concert Event" will be held responsible to Nick Smith.

1. We would enter your property several weeks before for surveying purposes to properly set up the landscape several weeks before.
2. The day before and the day of we will start to use property to set up adjustments such as fencing barriers for control the day of the event.
3. We would be using your property mainly for parking purposes in which some guest may remain through the night of June 6, 2015.
4. Main use of the property will take place between June 5,2015 at 7 am on through June 7, 2015 by 9pm.
5. There will be proper sign display's, barriers, and security patrolling your front field property at all times of the event.
6. We agree to make sure the property, after the event and use, is restored to it's exact physical state as the way it was before our initial use.

If you have any problems or questions before, during, or after the event you can directly speak with Nick Smith 804-314-2038, our head of event management Eric Napier 434-996-3706, or our head of security Tim Vassi 434-282-4329. We look forward to working with you again this year and thank you so much for your support. We couldn't do it with out your help. Thanks again.

If you agree to the above stated uses of your property for our event please sign and date: Owner of Property: \_\_\_\_\_ Date: 5/1/15

Person of Request: \_\_\_\_\_ Date: 5/1/15

EDWARD VAZQUEZ  
540-379-7940

Received

MAY 01 2015

Planning Dept.



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May 21, 2015

Nick Smith  
5171 Venable Road  
Kents Store, VA 23084

Delivered via email

**Re: SUP 15:03 Anthony N. Smith special use permit request for a commercial amusement  
Tax Map: 22, Section 4, Parcel A**

Dear Mr. Smith:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, May 14, 2015.

1. VDOT stated the following:
  - Coordinate the event with the Fluvanna County Sheriff's Office (LCSO) and provide traffic control on state roads as recommended by FCSP;
  - Provide personnel at entry/exit points during peak arrival/departure times to reduce potential backups and delays on state roads and to ensure that internal circulation on the site is operating efficiently;
  - Coordinate the event with Fire & Rescue
  - Coordinate the event with local media;
  - Provide directional signage for entry/exit of site and for parking area;
  - All entry/exit off Route 601 through either existing hard surface entrances or temporary hard surfaces entrances (VDOT Land Use Permit required for a new entrance or a temporary entrance).
  
2. The Virginia Department of Forestry's (VDOP) only concern with this request is in regards to the bonfire and the possibility of the fire escaping to the surrounding fields and woods. The months which the events are planned (May & August) are generally stable in regards to fire danger/weather. However, on occasion we do experience a long dry spell during this time that enhances the fire danger.  
The Department of Forestry would like to suggest the following parameters be attached to this permit when considering whether the bonfire should be lighted on a given day:
  - \*The fire not be lighted if on a class 3 or above day.
  - \*\*The fire not be lighted if the cumulative severity index (CSI) is equal to or exceeds 500.

The fire not be lighted if the forecasted weather includes any fire danger advisories (such as a red flag day).

\*There are five class fire days with Class 1 being the safest and Class 5 being very extreme. Class 3 represents a moderately high fire danger.

\*\*CSI is a measure of the cumulative effects of the weather over time as it relates to fire danger.

These weather indicators should be derived from the predicted weather for the Charlottesville, Virginia area. I will forward today's fire weather forecast in a separate e-mail so you may see what this looks like. I feel it would be rare for the fire weather to exceed these parameters at the stated time of year, but it is not unheard of to experience a drought that time of year.

The Fluvanna County Emergency Services Coordinator (ESC) should be the contact person for the applicant and such individual will have the final say on whether the conditions permit the bonfire. The final decision should be available at least 24 hours prior to the start of the event.

These comments only pertain to whether the bonfire is lighted, not whether the event itself takes place.

If you have any questions or comments please feel free to contact me at any time.

3. The Health Dept. stated that no less than one (1) port-a-johns for every 100 persons. There should also be one handicap accessible unit and a hand-wash unit. (generally we like to see 1 port-a-john for every 75 persons).
4. The Fire Chief asked how many people are expected to attend the event, and that he echoes the comments that were submitted from the Virginia Department of Forestry.

The Planning Commission will have a meeting to discuss this item at their Wednesday, May 27, 2015 meeting. Your attendance is required at this meeting.

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: Nick Smith - nicksmithcountry@gmail.com  
File

Bettina K. Ring  
State Forester



# COMMONWEALTH of VIRGINIA

**DEPARTMENT OF FORESTRY**  
900 Natural Resources Drive, Suite 800  
Charlottesville, VA 22903  
www.dof.virginia.gov  
(434) 977-6555  
Fax: (434) 296-2369

May 21, 2015

Fluvanna County, VA  
Dept. of Planning & Community Development  
Attn: Mr. Steve Tugwell

Dear: Steve:

As a follow up to the TRC meeting of May 14<sup>th</sup> I wanted to put my comments in writing. These comments are in regards to SUP 15:03 – Anthony N. Smith.

The Virginia Department of Forestry's (VDof) only concern with this request is in regards to the bonfire and the possibility of the fire escaping to the surrounding fields and woods. The months which the events are planned (May & August) are generally stable in regards to fire danger/weather. However, on occasion we do experience a long dry spell during this time that enhances the fire danger.

The Department of Forestry would like to suggest the following parameters be attached to this permit when considering whether the bonfire should be lighted on a given day:

\*The fire not be lighted if on a class 3 or above day.

\*\*The fire not be lighted if the cumulative severity index (CSI) is equal to or exceeds 500.

The fire not be lighted if the forecasted weather includes any fire danger advisories (such as a red flag day).

\*There are five class fire days with Class 1 being the safest and Class 5 being very extreme. Class 3 represents a moderately high fire danger.

\*\*CSI is a measure of the cumulative effects of the weather over time as it relates to fire danger.

These weather indicators should be derived from the predicted weather for the Charlottesville, Virginia area. I will forward today's fire weather forecast in a separate e-mail so you may see what this looks like. I feel it would be rare for the fire weather to exceed these parameters at the stated time of year, but it is not unheard of to experience a drought that time of year.

The Fluvanna County Emergency Services Coordinator (ESC) should be the contact person for the applicant and such individual will have the final say on whether the conditions permit the bonfire. The final decision should be available at least 24 hours prior to the start of the event.

These comments only pertain to whether the bonfire is lighted, not whether the event itself takes place.

If you have any questions or comments please feel free to contact me at any time.

Sincerely,

Chuck Wright, Forester  
Virginia Department of Forestry  
P.O. Box 218  
Louisa, VA 23093  
804-912-0248  
[Chuck.wright@dof.virginia.gov](mailto:Chuck.wright@dof.virginia.gov)

**Steven Tugwell**

---

**From:** Wood, Mark, P.E., L.S (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Friday, May 22, 2015 8:38 AM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** RE: May 14, 2015 TRC VDOT comments

**Importance:** High

Steve,

I will respond to the Nick Smith SUP now and try to officially respond to the others this afternoon:

**SUP 15:03 – Anthony N. Smith (Tax Map 22, Section 4, Parcel A and Tax Map 22, Section 4, Parcel C), Fluvanna County (Rte. 601, Venable Road Road)**

VDOT made a site visit to 5171 Venable Road in Kents Store and reviewed the two (2) adjoining parcels proposed for the proposed concert event and recommend the following:

- Coordinate the event with the Fluvanna County Sherriff's Office (LCSO) and provide traffic control on state roads as recommended by FCSO
- Provide personnel at entry/exit points during peak arrival/departure times to reduce potential backups and delays on state roads and to ensure that internal circulation on the site is operating efficiently
- Coordinate the event with Fire & Rescue
- Coordinate event with local media
- Provide directional signage for entry/exit of site and for parking area
- All entry/exit off Rte. 601 through either existing hard surface entrances or temporary hard surface entrances (VDOT Land Use Permit required for a new entrance or a temporary entrance).

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)

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Thursday, May 21, 2015 6:06 PM  
**To:** Wood, Mark, P.E., L.S (VDOT)  
**Subject:** May 14, 2015 TRC VDOT comments  
**Importance:** High

**Steven Tugwell**

---

**From:** Aldridge, Paula (VDH) <Paula.Aldridge@vdh.virginia.gov>  
**Sent:** Thursday, April 30, 2015 10:00 AM  
**To:** Steven Tugwell; Miller, Charles (VDH)  
**Subject:** FW: port-a-pots

Some other points to consider.

---

**From:** Rice, Gary (VDH)  
**Sent:** Thursday, April 30, 2015 9:51 AM  
**To:** Aldridge, Paula (VDH)  
**Subject:** RE: port-a-pots

No less than 1 port-a-john for every 100 persons. There should also be one handicap accessible unit and a hand wash unit. (Generally we like to see 1 port-a-john for every 75 persons.)

Is he going to file the proper applications as an event coordinator? Will there be any camping? What kind of water supply will he plan on using? Trash disposal / waste containers?

Just a few issues he will need to address.

*Gary*

---

**From:** Aldridge, Paula (VDH)  
**Sent:** Thursday, April 30, 2015 9:45 AM  
**To:** Rice, Gary (VDH)  
**Subject:** port-a-pots

Gary, how many portable toilets required per number of people?

Nick Smith is planning a concert at his home, possibly a 1000 people. There will also be food vendors. This concert is planned for 6/6/15.

Thanks,  
Paula





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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 15:02  
**Tax Map:** Tax Map 8, Section A, Parcel A14A

**From:** Steve Tugwell  
**District:** Palmyra  
**Date:** May 27, 2015

**General Information:** This request is to be heard by the Planning Commission on Wednesday, May 27, 2015 at 7:00 pm in the Circuit Court Room in the Courts Building.

**Owner/Applicant:** Steven L. Peters

**Representative:** Shimp Engineering, P.C. – Justin M. Shimp, P.E.

**Requested Action:** To amend the Fluvanna County Zoning Map with respect to approximately 21.5 acres of Tax Map 8, Section A, Parcel A14A, to rezone the same from A-1, Agricultural, General, to B-1 Business, General. (Attachment A)

**Location:** The affected property is located on the north west corner of the intersection of Thomas Jefferson Parkway (Route 53), and Lake Monticello Road. The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area. (Attachment B)

**Existing Zoning:** A-1, Agricultural, General (Attachment C)

**Proposed Zoning:** B-1, Business, General

**Existing Land Use:** Vacant land

**Planning Area:** Rivanna Community Planning Area

**Adjacent Land Use:** Adjacent properties are zoned A-1, Agricultural, General

**Zoning History:** None

**Neighborhood Meeting:**

Excluding staff and the applicant, there were no other attendees at the April 15, 2015 neighborhood meeting.

**Technical Review Committee:**

The following comments were generated from the April 16, 2015 Technical Review Committee meeting:

1. VDOT stated that they have been working on a turn lane improvement project at this location, however, progress recently slowed due to Right of Way acquisition which will include land on the southwest side of Rte. 53 that is in a Virginia Outdoor Foundation Easement. The developer proposes a roundabout at this location which would be an ideal long term fix at this location. Rte. 53 and Rte. 618 are both Major Collectors. Based on VDOT's 2014 Traffic Data, Rte. 53 carries 6900 AADT and while Rte. 618 carries 3,000 AADT. Given the existing traffic volumes and the proposed commercial growth in this area, this intersection is a good candidate for a roundabout. The Right of Way dedication proposed by the developer would allow for much of the roundabout to be constructed outside of the existing Rte. 53 and Rte. 618 travel lanes which would reduce both construction time and cost.
2. This site is within Dominion Power's jurisdiction. Comments from Dominion are forthcoming.
3. The erosion and sediment control inspector asked what the plan is for stormwater management, and that an E&S plan will be required;
4. Planning staff inquired whether or not to expect proffers with this request, and that a site development plan is required for any future improvements;
5. The Fire Chief inquired about who the water service provider will be, and what size line will be used, and the desire to have fire hydrants at this location;
6. Aqua Virginia stated that water and sewer service is available to this site;
7. Health Dept. stated they have no comments.  
(Attachment D)

**Statement of Intent:**

This district is composed of certain low to medium density concentrations of residential uses, together with certain complementary public, semi-public, institutional, commercial and recreational uses, all of which are intended to be at a scale appropriate to support the residential needs of the district. It is intended that this district be applied to the existing community of Lake Monticello and Community Planning Areas as defined by the

Comprehensive Plan. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life and to permit certain related public, semi-public, institutional and recreational uses and certain commercial uses of a character compatible with such residential uses and which are unlikely to develop general concentrations of traffic, crowds of customers, and general outdoor advertising. To these ends, retail activity is sharply limited and this district is protected against encroachment of general commercial or industrial uses.

**Analysis:**

The applicant is requesting to rezone 21.5 acres of a 61.95 acre parcel (Tax Map 8, Section A, Parcel A14A) from A-1, Agricultural, General, to B-1, Business, General. The subject parcel is located on the northwest corner of the intersection of Thomas Jefferson Parkway (Route 53), and Lake Monticello Road. The applicant has stated that this development would be a mixture of retail and service-oriented spaces, which may include restaurants.

According to the Northwest Fluvanna/Southwest Louisa Multimodal Corridor Study Report (6-30-2007), *“roundabouts should be considered as alternatives to signalized or stop-controlled intersections. In many cases, roundabouts can offer improved safety and capacity, and offer an opportunity for landscape enhancements. Roundabouts make excellent gateway treatments, as they require all entering vehicles to reduce their speed”*.

Through coordination with VDOT, the applicant has conceptualized a roundabout design at the intersection of Routes 53 and 618, which would serve as the main commercial entrance to the proposed development. The roundabout drawing provided with this application is conceptual, and provides for right-of-way land in which to construct a new intersection, which may take the form of a roundabout. The applicant has stated they are preparing an analysis of the impacts to the existing intersections if the roundabout were not to be built, however, further information is pending from VDOT and the applicant with regards to an alternate intersection and/or commercial entrance into the proposed development.

(Attachment E)

**Land Use Chapter:**

The Comprehensive Plan designates these properties as within the Rivanna Community Planning Area. According to this chapter, *“additional services and infrastructure are needed to accommodate more growth”*. Additionally, *“medium and small commercial businesses, along with office, civic, and residential uses, combine to form a series of neotraditional developments that are interconnected with surrounding development”*. This is a heavily populated area of the county, with a variety of retail establishments designed to support the existing residential community.

Further, “*surrounding growth should be a mixture of uses and residential dwelling types that serve a variety of incomes. Neighborhood mixed-use is needed to help offset the volume of single-family residential development already in this community. Additional services and infrastructure are needed to accommodate more growth.*”

The proposed rezoning proposes a mixture of both residential and commercial, in a compact, neo-traditional like environment.

**Economic Development:**

The 2009 Comprehensive Plan states that Goal 2 under the Course of Action Section is “*to implement the county’s community planning areas, as shown on the Future Land Use Map*”. The Rivanna Community Planning Area is the most developed planning area in the county, and represents a good mixture of residential and commercial uses to sustain the citizenry. A variety of retail, food service, and professional service oriented businesses are located in and around the Rivanna CPA.

**Conclusion:**

This rezoning request appears to meet the intent of the Comprehensive Plan in the proposed rezoning may contribute to “*medium and small commercial businesses, along with office, civic, and residential uses, combine to form a series of neo-traditional developments that are interconnected with surrounding development*”. Additionally, the applicant has provided a proffer statement excluding single-family detached, single-family attached, and townhouse dwellings.

In addition to conformance with the Comprehensive Plan, the Planning Commission may want to consider any potential adverse impacts, such as traffic entering and exiting the property, noise, or potential impacts to adjacent properties.

**Suggested Motion:**

I move that the Planning Commission recommend approval/denial of the attached ordinance for ZMP 15:02, a request to amend the Fluvanna County Zoning Map with respect to approximately 21.5 acres of Tax Map 8, Section A, Parcel A14A, to rezone the same from A-1, Agricultural, General, to B-1, Business, General.

**Attachments:**

- A – Application and APO letter
- B – Aerial Vicinity Map
- C – Existing zoning map
- D – TRC comment letter and emails
- E – Applicant’s site rendering
- F – Proposed ordinance

Copy: File



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
 Application for Rezoning

Received  
 APR - 1 2015  
 Fluvanna County

Owner of Record: Steven L. Peters Applicant of Record: Same as Owner of Record

E911 Address: 2390 Auburn Hill Farm Charlottesville VA 22902 E911 Address: \_\_\_\_\_

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

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

Representative: Shimp Engineering, PC - Justin Shimp, PE

E911 Address: 201 E. Main St. Suite M Charlottesville VA 22902

Phone: (434) 227-5140 Fax: \_\_\_\_\_

Email: Justin@Shimp-Engineering.com

**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.**

Is property in Agricultural Forestal District?  No  Yes

If Yes, what district: \_\_\_\_\_

Tax Map and Parcel(s): Portion of T.M. 8-((A))-A14A Deed Book Reference: 799-429,346-522,312-863,307-353

Acreeage: 21.5 Zoning: A-1 Deed Restrictions?  No  Yes (Attach copy)

Location of Parcel: Northwest corner of intersection of Thomas Jefferson Pkwy (U.S. 53) and Lake Monticello Road (S.R. 618)

Requested Zoning: B-1 Business Proposed use of Property: New intersection (round-a-bout) and 20.7 acre commercial center

**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 are 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 and knowledge are true and correct and that 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: 31 March 2015 Signature of Owner/Applicant: \_\_\_\_\_

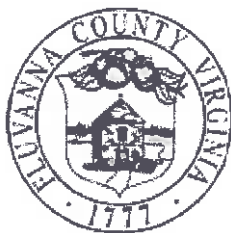
Subscribed and sworn to before me this 31<sup>st</sup> day of March, 2015 Register # 101337

My commission expires: July 31, 2016 Notary Public: Gemma Lynn Casaday

JEMME LYNN CASADAY  
 NOTARY PUBLIC  
 COMMONWEALTH OF VIRGINIA  
 MY COMMISSION EXPIRES 07-31-2016

**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>04/01/15</u>	Pre-Application Meeting:	PH Sign Deposit Received: <input checked="" type="checkbox"/>	Application #: <u>ZMP 15 : 026</u>
\$1,000 plus \$50 for per acre plus mailing costs fee paid: <b>Mailing Costs: \$20.00</b> Adjacent Property Owner(APO) after 1st 15, Certified			
Proffer or Master Plan Amendment: \$750.00 plus mailing costs			
Election District: <u>Palmyra</u>	Planning Area: <u>Rivanna CPA</u>		
Public Hearings			
Planning Commission		Board of Supervisors	
Advertisement Dates: <u>(5/14 &amp; 5/21) (5/14)</u>	Advertisement Dates: <u>6/14 &amp; 6/11 (5/25)</u>		
APO Notification: <u>(5/11)</u>	APO Notification: <u>6/1</u>		
Date of Hearing: <u>5/27/2015</u>	Date of Hearing: <u>6/17</u>		
Decision:	Decision:		



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
 Public Hearing Sign Deposit

Received  
 APR - 1 2015  
 Fluvanna County

Name: Steven L. Peters

Address: 2390 Auburn Hill Farm

City: Charlottesville

State: Virginia Zip Code: 22902

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

[Signature]  
 Applicant Signature

APR 31, 2015  
 Date

\*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY

Application #: BZA : CPA : SUP : ZMP 15 : 002 ZTA :           

\$90 deposit paid per sign\*: ✓ paid

Approximate date to be returned: 06/18/2015

# Memorandum

DATE: May 11, 2015  
RE: Planning Commission APO Letter  
TO: Jason Stewart  
FROM: Deidre Creasy

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the May 27, 2015 Planning Commission Meeting.




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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.fluvannacounty.org

### NOTICE OF PUBLIC HEARING

May 11, 2015

«Owner»

«Address»

«City\_State» «Zip\_Code»

TMP# «TMP»

#### Re: Public Hearing on ZMP 15:02

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, May 27, 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 15:02 – Steven L. Peters** - *An ordinance to amend the Fluvanna County Zoning Map with respect to 21.5 acres of Tax Map 8, Section A, Parcel A14A to rezone the same from A-1, Agricultural, General to B-1, Business, General. The affected property is located on the northwest corner of the intersection of Thomas Jefferson Parkway (Route 53), and Lake Monticello Road. The property is located in the Palmyra Election District and is within the Rivanna 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 15:02 Steven L. Peters					
TMP		Name	Address	City, State	ZIP
8	A	4A	WAYNE H HARLOW	8364 THOMAS JEFFERSON PKWY	Charlottesville, Va 22902
8	A	13	BETTY JEAN JARRELL	8268 THOMAS JEFFERSON PKWY	Charlottesville, Va 22902
8	A	5A	Roy & Crystal Shifflett ETAL	8268 THOMAS JEFFERSON PKWY	Charlottesville, Va 22902
8	A	15	Roy & Crystal Shifflett ETAL	8268 THOMAS JEFFERSON PKWY	Charlottesville, Va 22902
8	9	5	George&Joann Bland	571 Belle Paradis Ln	Palmyra, Va 22963
8	A	22B	Lake Monticello O.A.	41 Ashlawn Blvd	Palmyra, Va 22963
8	A	A14A	STEVEN L & CODIE C PETERS	2390 Auburn Hill Farm	Charlottesville, Va 22902

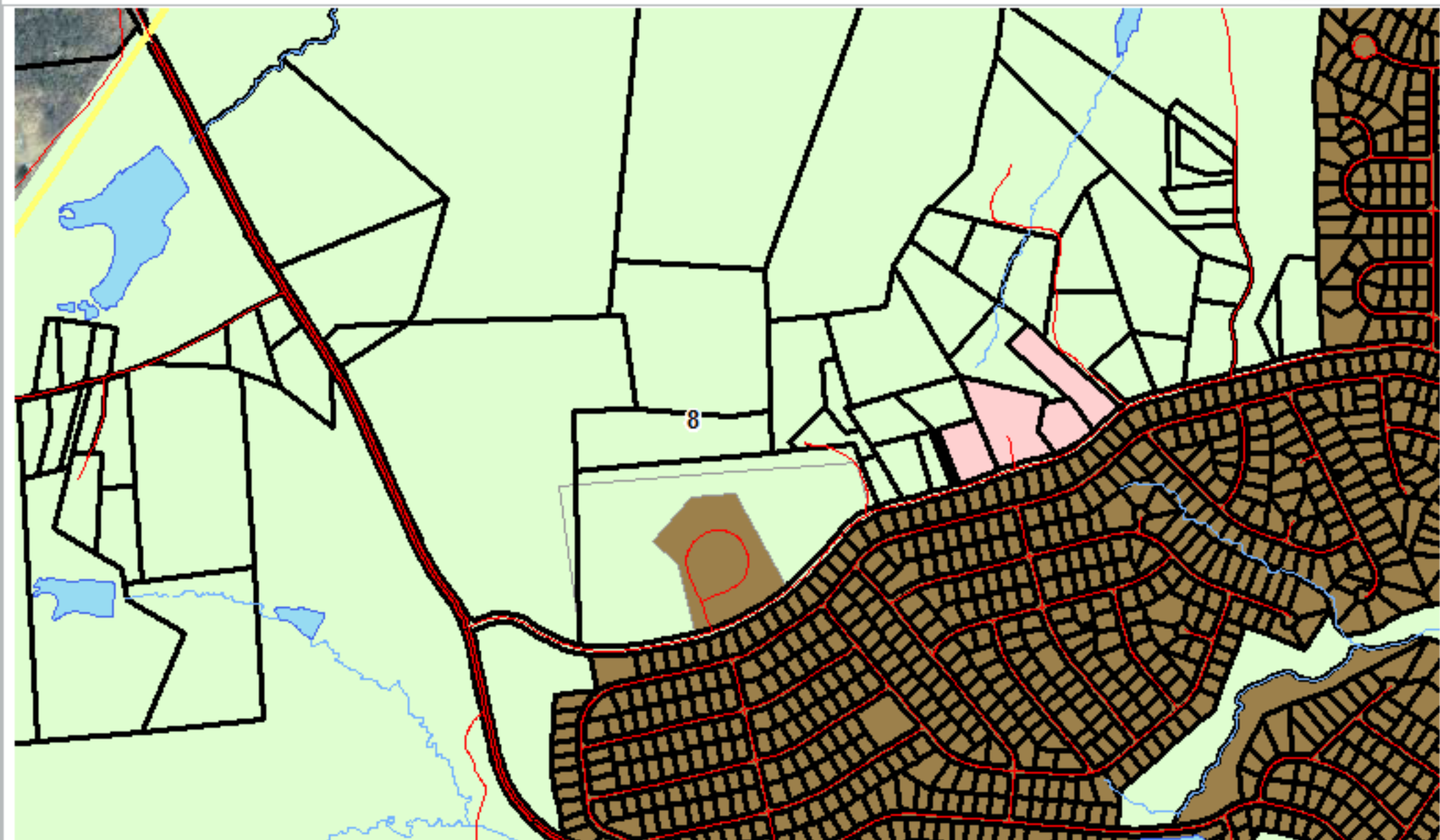


Scale: 1:18055.954822

Date: 05/22/2015

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).



Scale: 1:18055.954822

Date: 05/22/2015

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).



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## COUNTY OF FLUVANNA

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May 4, 2015

Steven L. Peters  
2390 Auburn Hill Farm  
Charlottesville, VA 22902

Delivered via mail

**Re: ZMP 15:02 Steven L. Peters Rezoning Request from A-1 to B-1**  
**Tax Map: 8, Section A, Parcel A14A**

Dear Mr. Peters:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, April 16, 2015.


1. VDOT stated that they have been working on a turn lane improvement project at this location, however, progress recently slowed due to Right of Way acquisition which will include land on the southwest side of Rte. 53 that is in a Virginia Outdoor Foundation Easement. The developer proposes a roundabout at this location which would be an ideal long term fix at this location. Rte. 53 and Rte. 618 are both Major Collectors. Based on VDOT's 2014 Traffic Data, Rte. 53 carries 6900 AADT and while Rte. 618 carries 3,000 AADT. Given the existing traffic volumes and the proposed commercial growth in this area, this intersection is a good candidate for a roundabout. The Right of Way dedication proposed by the developer would allow for much of the roundabout to be constructed outside of the existing Rte. 53 and Rte. 618 travel lanes which would reduce both construction time and cost.
2. This site is within Dominion Power's jurisdiction. Comments from Dominion are forthcoming.
3. The erosion and sediment control inspector asked what the plan is for stormwater management, and that an E&S plan will be required;
4. Planning staff inquired whether or not to expect proffers with this request, and that a site development plan is required for any future improvements;
5. The Fire Chief inquired about who the water service provider will be, and what size line will be used, and the desire to have fire hydrants at this location;

6. Health Dept. stated they have no comments.

The Planning Commission will have a meeting to discuss this item at their Wednesday, May 27, 2015 meeting. Your attendance is required at this meeting.

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: Justin Shimp, P.E. – via email - [justin@shimp-engineering.com](mailto:justin@shimp-engineering.com)  
File

**Steven Tugwell**

---

**From:** Wood, Mark, P.E., L.S (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Wednesday, April 29, 2015 5:30 PM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** VDOT's April 16, 2015 Fluvanna County TRC Comments

**Importance:** High

Steve,

**SDP 15:05 – Wary Brothers Inc. (Tax Map 5, Section 7, Parcel 9B), Fluvanna County (Better Living Drive)**

VDOT has made a site visit and reviewed the existing gravel Low Volume Entrance that serves the Zion Crossroads Self Storage. The existing gravel entrance is adequate to support the proposed 9,500 sq. ft. climate controlled storage building. Paving the first 25 ft. of the existing gravel entrance would be a nice improvement and is suggested, however, it is not a requirement.

**SDP 15:06 – LMOA – New Golf Clubhouse (Tax Map 18A, Section 4, Parcel 224A), Fluvanna County (Bunker Boulevard – private road)**

VDOT reviewed the site plan for the proposed Clubhouse, Cart Barn and expanded parking lot in Lake Monticello and the proposed project will not negatively impact VDOT's road system.

**SUP 15:02 – Flick Investments Group, LLC (Tax Map 59, Section A, Parcel 8), Fluvanna County (Rte. 695, Creasy Town Road)**

VDOT had previously visited this site and reviewed a proposed entrance location off Rte. 695 to access the existing storage building. The proposed entrance is located over 500 ft. off Rte. 15 and will provide for "stacking" of vehicles while customers make a right turn into the site. A commercial entrance permit will be required, entrance radii will be based on the size of delivery trucks coming into the site.

VDOT understands that the Applicant has an agreement with the adjacent church for overflow parking, the church has access off both Rte. 15 and Rte. 695. VDOT further understands that trucks will deliver estate type items to the storage building approximately two times per week, "Live Auctions" will be held on Thursdays 6:00 p.m. to approximately 11:00 – 12:00 a.m. and on Saturdays. Online auctions will be conducted from the building as well.

**ZMP 15:02 – Steven L. Peters (Tax Map 8, Section A, Parcel A14A), Fluvanna County (Rte. 53, Thomas Jefferson Parkway/Rte. 618, Lake Monticello Road).**

VDOT has been working on a turn lane improvement project at this location, however, progress recently slowed due to Right of Way acquisition which will include land on the southwest side of Rte. 53 that is in a Virginia Outdoor Foundation Easement. The developer proposes a roundabout at this location which would be an ideal long term fix at this location. Rte. 53 and Rte. 618 are both Major Collectors. Based on VDOT's 2014 Traffic Data, Rte. 53 carries 6900 AADT and while Rte. 618 carries 3,000 AADT. Given the existing traffic volumes and the proposed commercial growth in this area, this intersection is a good candidate for a roundabout. The Right of Way dedication proposed by the developer would allow for much of the roundabout to be constructed outside of the existing Rte. 53 and Rte. 618 travel lanes which would reduce both construction time and cost.

The proposed concept plan for a roundabout at the intersection of Rte. 53/618 has been provided to Location & Design staff at the Culpeper District staff for review. VDOT does not currently have funds to construct a roundabout at this location.

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**

---

**From:** Parker IV, Clifton L. <CLParkerIV@aquaamerica.com>  
**Sent:** Monday, May 04, 2015 3:21 PM  
**To:** Steven Tugwell  
**Subject:** RE: Lake Monticello Owner's Association Golf Clubhouse & Cart Barn

Steve-

This parcel is across from the church at 618/53 intersection and looks like a short extension to cross the road could serve it.

It is within our SCC service territory and growth area for the system.

Yes, public water and sewer are available, subject to tariff fees, regulatory approvals, review, etc.

Let me know if you need anything further on this.

These things take a while to proceed to a final design don't they?

Cliff Parker  
 804.310.0398

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Monday, May 04, 2015 3:01 PM  
**To:** Parker IV, Clifton L.  
**Subject:** RE: Lake Monticello Owner's Association Golf Clubhouse & Cart Barn

Cliff- sorry I meant to copy you on this rezoning item earlier also.

This parcel is located at the corner of 618 and 53 and is a request to rezone from A-1 to B-1. May be more of a comment period during future site development planning, but I guess for now Aqua could say whether or not public water and sewer is available to this site.

Thanks!  
 Steve

---

**From:** Parker IV, Clifton L. [<mailto:CLParkerIV@aquaamerica.com>]  
**Sent:** Monday, May 04, 2015 12:24 PM  
**To:** Steven Tugwell  
**Cc:** Becker, Shannon V.; Natarajan, Ram; Hutchinson, Brent A.; 'Catherine Neelley'; Barbato, James C.  
**Subject:** FW: Lake Monticello Owner's Association Golf Clubhouse & Cart Barn

Steve – I have not been contacted by LMOA about the new club house or golf cart barn expansion project yet that I am aware of unless the contact was local.

We have no objection to their plans and look forward to working with them and you on this review.

Let me know if you have any other information about flow requirements for water and sewer for the new buildings.

What is your time frame for comments for your report?

Thanks.

Cliff Parker  
 804.310.0398



**Steven Tugwell**

---

**From:** Steve Olson <solson@MyCVEC.com>  
**Sent:** Monday, May 04, 2015 10:55 AM  
**To:** Steven Tugwell  
**Subject:** RE: April 16, 2015 TRC meeting comments

Steve,

No comments on the Wray Bothers Inc. Project. Power is already on site. Contact Engineering when ready if a new service is needed.

LMOA Clubhouse will need to contact CVEC get a work order to remove the overhead line where the new building is to be located. May want to consider leaving the old pole in place that is serving the existing facilities if possible. This could save on some costs but this depends on the routing of the existing secondary conductors that run to the old clubhouse. The new service for the new facilities whether single phase or three phase could be buried but there would be cost. Once the project is approved contact CVEC to create a new work order for the new service. At that time you can schedule an onsite meeting to discuss all available options.

Flick Investments Group, LLC. This project is in Dominion's Service Territory.

Steven L. Peters. This project is in Dominion's Service Territory.

Thanks,

Steven C. Olson  
Field Engineering Supervisor  
Reliability & System Engineering  
P. O. Box 247  
Lovingson, VA 22949  
800.367.2832, Ext. 1450  
Direct: 434.263.7631  
[www.mycvec.com](http://www.mycvec.com)

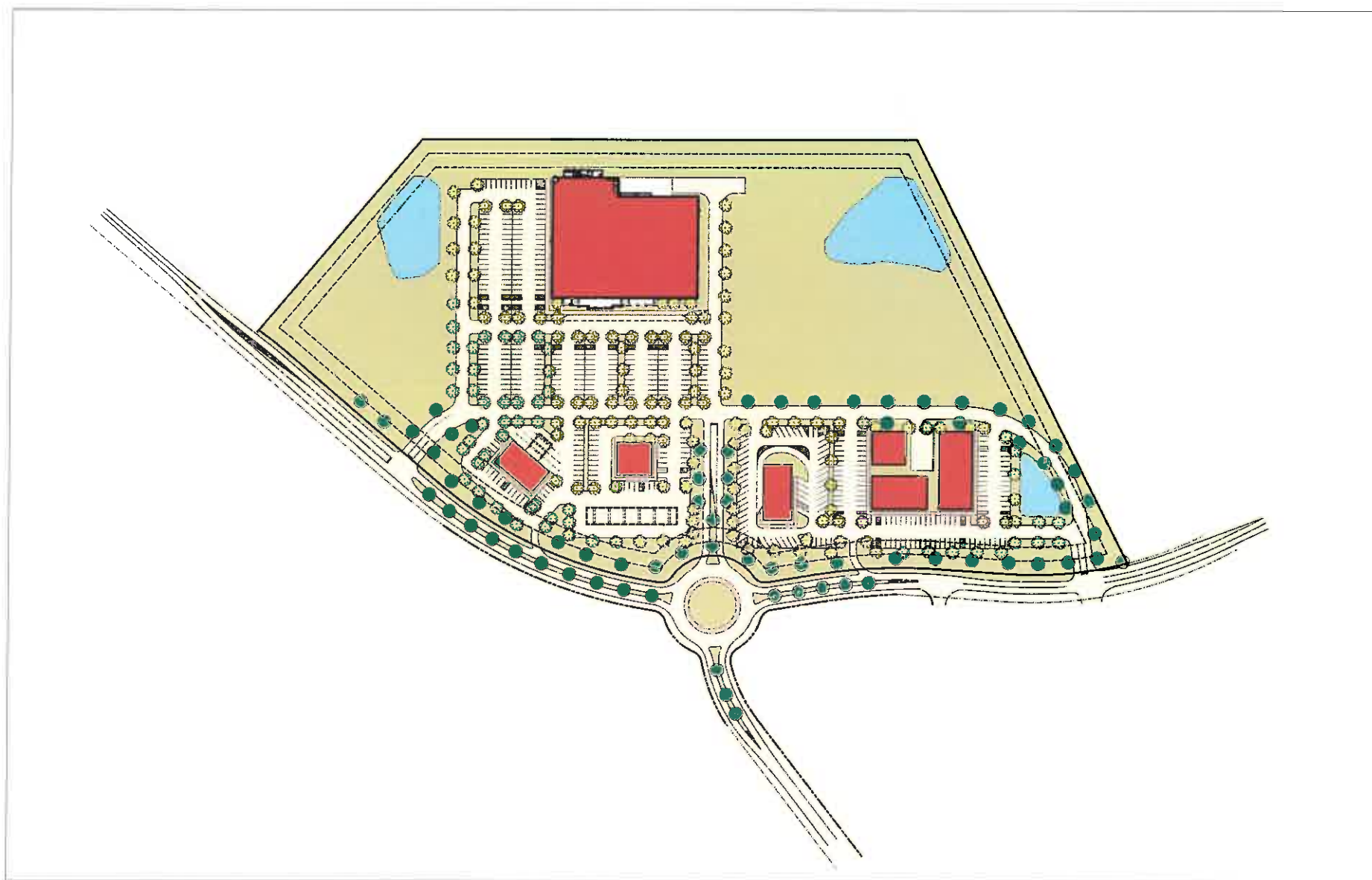


**Central Virginia Electric Cooperative**  
**HONEST · FAIR · RESPONSIBLE**

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Monday, May 04, 2015 10:34 AM  
**To:** Mike Brent; Steve Olson; Miller, Charles (VDH)  
**Cc:** Roger Black  
**Subject:** April 16, 2015 TRC meeting comments

# ZMP APPLICATION PLAN FOR Colonial Circle



CONCEPTUAL DEVELOPMENT PLAN: THE SITE LAYOUT RENDERED ABOVE IS NOT PROFFERED WITH THIS ZMP APPLICATION

**Received**  
APR - 1 2015  
Fluvanna County

## **APPLICATION TO REZONE 21.5 ACRES FROM AGRICULTURAL TO GENERAL BUSINESS**

TAX MAP 8-((A)) PARCEL A14 (PORTION)  
CUNNINGHAM MAGISTERIAL DISTRICT  
FLUVANNA COUNTY, VIRGINIA  
APPLICATION DATE: April 1, 2015



201 EAST MAIN STREET, SUITE M  
CHARLOTTESVILLE, VA 22902  
(434) 227-5140

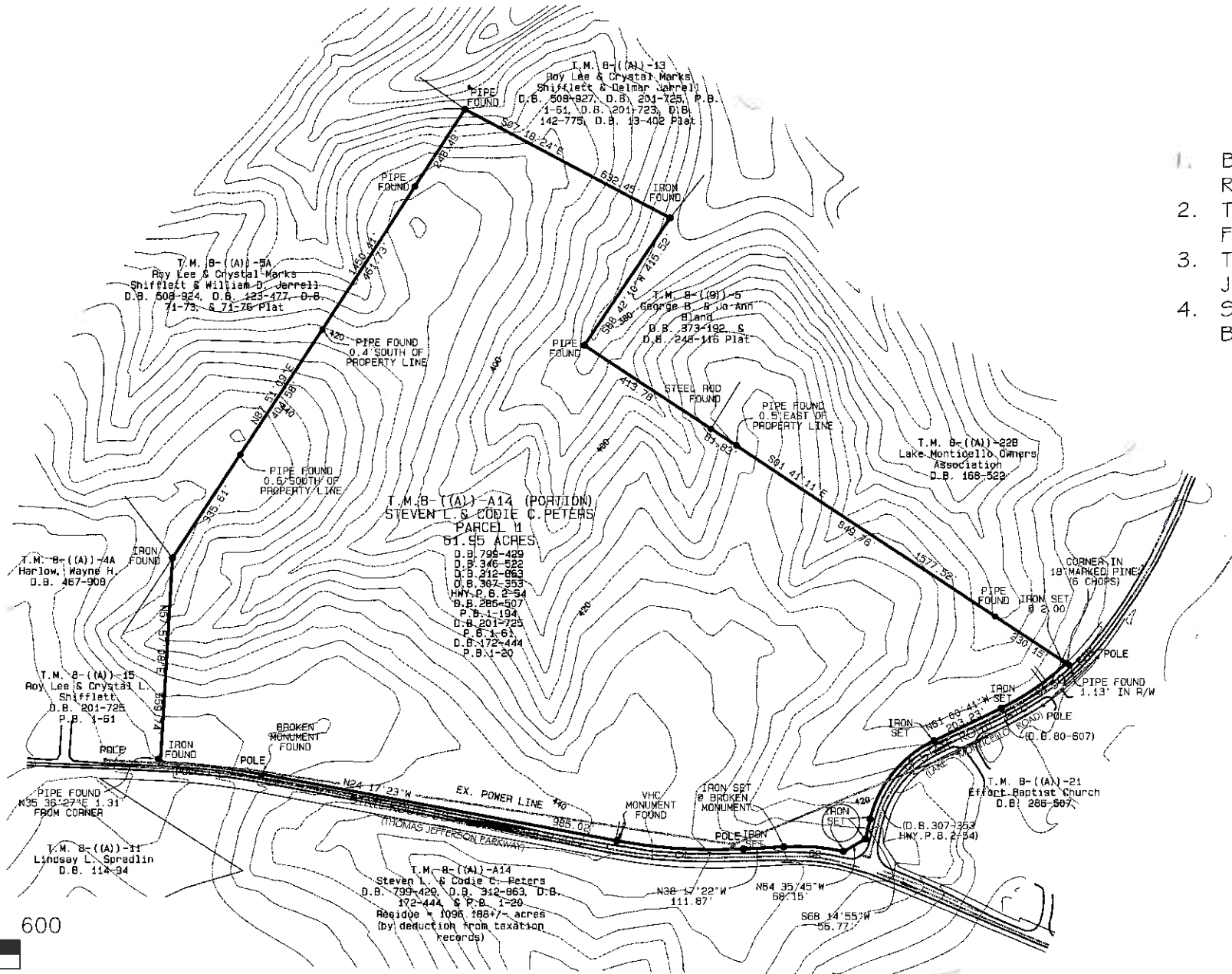
## **SHEET INDEX**

- C1 COVER SHEET
- C2 EXISTING CONDITIONS
- C3 REGIONAL CONTEXT PLAN
- C4 GENERAL BUSINESS (B-1) ZONING GUIDELINES
- C5 GENERAL IMPROVEMENT PLAN
- C6 ZONING WITH EXISTING ROAD INTERSECTION

# ZMP APPLICATION PLAN FOR Colonial Circle

ADJOINING PARCEL INFORMATION				
TAX MAP	PARCEL	OWNER	ZONING	LAND USE
8-((A))	15	Shifflett, Roy Lee & Crystal L.	A-1	Residential
8-((A))	4A	Harlow, Wayne H.	A-1	Residential
8-((A))	5A	Shifflett, Roy & Crystal Et Al	A-1	Agricultural
8-((A))	23	Marks, Edward	A-1	Agricultural
8-((A))	13	Jarrell, Betty Jean	A-1	Agricultural
8-(9)	5	Bland, George B. & Jo Ann	A-1	Residential
8-((A))	22B	Lake Monticello Owners Association	R-4	Campground
8-((A))	21	Effort Baptist Church	A-1	Church
8-((A))	A14	Peters, Steven L. & Codie C.	A-1	Agricultural (Easement)
8-((A))	11	Spradlin, Lindsay L. & Wife	A-1	Residential

LINE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	18 04' 45"	685.28	216.23	109.02	215.34	N70 03' 04" W
C2	50 44' 24"	319.65	283.07	151.57	273.91	N86 22' 53" W
C3	15 44' 03"	598.00	164.22	82.63	163.70	N30 25' 21" W
C4	13 59' 59"	1407.50	343.91	172.82	343.06	N31 17' 23" W
C5	8 14' 28"	1934.86	278.30	139.39	278.06	N28 18' 45" W



## EXISTING CONDITIONS NOTES:

1. BOUNDARY SURVEY INFORMATION PROVIDED BY ROGER W. RAY & ASSOCIATES, CHARLOTTESVILLE VA.
2. TOPOGRAPHY (4 FT INTERVALS) PROVIDED BY FLUVANNA COUNTY GIS MAPPING.
3. THIS PROPERTY LIES WITHIN THE WATER AND SEWER JURISDICTIONAL AREA FOR AQUA VIRGINIA, INC.
4. STEEP SLOPES, STREAMS, AND WETLANDS HAVE NOT BEEN IDENTIFIED ON THIS SITE.



200 0 200 400 600

Graphic Scale: 1"=200'

## APPLICATION TO REZONE 21.5 ACRES FROM AGRICULTURAL TO GENERAL BUSINESS

TAX MAP 8-((A)) PARCEL A14 (PORTION)  
CUNNINGHAM MAGISTERIAL DISTRICT  
FLUVANNA COUNTY, VIRGINIA  
APPLICATION DATE: April 1, 2015



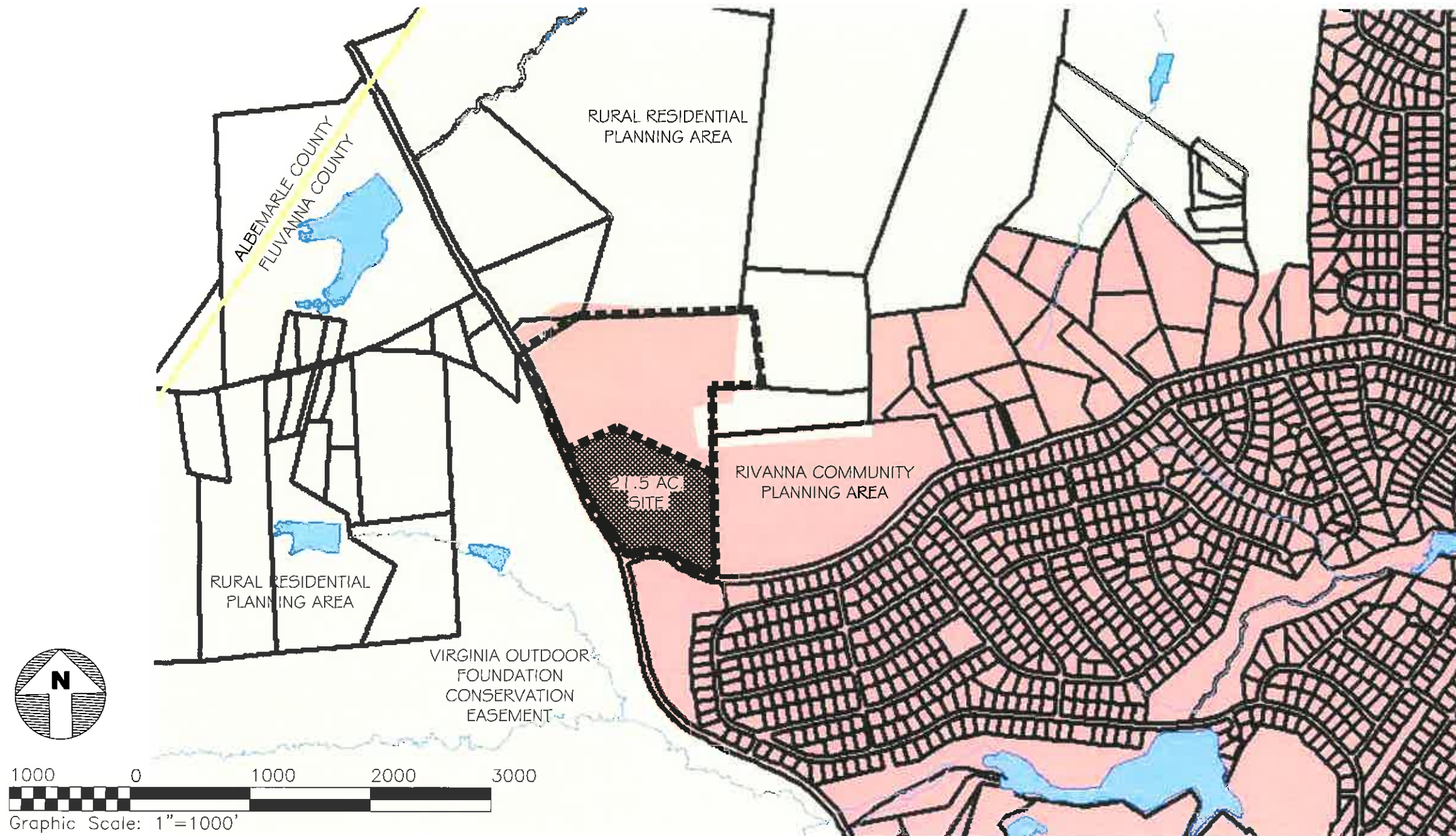
201 EAST MAIN STREET, SUITE M  
CHARLOTTESVILLE, VA 22902  
(434) 227-5140

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C6	ZONING WITH EXISTING ROAD INTERSECTION

SHEET C2 OF 6

# ZMP APPLICATION PLAN FOR Colonial Circle



## REGIONAL CONTEXT NOTES:

1. This site lies within the Rivanna Community Planning Area, the Cunningham Magisterial District, and the Palmyra Voting District.
2. "Roundabouts should be considered as alternatives to signalized or stop-controlled intersections. In many cases, roundabouts can offer improved safety and capacity, and offer an opportunity for landscape enhancements. Roundabouts make excellent gateway treatments, as they require all entering vehicles to reduce their speed." (from *Northwest Fluvanna/Southwest Louisa Multimodal Corridor Study Report (06-30-07)*)
3. "Intersections located at the entrance to a target area may be treated as gateways and represent a good opportunity to create a transition from the rural to urban context. Intersection gateway treatments may include more elaborate signal mast arms with signage, pavement treatments and/or landscaping." (from *Northwest Fluvanna/Southwest Louisa Multimodal Corridor Study Report (06-30-07)*)
4. "Consider roundabouts at key intersections, particularly where traffic enters and exits commercial areas or the main gate, and for entrances to new developments." (from *Fluvanna County Comprehensive Plan: Transportation Plan - Rivanna Community Planning Area*)

## APPLICATION TO REZONE 21.5 ACRES FROM AGRICULTURAL TO GENERAL BUSINESS

TAX MAP 8-((A)) PARCEL A14 (PORTION)  
CUNNINGHAM MAGISTERIAL DISTRICT  
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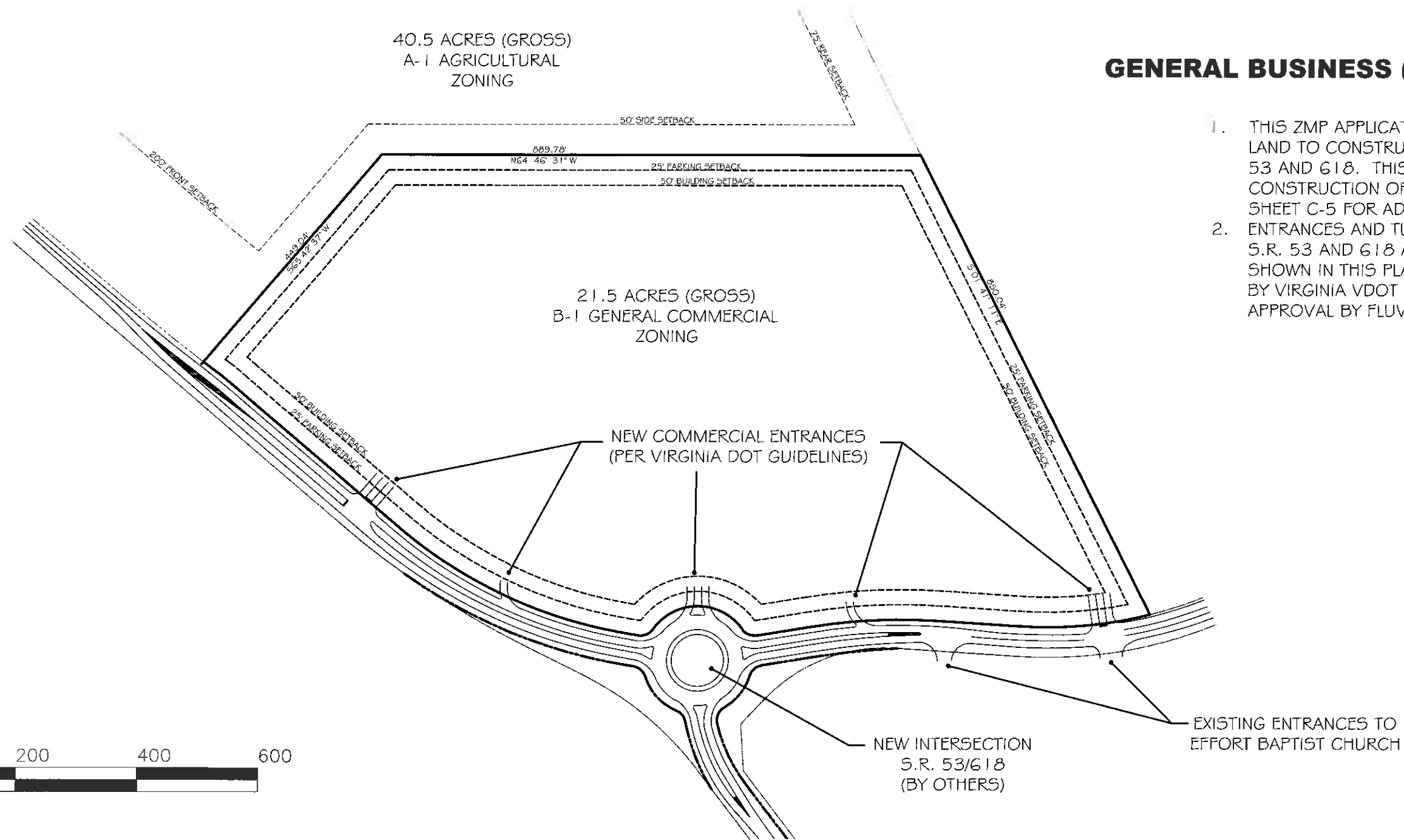


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# ZMP APPLICATION PLAN FOR Colonial Circle



## GENERAL BUSINESS (B-1) ZONING NOTES:

1. THIS ZMP APPLICATION PROVIDES RIGHT-OF-WAY LAND TO CONSTRUCT A NEW INTERSECTION AT S.R. 53 AND 618. THIS APPLICATION DOES NOT PROVIDE CONSTRUCTION OF A NEW INTERSECTION. SEE SHEET C-5 FOR ADDITIONAL INFORMATION.
2. ENTRANCES AND TURN LANES INTO THE SITE FROM S.R. 53 AND 618 AS SHOWN ARE CONCEPTUALLY SHOWN IN THIS PLAN AND SHALL REQUIRE APPROVAL BY VIRGINIA VDOT PRIOR TO ANY FINAL SITE PLAN APPROVAL BY FLUVANNA COUNTY.

## APPLICATION TO REZONE 21.5 ACRES FROM AGRICULTURAL TO GENERAL BUSINESS

TAX MAP 8-((A)) PARCEL A14 (PORTION)  
CUNNINGHAM MAGISTERIAL DISTRICT  
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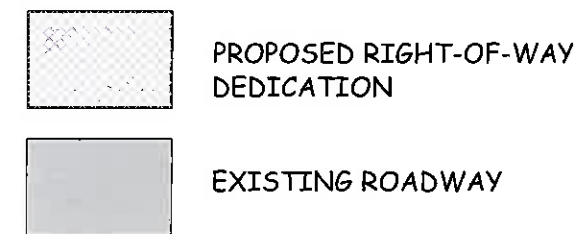


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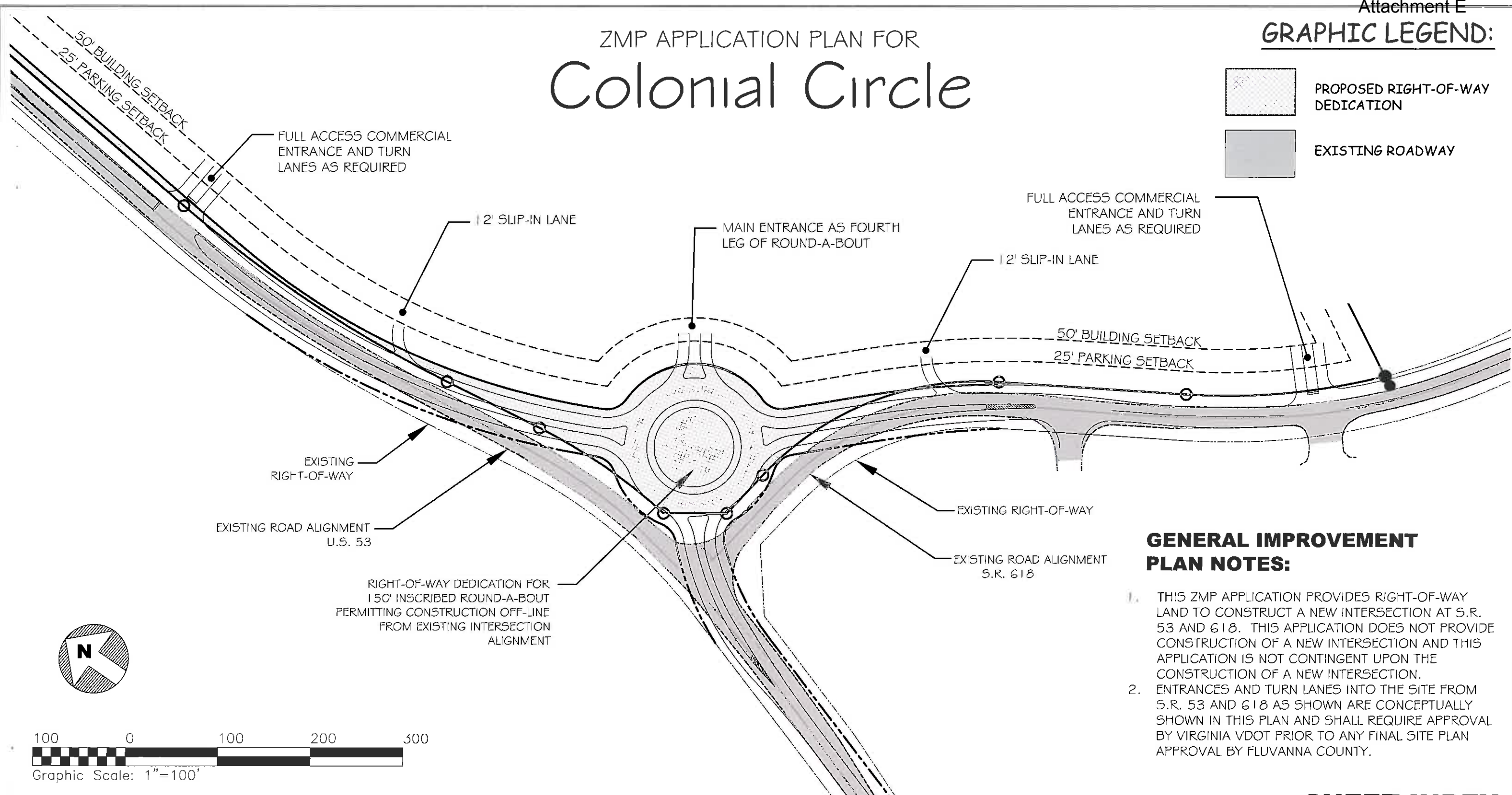
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**GRAPHIC LEGEND:**

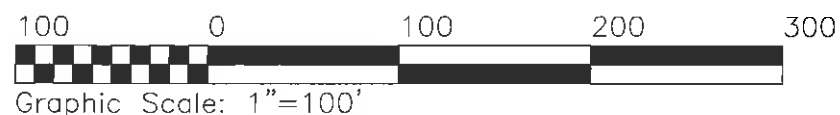
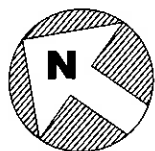


# ZMP APPLICATION PLAN FOR Colonial Circle



**GENERAL IMPROVEMENT PLAN NOTES:**

1. THIS ZMP APPLICATION PROVIDES RIGHT-OF-WAY LAND TO CONSTRUCT A NEW INTERSECTION AT S.R. 53 AND 618. THIS APPLICATION DOES NOT PROVIDE CONSTRUCTION OF A NEW INTERSECTION AND THIS APPLICATION IS NOT CONTINGENT UPON THE CONSTRUCTION OF A NEW INTERSECTION.
2. ENTRANCES AND TURN LANES INTO THE SITE FROM S.R. 53 AND 618 AS SHOWN ARE CONCEPTUALLY SHOWN IN THIS PLAN AND SHALL REQUIRE APPROVAL BY VIRGINIA VDOT PRIOR TO ANY FINAL SITE PLAN APPROVAL BY FLUVANNA COUNTY.



**APPLICATION TO REZONE 21.5 ACRES  
FROM AGRICULTURAL TO GENERAL BUSINESS**

TAX MAP 8-((A)) PARCEL A14 (PORTION)  
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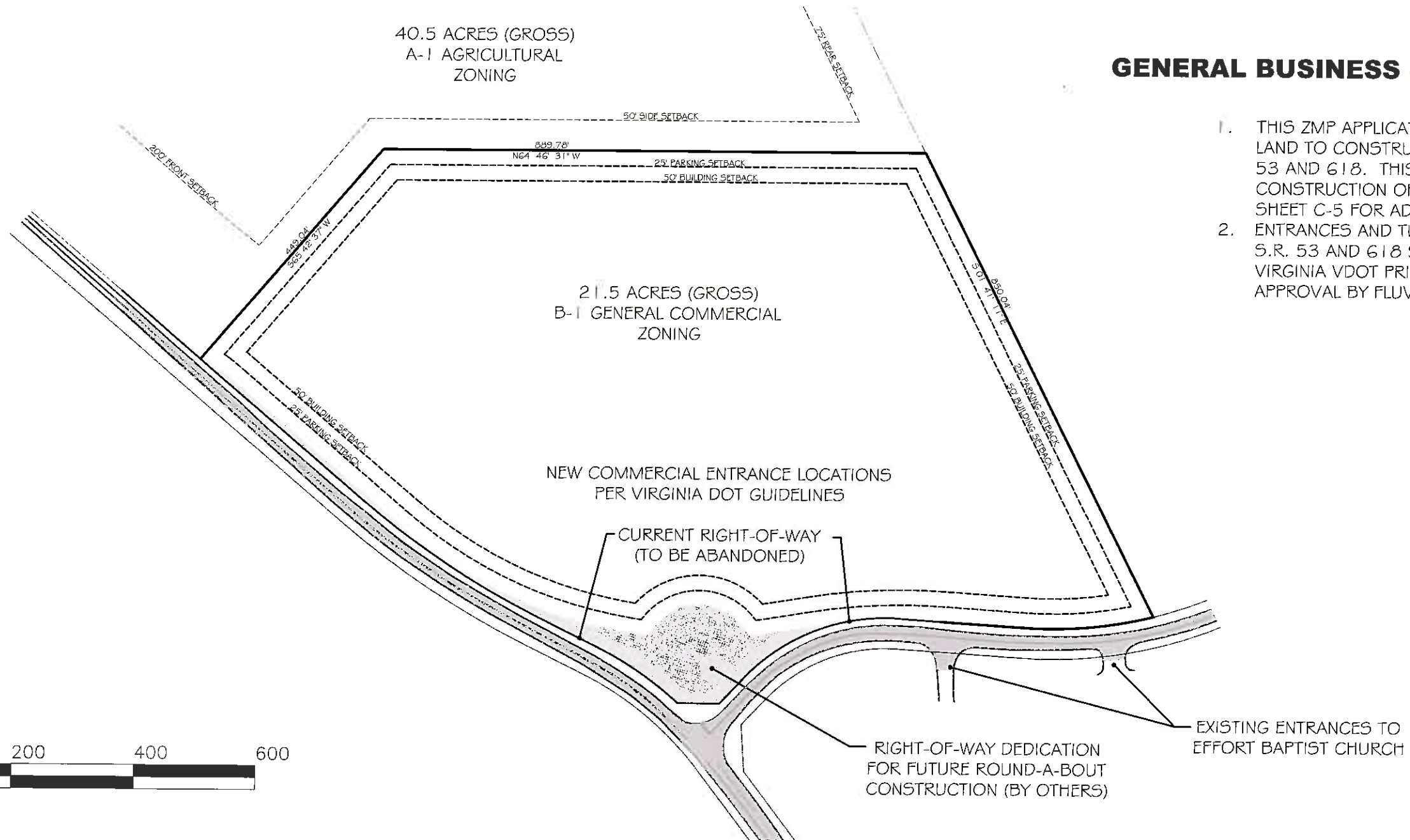


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**SHEET INDEX**

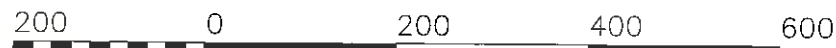
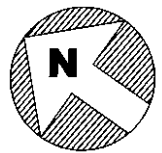
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# ZMP APPLICATION PLAN FOR Colonial Circle



## GENERAL BUSINESS (B-1) ZONING NOTES:

1. THIS ZMP APPLICATION PROVIDES RIGHT-OF-WAY LAND TO CONSTRUCT A NEW INTERSECTION AT S.R. 53 AND 618. THIS APPLICATION DOES NOT PROVIDE CONSTRUCTION OF A NEW INTERSECTION. SEE SHEET C-5 FOR ADDITIONAL INFORMATION.
2. ENTRANCES AND TURN LANES INTO THE SITE FROM S.R. 53 AND 618 SHALL REQUIRE APPROVAL OF VIRGINIA VDOT PRIOR TO ANY FINAL SITE PLAN APPROVAL BY FLUVANNA COUNTY.



Graphic Scale: 1"=200'

## APPLICATION TO REZONE 21.5 ACRES FROM AGRICULTURAL TO GENERAL BUSINESS

TAX MAP 8-((A)) PARCEL A14 (PORTION)  
CUNNINGHAM MAGISTERIAL DISTRICT  
FLUVANNA COUNTY, VIRGINIA  
APPLICATION DATE: April 1, 2015



201 EAST MAIN STREET, SUITE M  
CHARLOTTESVILLE, VA 22902

(434) 227-5140

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SHEET C6 OF 6

**An Ordinance To Amend The Fluvanna County Zoning Map, With Respect To 21.5 acres of Tax Map 8, Section A, Parcel A14A to rezone the same from A-1, Agricultural, General to B-1, Business, General.**

**(ZMP 15:02)**

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 21.5 acres of Tax Map 8, Section A, Parcel A14A, be and is hereby, rezoned from A-1, Agricultural, General to B-1, Business, General.





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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:** ZTA 15:03

**From:** Jay Lindsey  
**Date:** May 27, 2015

*General Information:* This request is to be heard by the Fluvanna Planning Commission on Wednesday, May 27, 2015 at 7:00 pm in the Circuit Courtroom in the Fluvanna County Courts Building.

*Applicant/Representative:* Fluvanna County

**Requested Action:** Amendment of the Fluvanna County Zoning Ordinance Subsection 22-17-8A (Chapter 22, Article 17-8A: Flood Protection), to provide compliance with new federal and state regulations.

The proposed amendment will prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

- A. regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies;
- B. restricting or prohibiting certain uses, activities, and development from locating within districts subject to flooding;
- C. requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and/or flood-proofed against flooding and flood damage; and,
- D. protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards. (Ord. 12-19-07)

The amendment will affect Sec. 22-17-8A of the Fluvanna County Code.

### **Background**

#### Project Timeline

The proposed action has been discussed at the January 28, 2015 and March 25, 2015 Planning Commission meetings.

## **Analysis**

The public purpose for such amendment is to conform the zoning ordinance to federal flood insurance regulations. The proposed amendment also enhances protections for life and property related to areas subject to flooding.

The amendment will affect Sec. 22-17-8A of the Fluvanna County Code.

## **Conclusion**

The proposed amendment to the Fluvanna County Zoning Ordinance would help protect life and property in the county from flooding risks by regulating certain uses, activities and developments from locating near areas subjected to flooding; the amendment would also protect individuals from purchasing land that may be at risk. The public purpose for such amendment is to conform the zoning ordinance to federal and state flood insurance regulations.

## **Suggested Motion**

The Fluvanna County Planning Commission moves to propose an amendment to the Fluvanna County zoning ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 22, ARTICLES 17 AND 22 OF THE FLUVANNA COUNTY CODE BY CERTAIN AMENDMENTS TO SECTIONS 22-22-1 AND 22-17-8A, INCLUDING AMENDMENTS TO THE DEFINITIONS OF “ELEVATED BUILDING”, “FLOOD, BASE”, “FLOOD ELEVATION, BASE”, “FLOOD HAZARD AREA, SPECIAL”, “FLOODPLAIN OR FLOOD-PRONE AREA”, “FLOODWAY”, AND “SUBSTANTIAL DAMAGE” IN SECTION 22-22-1, AS WELL AS AMENDMENTS TO CERTAIN SUBSECTIONS OF SECTION 22-17-8A, INCLUDING SUBSECTIONS 22-17-8A., -8A.2., -8A.3-B., -8A.3-G., -8A.3-H., -8A.3-I., -8A.3-J., -8A.3-K., -8A.3-M., -8A.3-N., -8A.3-P., -8A.3-S., -8A.3-T., -8A.3-U. -8A.3-X., -8A.3-Y., -8A.3-Z., -8A.3-AA., -8A.3-BB., -8A.3-DD., -8A.3-EE., -8A.3-FF., -8A.3-HH., -8A.3-JJ., -8A.3-KK., -8A.4., -8A.4.1, -8A.7., -8A.7.1, -8A.10., -8A.12., -8A.13, -8A.14., -8A.15., -8A.17., -8A.19., -8A.20., -8A.20.1, -8A.21., -8A.21.1, -8A.21.2, -8A.21.3, -8A.21.4, -8A.21.5 AND -8A.21.6. THEREOF, ESTABLISHING FLOODPLAIN DISTRICTS, REQUIRING THE ISSUANCE OF PERMITS FOR DEVELOPMENT, PROVIDING FACTORS AND CONDITIONS FOR VARIANCES TO THE TERMS OF THE ORDINANCE, AND PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE IN CONFORMITY WITH REVISED FEDERAL FLOOD INSURANCE REGULATIONS.”

## **Attachments**

A: Application

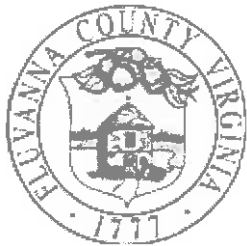
B: Proposed Ordinance

Copy:

Applicant/Representative: Fluvanna County

Reset Form

Print Form



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Application for  
Zoning Text Amendment

Received

MAY 22 2015

Planning Dept.

Owner of Record: Fluvanna County

E911 Address: 132 Main Street Palmyra, VA 22963

Phone: 434-591-1910 Fax: 434-591-1911

Email: jlindsey@fluvannacounty.org

Representative: Jay Lindsey (Planner)

E911 Address: 132 Main Street Palmyra, VA 22963

Phone: 434-591-1910 Fax: 434-591-1911

Email: jlindsey@fluvannacounty.org

Applicant of Record: Fluvanna County

E911 Address: 132 Main Street Palmyra, VA 22963

Phone: 434-591-1910 Fax: 434-591-1911

Email: jlindsey@fluvannacounty.org

**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.**

Proposed amendment to the Zoning Ordinance: (attach additional sheets as necessary)

If the amendment proposes to replace existing text, please provide a full copy of the existing text for the affected section.

Location of Parcel: N/a

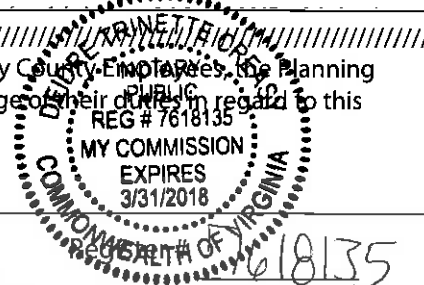
Section: 22-22-1 and 22-17-8A

Proposed Text: An ordinance to amend Chapter 22, Articles 17 and 22 of the Fluvanna County Code by certain amendments to Sections 22-22-1 and 22-17-8A, including amendments to the definitions of "elevated building," "flood base," "flood-prone area," "floodway," and "substantial damage" in Section 22-22-1, as well as amendments to certain subsections of section 22-17-8A, including subsections 22-17-8A., -8A.2., -8A.3-B., -8A.3-G., -8A.3-H., -8A.3-I., -8A.3-J., -8A.3-K., -8A.3-M., -8A.3-N., -8A.3-O., -8A.3-P., -8A.3-S., -8A.3-T., -8A.3-U., -8A.3-X., -8A.3-Y., -8A.3-Z., -8A.3-AA., -8A.3-BB., -8A.3-DD., -8A.3-EE., -8A.3-FF., -8A.3-HH., -8A.3-JJ., -8A.3-KK., -8A.4., -8A.4.1., -8A.7., -8A.7.1., -8A.10., -8A.12., -8A.13., -

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

Date: 05/22/2015

Signature of Owner/Applicant: [Signature]



Subscribed and sworn to before me this 22nd day of May, 2015

My commission expires: 03/31/2018

Notary Public: [Signature]

OFFICE USE ONLY			
Date Received:	Pre-Application Meeting:	PH Sign Deposit Received:	Application #: <u>ZTA</u> _____ :
\$550 fee paid:			
Public Hearings			
Planning Commission		Board of Supervisors	
Advertisement Dates:	<u>13 and 20 May 2015</u>	Advertisement Dates:	
APO Notification:		APO Notification:	
Date of Hearing:	<u>May 27, 2015</u>	Date of Hearing:	
Decision:		Decision:	

*The Fluvanna County Planning Commission moves to propose an amendment to the Fluvanna County zoning ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 22, ARTICLES 17 AND 22 OF THE FLUVANNA COUNTY CODE BY CERTAIN AMENDMENTS TO SECTIONS 22-22-1 AND 22-17-8A, INCLUDING AMENDMENTS TO THE DEFINITIONS OF “ELEVATED BUILDING”, “FLOOD, BASE”, “FLOOD ELEVATION, BASE”, “FLOOD HAZARD AREA, SPECIAL”, “FLOODPLAIN OR FLOOD-PRONE AREA”, “FLOODWAY”, AND “SUBSTANTIAL DAMAGE” IN SECTION 22-22-1, AS WELL AS AMENDMENTS TO CERTAIN SUBSECTIONS OF SECTION 22-17-8A, INCLUDING SUBSECTIONS 22-17-8A., -8A.2., -8A.3-B., -8A.3-G., -8A.3-H., -8A.3-I., -8A.3-J., -8A.3-K., -8A.3-M., -8A.3-N., -8A.3-P., -8A.3-S., -8A.3-T., -8A.3-U. -8A.3-X., -8A.3-Y., -8A.3-Z., -8A.3-AA., -8A.3-BB., -8A.3-DD., -8A.3-EE., -8A.3-FF., -8A.3-HH., -8A.3-JJ., -8A.3-KK., -8A.4., -8A.4.1, -8A.7., -8A.7.1, -8A.10., -8A.12., -8A.13, -8A.14., -8A.15., -8A.17., -8A.19., -8A.20., -8A.20.1, -8A.21., -8A.21.1, -8A.21.2, -8A.21.3, -8A.21.4, -8A.21.5 AND -8A.21.6. THEREOF, ESTABLISHING FLOODPLAIN DISTRICTS, REQUIRING THE ISSUANCE OF PERMITS FOR DEVELOPMENT, PROVIDING FACTORS AND CONDITIONS FOR VARIANCES TO THE TERMS OF THE ORDINANCE, AND PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE IN CONFORMITY WITH REVISED FEDERAL FLOOD INSURANCE REGULATIONS.”*

*The public purpose for such amendment is to conform the zoning ordinance to federal flood insurance regulations.*

AN ORDINANCE TO AMEND CHAPTER 22, ARTICLES 17 AND 22 OF THE FLUVANNA COUNTY CODE BY CERTAIN AMENDMENTS TO SECTIONS 22-22-1 AND 22-17-8A, INCLUDING AMENDMENTS TO THE DEFINITIONS OF “ELEVATED BUILDING”, “FLOOD, BASE”, “FLOOD ELEVATION, BASE”, “FLOOD HAZARD AREA, SPECIAL”, “FLOODPLAIN OR FLOOD-PRONE AREA”, “FLOODWAY”, AND “SUBSTANTIAL DAMAGE” IN SECTION 22-22-1, AS WELL AS AMENDMENTS TO CERTAIN SUBSECTIONS OF SECTION 22-17-8A, INCLUDING SUBSECTIONS 22-17-8A., -8A.2., -8A.3-B., -8A.3-G., -8A.3-H., -8A.3-I., -8A.3-J., -8A.3-K., -8A.3-M., -8A.3-N., -8A.3-P., -8A.3-S., -8A.3-T., -8A.3-U. -8A.3-X., -8A.3-Y., -8A.3-Z., -8A.3-AA., -8A.3-BB., -8A.3-DD., -8A.3-EE., -8A.3-FF., -8A.3-HH., -8A.3-JJ., -8A.3-KK., -8A.4., -8A.4.1, -8A.7., -8A.7.1, -8A.10., -8A.12., -8A.13, -8A.14., -8A.15., -8A.17., -8A.19., -8A.20., -8A.20.1, -8A.21., -8A.21.1, -8A.21.2, -8A.21.3, -8A.21.4, -8A.21.5 AND -8A.21.6. THEREOF, ESTABLISHING FLOODPLAIN DISTRICTS, REQUIRING THE ISSUANCE OF PERMITS FOR DEVELOPMENT, PROVIDING FACTORS AND CONDITIONS FOR VARIANCES TO THE TERMS OF THE ORDINANCE, AND PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE IN CONFORMITY WITH REVISED FEDERAL FLOOD INSURANCE REGULATIONS.

BE IT ORDAINED BY THE PLANNING COMMISSION OF FLUVANNA COUNTY, VIRGINIA, that the Fluvanna County Code be, and it is hereby, amended as follows:

**Chapter 22  
ZONING**

.....

**Article 22. Definitions**

**Sec. 22-22-1. Rules of Construction; definitions.**

**ELEVATED BUILDING:** A non-basement building built to have the lowest floor elevated above the ground level by means of ~~fill~~—solid foundation perimeter walls, pilings, or columns (posts and piers).

**FLOOD, BASE:** The flood having a one percent chance of being equaled or exceeded in any given year. *Also referred to as the 100-year flood.*

**FLOOD ELEVATION, BASE:** The Federal Emergency Management Agency designated one hundred (100)-year water surface elevation. *The water surface elevation of the base flood in relation to the datum specified on the Fluvanna County FIRM.*

**FLOOD HAZARD AREA, SPECIAL:** The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 17-3, Section 22-17-8A. 3.2 of this ordinance.

**FLOODPLAIN or FLOOD-PRONE AREA:** Any land area susceptible to being inundated by water from any source.

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than *one foot, at any point* ~~at a designated height~~.

**SUBSTANTIAL DAMAGE:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

**CHAPTER 22.  
ZONING**

.....

**Article 17. General Provisions**

.....

**Sec. 22-17-8A. FLOOD PROTECTION.<sup>1</sup>**

*This section is adopted pursuant to the authority granted to localities by Va. Code § 15.2-2280.*

**Sec. 22-17-8A.1. Purpose.**

The purpose of these provisions is to prevent: the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by

- A. regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies;
- B. restricting or prohibiting certain uses, activities, and development from locating within districts subject to flooding;
- C. requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and/or flood-proofed against flooding and flood damage; and,
- D. protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards. (Ord. 12-19-07)

**Sec. 22-17-8A.2. Applicability.**

These provisions shall apply to all *privately and publicly held* lands within the jurisdiction of Fluvanna County and identified as *areas of special flood hazard according to the flood insurance rate map (FIRM) that is provided to Fluvanna by the Federal Emergency Management Agency (FEMA) being in the 100 year floodplain by the Federal Insurance Administration, as more particularly set forth hereinafter, and as the same may be amended from time to time.* (Ord. 12-19-07; Ord. 5-7-08)

**Sec. 22-17-8A.3. Definitions.**

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<sup>1</sup> Section 22-17-8. and all subsections (22-17-8.1. through 22-22-17-8.9., inclusive) were repealed and Section 22-17-8A., including subsections thereof, was adopted by 12-19-07 Ordinance.

For purposes of this Section 22-17-8A., the following terms shall be defined as follows:

- A. Base flood - The flood having a one percent chance of being equaled or exceeded in any given year.
- B. Base flood elevation - The ~~FEMA Federal Emergency Management Agency~~ designated one hundred (100)-year water surface elevation. *The water surface elevation of the Base flood in relation to the datum specified on the Fluvanna County FIRM. For purposes of this ordinance, the base flood is the one (1) percent annual chance of flood.*
- C. Basement - Any area of the building having its floor sub-grade (below ground level) on all sides.
- D. Board of Zoning Appeals - The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.
- E. REPEALED (Ord. 5-7-08)
- F. Development - Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- G. Elevated building - A non-basement building built to have the lowest floor elevated above the ground level by means of ~~fill~~-solid foundation perimeter walls, pilings, or columns (posts and piers).
- H. Existing construction- *For the purposes of the insurance program, structures for which the “start of construction” commenced before August 15, 1978. “Existing construction” may also be referred to as “existing structures” or “pre-FIRM.”*  
~~Encroachment - The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.~~
- I. Flood or flooding -
  - 1. A general or temporary condition of partial or complete inundation of normally dry land areas from
    - a. the overflow of inland or tidal waters; or,
    - b. the unusual and rapid accumulation or runoff of surface waters from any source.
    - c. *mudflows which are proximately caused by flooding as defined in*



*paragraph(1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.*

2. The collapse or ~~subsistence~~ *subsidence* of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1 (a) of this definition.
- J. Flood Insurance Rate Map (FIRM) – *An official map of a community, on which FEMA has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).*
- K. Flood Insurance Study (FIS) – *A report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.*
- L. Floodplain or flood-prone area - Any land area susceptible to being inundated by water from any source.
- M. Flood-proofing- *Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.*
- N. Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than *one foot at any point* ~~a designated height~~.
- O. Freeboard - A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.
- P. Highest adjacent grade – *the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.*
- Q. Historic structure - Any structure that is
1. listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the

Interior as meeting the requirements for individual listing on the National Register;

2. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
4. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either
  - a. by an approved state program as determined by the Secretary of the Interior; or,
  - b. directly by the Secretary of the Interior in states without approved programs.

R. REPEALED (Ord. 5-7-08)

S. *Hydrologic and Hydraulic Engineering Analysis – Analyses performed by a licensed professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the base flood, or other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.*

T. *Letters of Map Change (LOMC) – A Letter of Map change is an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS). LOMC include:*

*Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective FIRM and establishes that a Land as defined by metes and bounds or structure is not located in a special flood hazard area.*

*Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, flood-plain and floodway delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with Fluvanna County's floodplain management regulations.*

*Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective FIRM or FIS.*

U. *Lowest adjacent grade - The lowest natural elevation of the ground surface next to the*

walls of a structure.

- V. Lowest floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.
- W. Manufactured home - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.
- X. Manufactured home park or subdivision - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- Y. Mean Sea Level – An elevation point that represents the average height of the ocean's surface (such as the halfway point between the mean high tide and the mean low tide) which is used as a standard in reckoning land elevation.
- Z. New construction - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after August 15, 1978, ~~the effective date of an initial Flood Insurance Rate Map on or after December 31, 1974, whichever is later,~~ and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. *Such structure is also referred to as "post-FIRM."*
- AA. Post-FIRM structures – A structure for which construction or substantial improvement occurred on or after August 15, 1978.
- BB. Pre-FIRM structures – A structure for which construction or substantial improvement occurred before August 15, 1978.
- CC. Recreational vehicle - A vehicle which is
1. built on a single chassis;
  2. 400 square feet or less when measured at the largest horizontal projection;
  3. designed to be self-propelled or permanently towable by a light duty truck; and,
  4. designed primarily not for use as a permanent dwelling but as temporary living

quarters for recreational camping, travel, or seasonal use.

*DD. Repetitive Loss Structure – A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in a 10-year period, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.*

*EE. Severe Repetitive Loss Structure - A structure that:*

*a. is covered under a contract for flood insurance made available under the NFIP; and*

*b. has incurred flood related damage –*

*(a) for which four (4) or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or*

*(b) for which at least two (2) separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.*

*FF. Special flood hazard area - The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 17-3, Section 22-17-8A. ~~3-2~~ of this ordinance.*

*GG. Start of construction - The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.*

*HH. Structure – For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.*

II. Substantial damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

JJ. Substantial improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either:

1. any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
2. any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

*Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic Places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.*

KK. Violation - *the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 22-17-8A. of this ordinance is presumed to be in violation until such time as that documentation is provided.*

LL. Watercourse - A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

(Ord. 12-19-07; Ord. 5-7-08)

#### **Sec. 22-17-8A.4. Compliance and Liability.**

A. No land shall hereafter be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered except in full compliance with the terms and provisions of this ordinance and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this ordinance.

- B. The degree of flood protection sought by the provisions of this ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that districts outside the floodplain district, or that land uses permitted within such district will be free from flooding or flood damages.
- C. Records of actions associated with administering this ordinance shall be kept on file and maintained by the Zoning Administrator *in his duties as Floodplain Administrator*.
- D. This ordinance shall not create liability on the part of Fluvanna County or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder. (Ord. 12-19-07)

#### **Sec. 22-17-8A.4.1 Penalty for Violations.**

*Any person who fails to comply with any of the requirements or provisions of this article or directions of the Director of Planning or any authorized employee of Fluvanna County shall be guilty of the appropriate violation and subject to the penalties therefore.*

*The VA USBC addresses building code violations and the associated penalties in Sections 104, 115. Violations and associated penalties of the Fluvanna County Zoning Ordinance are addressed in Article 19, Section 22-19.*

*In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared to be a public nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this article.*

#### **Sec. 22-17-8A.5. Abrogation and Greater Restrictions.**

This ordinance supersedes any ordinance currently in effect in flood-prone districts. However, any underlying ordinance shall remain in full force and effect to the extent that its provisions are more restrictive than this ordinance. (Ord. 12-19-07)

#### **Sec. 22-17-8A.6. Severability.**

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable. (Ord. 12-19-07)

**Sec. 22-17-8A .7. Establishment of Zoning Districts. Basis of Districts.**

Sec. 22-17-8A .7.1 Description of Special Flood Hazard Districts

*A. Basis of Districts*

The various *special flood hazard floodplain* districts shall include special flood hazard areas (SFHAs). The basis for the delineation of these districts shall be the Flood Insurance Study (FIS) and the Flood Insurance Rate Maps (FIRM) for Fluvanna County, Virginia and Incorporated Areas prepared by the Federal Emergency Management Agency, ~~Federal Insurance Administration~~, dated as of May 16, 2008, as amended *or revised*. (Ord. 5-7-08)

~~A. The Floodway District is delineated, for purposes of this ordinance, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one hundred (100) year flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this District are specifically defined in Table 2 of the above-referenced Flood Insurance Study and shown on the accompanying Flood Boundary and Floodway Map or Flood Insurance Rate Map. (Ord. 5-7-08)~~

~~B. The Approximated Floodplain District shall be those areas identified as an A Zone on the maps accompanying the Flood Insurance Study. In these zones, no detailed flood profiles or elevations are provided, but the one hundred (100) year floodplain boundary has been approximated. (Ord. 5-7-08)~~

~~C. REPEALED (Ord. 5-7-08)  
(Ord. 12-19-07; Ord. 5-7-08)~~

*Fluvanna County may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high water marks or approximate study methodologies.*

- 1. The Floodway District is in an AE Zone and is delineated, for purposes of this ordinance, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one percent annual chance flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this District are specifically defined in the above-referenced FIS and shown on the accompanying FIRM.*

*The following provisions shall apply within the Floodway District of an AE Zone:*

- a. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base*

*flood discharge. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.*

- b. Development activities which increase the water surface elevation of the base flood may be allowed, provided that the applicant first applies – with Fluvanna County’s endorsement – for a Conditional Letter of Map Revision (CLOMR), and receives the approval of FEMA.*

*If Section 22-17-8A.7.1(A)(1)(a) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 22-17-8A.12., 22-17-8A.13., 22-17-8A.14., and 22-17-8A.19..*

- c. The following uses are prohibited in the Floodway District:*

- 1. Dwellings, and*
- 2. Manufactured homes, mobile homes or trailers.*

- d. The following uses may be permitted within the Floodway District in accordance with the requirements of this section and as specifically provided in the underlying zoning district:*

- 1. General farming, agriculture, dairying and forestry.*
- 2. Parks and playground.*
- 3. Preserves and conservation areas.*
- 4. Small boat docks (with repair).*
- 5. Off-street parking as required by this ordinance.*
- 6. Accessory uses, as defined by this ordinance.*

- e. The following uses shall be permitted only by special use permit approved by the governing body pursuant to Article 17 of this chapter:*

- 1. Lodges, hunting clubs, boating clubs, camping facilities, and golf clubs.*
- 2. Public utilities: Poles, lines, transformers, pipes, meters and related or similar facilities; public water and sewer transmission lines, treatment facilities, and pumping facilities; electrical power transmission lines and substation; oil and gas transmission lines and substation; oil and gas transmission pipelines and*



*pumping stations; microwave transmission and relay towers and substations; unmanned telephone exchange centers.*

3. *Extraction of sand, gravel and other material (except no increase in level of flooding or velocity is caused thereby).  
(Ord. 12-19-07; Ord. 5-7-08)*

2. *The AE, or AH Zones on the FIRM accompanying the FIS shall be those areas for which one-percent annual chance flood elevations have been provided and the floodway has not been delineated. The following provisions shall apply within an AE or AH Zone [44 CFR 60.3(c)]\*:*

*Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within the areas of special flood hazard, designated as Zones A1-30 and AE or AH on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within Fluvanna County.*

*Development activities in Zones A1-30 and AE or AH, on Fluvanna County's FIRM which increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the applicant first applies, with Fluvanna County's endorsement, for a Conditional Letter of Map Revision, and receives the approval of FEMA.*

*\* The requirement in 63.3(c)(10) only applies along rivers, streams, and other watercourses where FEMA has provided base flood elevations. The requirement does not apply along lakes, bays and estuaries, and the ocean coast.*

3. *The A Zone on the FIRM accompanying the FIS shall be those areas for which no detailed flood profiles or elevations are provided, but the one percent annual chance floodplain boundary has been approximated. For these areas, the following provisions shall apply [44 CFR 60.3(b)]:*

*The Approximated Floodplain District shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a one hundred (100)-year floodplain boundary has been approximated. Such areas are shown as Zone A on the maps accompanying the FIS. For these areas, the base flood elevations and floodway information from federal, state, and other acceptable sources shall be used, when available. Where the specific one percent annual chance flood elevation cannot be determined for this area using other sources of data, such as the U. S. Army Corps of Engineers Floodplain Information Reports, U. S. Geological Survey Flood-Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this base flood elevation. For development proposed in the approximate floodplain the applicant must use technical methods that correctly reflect currently accepted non-detailed technical concepts, such as point on boundary, high water marks, or detailed methodologies hydrologic and hydraulic analyses. Studies, analyses,*

*computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.*

*The Floodplain Administrator reserves the right to require a hydrologic and hydraulic analysis for any development. When such base flood elevation data is utilized, the lowest floor shall be elevated to no lower than three feet above the highest adjacent grade or one foot above the base flood level, whichever is higher. (Ord. 5-7-08)*

*During the permitting process, the Floodplain Administrator shall obtain:*

- a. The elevation of the lowest floor (including the basement) of all new and substantially improved structures; and,*
- b. If the structure has been flood-proofed in accordance with the requirements of this article, the elevation (in relation to mean sea level) to which the structure has been flood-proofed.*

*Base flood elevation data shall be obtained from other sources or developed using detailed methodologies comparable to those contained in a FIS for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.*

- 4. The AO Zone on the FIRM accompanying the FIS shall be those areas of shallow flooding identified as AO on the FIRM. For these areas, the following provisions shall apply [44 CFR 60.3(c)]:*
  - a. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to or above the flood depth specified on the FIRM, above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM. If no flood depth number is specified, the lowest floor, including basement, shall be elevated no less than two feet above the highest adjacent grade.*
  - b. All new construction and substantial improvements of non-residential structures shall*
    - i. have the lowest floor, including basement, elevated to or above the flood depth specified on the FIRM, above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least two feet above the highest adjacent grade; or,*
    - ii. together with attendant utility and sanitary facilities be completely flood-proofed to the specified flood level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.*

- c. *Adequate drainage paths around structures on slopes shall be provided to guide floodwaters around and away from proposed structures.*

**Sec. 22-17-8A.8. Overlay Concept.**

- A. The Floodplain Districts described above shall be overlays to the existing underlying districts as shown on the Official Zoning Ordinance Map, and as such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.
- B. If there is any conflict between the provisions or requirements of the Floodplain Districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.
- C. In the event any provision concerning a Floodplain District is declared inapplicable as a result of any legislative or administrative actions or judicial decision, the basic underlying provisions shall remain applicable. (Ord. 12-19-07)

**Sec. 22-17-8A.9. Official Flood Hazard Area and Floodplain Map.**

The boundaries of the Special Flood Hazard Area and Floodplain Districts are established as shown on the Flood Boundary and Floodway Map and/or Flood Insurance Rate Map which is declared to be a part of this ordinance and which shall be kept on file at the Fluvanna County offices. (Ord. 12-19-07)

**Sec.22-17-8A.10. District Boundary Changes.**

The delineation of any of the Floodplain Districts may be revised by Fluvanna County where natural or man-made changes have occurred and/or where more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal *Emergency Management Agency*. ~~Insurance Administration~~. (Ord. 12-19-07)

**Sec. 22-17-8A.11. Interpretation of District Boundaries.**

Initial interpretations of the boundaries of the Floodplain Districts shall be made by the Zoning Administrator. Should a dispute arise concerning the boundaries of any of the Districts, the Board of Zoning Appeals shall make the necessary determination. The person questioning or contesting the location of the District boundary shall be given a reasonable opportunity to present his case to the Board and to submit his own technical evidence if he so desires. (Ord. 12-19-07; Ord. 5-7-08)

**Sec.22-17-8A.12. Permit and Application Requirements.**

All uses, activities, and development occurring within any floodplain district, *including placement of manufactured homes*, shall be undertaken only upon the issuance of a zoning permit. Such development shall be undertaken only in strict compliance with the provisions of this Code, including, without limitation, this Chapter and Chapter 19: *Subdivisions*, ~~(the Fluvanna County Subdivision Ordinance)~~, *and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC)*. Prior to the issuance of any such permit, the *Floodplain Administrator* ~~zoning administrator~~ shall require all applications to include compliance with all applicable state and federal laws *and shall review all sites to assure they are reasonably safe from flooding*. No use, activity, and/or development will be permitted which would adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.

A. Site Plans and Permit Applications

All applications for development within any floodplain district and all building permits issued for the floodplain shall incorporate the following information:

1. For structures to be elevated, the elevation of the lowest floor (including basement).
2. For structures to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed.
3. The elevation of the one hundred (100)-year flood (*base flood*) at the site. (Ord. 12-19-07)
4. *Topographic information showing existing and proposed ground elevations.*

**Sec.22-17-8A.13. General Standards.**

*The following provisions shall apply to all permits issued under Section 22-17-8A.12.:* ~~In all special flood hazard areas the following provisions shall apply:~~

- A. New construction and substantial improvements shall be according to the Virginia Uniform Statewide Building Code, and anchored to prevent flotation, collapse or lateral movement of the structure. (Ord. 5-7-08)
- B. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- C. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- D. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

- E. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- F. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- G. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- H. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- ~~I. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this ordinance.~~
- ~~J. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.~~

*In addition to provisions A-H above, in all special flood hazard areas, the additional provisions shall apply:*

- I. *Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U.S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, in riverine areas, notification of the proposal shall be given by the applicant to all affected jurisdictions, ~~situations, adjacent communities and~~ the Department of Conservation and Recreation (*Division of Dam Safety and Floodplain Management*), *other required agencies, and shall be notified prior to any alteration or relocation of a watercourse, and copies of such notifications shall be submitted to FEMA.**
- J. The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

(Ord. 12-19-07; Ord. 5-7-08)

**Sec. 22-17-8A.14. Elevation and Construction Specific Standards.**

In all ~~identified special~~ flood hazard areas where base flood elevations have been provided in the Flood Insurance Study (FIS) or generated *in accordance with* ~~according~~ Section 22-17-8A.7.1(A)(3)-14 the following provisions shall apply:

A. Residential Construction

New construction or substantial improvement of any residential structure (including manufactured homes) *in Zones A1-30, AE, AH, and A with detailed base flood elevations* shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation.

B. Non-Residential Construction

New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one foot above the base flood elevation.

*Non-residential buildings* located in all A1-30, AE, and AH zones may be flood-proofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the *base flood elevation BFE* plus one foot are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. *Such certification, including the specific elevation (in relation to mean sea level) to which such structures are flood-proofed, shall be maintained by the Floodplain Administrator.*

C. *Space Below the Lowest Floor* ~~Elevated Buildings~~

*In zones A, AE, AH, AO, and A1-30, fully enclosed areas, of new construction or substantially improved structures, which are below the regulatory flood protection elevation shall:*

1. not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator); ~~— The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas;~~
2. be constructed entirely of flood resistant materials below the regulatory flood protection elevation; *and*
3. include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria: (Ord. 5-7-08)
  - a. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.

- b. The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.
- c. If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.
- d. The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.
- e. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
- f. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

D. Standards for Manufactured Homes and Recreational Vehicles

1. All manufactured homes placed, or substantially improved, ~~on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, in a new manufactured home park or subdivision or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as the result of a flood,~~ must meet all the requirements for new construction, including the elevation and anchoring requirements in 22-17-8A.13.12 (A) and (B), and 22-17-8A.14.13 (A).
2. ~~All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that~~
  - a. ~~the lowest floor of the manufactured home is elevated no lower than one foot above the base flood elevation; or,~~
  - b. ~~the manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above the grade;~~
  - c. ~~the manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement;~~
2. All recreational vehicles placed on sites must either
  - a. be on the site for fewer than 180 consecutive days, *;-be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities*

*and security devices and has no permanently attached additions); or,*

- b. ~~be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or,~~

- c. meet all the requirements for manufactured homes in 22-17-8A.14(D)(1)13.

(Ord. 12-19-07; Ord. 5-7-08)

**Sec. 22-17-8A.15. ~~REPEALED Standards for Approximated Floodplain.~~**

The following provisions shall apply within the ~~Approximate Floodplain District:~~

~~A. When base flood elevation data or floodway data have not been provided, the Zoning Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or any other source, in order to administer the provisions of this ordinance. When such base flood elevation data is utilized, the Zoning Administrator shall obtain: (Ord. 5-7-08)~~

~~1. the elevation (in relation to the mean sea level) of the lowest floor (including the basement) of all new and substantially improved structures; and,~~

~~2. if the structure has been floodproofed in accordance with the requirements of 22-17-8A.13 (B) of this ordinance, the elevation in relation to the mean sea level to which the structure has been floodproofed.~~

~~B. When the data is not available from any source as in 22-17-8A.14 (A), the lowest floor of the structure shall be elevated to no lower than three feet above the highest adjacent grade. (Ord. 5-7-08)~~

~~(Ord. 12-19-07; Ord. 5-7-08)~~

**Sec. 22-17-8A.16. REPEALED (Ord. 12-19-07; Ord. 5-7-08)**

**Sec. 22-17-8A.17. ~~REPEALED Standards for the Floodway.~~**

The following provisions shall apply within the Floodway when it has been identified as in 22-17-8A.15 (A):

~~A. Encroachments, including fill, new construction, substantial improvements and other developments are prohibited unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood. (Ord. 5-7-08)~~

~~Development activities in which increase the water surface elevation of the base flood be allowed, provided that the applicant first applies with Fluvanna County's endorsement~~



~~— for a conditional Flood Insurance Rate Map and floodway revision, and receives the approval of the Federal Emergency Management Agency. (Ord. 5-7-08)~~

~~B. If 22-17-8A.17(A) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Ordinance.~~

~~C. Prohibited Uses:~~

- ~~1. Dwellings.~~
- ~~2. Manufactured homes, Mobile homes or trailers.~~

~~D. Permitted Uses:~~

~~The following uses may be permitted within the Floodway District in accordance with the requirements of this section and as specifically provided in the underlying zoning district:~~

- ~~1. General farming, agriculture, dairying and forestry.~~
- ~~2. Parks and playground.~~
- ~~3. Preserves and conservation areas.~~
- ~~4. Small boat docks (with repair).~~
- ~~5. Off street parking as required by this ordinance.~~
- ~~6. Accessory uses, as defined.~~

~~E. By Special Use Permit:~~

~~The following uses shall be permitted only by special use permit approved by the governing body pursuant to Article 17 of this chapter:~~

- ~~1. Lodges, hunting clubs, boating clubs, camping facilities, and golf clubs.~~
- ~~2. Public utilities: Poles, lines, transformers, pipes, meters and related or similar facilities; public water and sewer transmission lines, treatment facilities, and pumping facilities; electrical power transmission lines and substation; oil and gas transmission lines and substation; oil and gas transmission pipelines and pumping stations; microwave transmission and relay towers and substations; unmanned telephone exchange centers.~~
- ~~3. Extraction of sand, gravel and other material (except no increase in level of flooding or velocity is caused thereby).~~

~~(Ord. 12-19-07; Ord. 5-7-08)~~

**Sec. 22-17-8A.18. REPEALED (Ord. 12-19-07; Ord. 5-7-08)**

**Sec. 22-17-8A.19. Standards for Subdivision Proposals.**

- A. All subdivision proposals shall be consistent with the need to minimize flood damage;
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and
- D. Base flood elevation data shall be *obtained from other sources or developed using*

*detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in FIS provided for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser. (Ord. 12-19-07)*

**Sec. 22-17-8A.20. Existing Structures in Floodplain Areas ~~Special Use Permit, waiver, modification and variance of regulations in floodway district.~~**

*A structure or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:*

- A. Existing structures in the Floodway Area shall not be expanded or enlarged unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed expansion would not result in any increase in the base flood elevation.*
  - B. Any modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use located in any floodplain areas to an extent or amount of less than fifty (50) percent of its market value shall conform to the VA USBC and the appropriate provisions of this ordinance.*
  - C. The modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area to an extent or amount of fifty (50) percent or more of its market value shall be undertaken only in full compliance with this ordinance and shall require the entire structure to conform to the VA USBC.*
- ~~A. When any development is permitted by Special Use Permit in the Floodway District, any adverse effect on flood heights shall be fully offset by accompanying improvements which have been approved by all appropriate local and/or state authorities as required.~~
- ~~B. The applicant for a Special Use Permit shall be notified, in writing, that the issuance of a Special Use Permit to construct below the one hundred (100) year flood elevation (1) increases risks to life and property, and (2) will result in increased premium rates for flood insurance. A record of such notification as well as conditions of the Special Use Permit, including justification of their issuance, shall be maintained and shall be noted in the periodic report submitted to the Federal Insurance administration. (Ord. 5-7-08)~~
- ~~C. A Special Use Permit may be issued only upon the determination that the Special Use Permit is the minimum relief from exceptional hardship. In the governing body's consideration of a Special Use Permit application in a Flood Plain District, the governing body shall consider the following factors: (Ord. 5-7-08)~~
- ~~1) The showing of good and sufficient cause.~~
  - ~~2) The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or~~

~~activity within any Floodway District that will cause any increase in the one hundred (100) year flood elevation.~~

- ~~3) The danger that materials may be swept on to other lands or downstream to the injury of others.~~
- ~~4) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.~~
- ~~5) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.~~
- ~~6) The importance of the services provided by the proposed facility to the community.~~
- ~~7) The requirements of the facility for a waterfront location.~~
- ~~8) The availability of alternative locations not subject to flooding for the proposed use.~~
- ~~9) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.~~
- ~~10) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.~~
- ~~11) The safety of access by ordinary and emergency vehicles to the property in time of flood.~~
- ~~12) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.~~
- ~~13) The repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.~~
- ~~14) Such other factors which are relevant to the purposes of this ordinance.~~

~~The Board of Supervisors may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.~~

~~Special Use Permits may be issued only after the Board of Supervisors has determined that the granting of such will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.~~

~~Special Use Permits shall be issued only after the Board of Supervisors has determined that Special Use Permit will be the minimum required to provide relief from exceptional hardship to the applicant.~~

~~The Board of Supervisors shall notify the applicant for a Special Use Permit, in writing, that the issuance of a Special Use Permit to construct a structure below the one hundred (100) year flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance.~~

~~A record shall be maintained of the above notification as well as all Special Use Permit actions, including justification for the issuance of the Special Use Permit. All Special Use Permits that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.~~

~~(Ord. 12-19-07; Ord. 5-7-08)~~

### **Sec. 22-17-8A.20.1 Variances**

*Variances shall be issued only upon (i) a showing of good and sufficient cause, (ii) after the Board of Zoning Appeals has determined that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) after the Board of Zoning Appeals has determined that the granting of such variance will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.*

*While the granting of variances generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases. Variances may be issued by the Board of Zoning Appeals for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of this section.*

*Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.*

*In passing upon applications for variances, the Board of Zoning Appeals shall satisfy all relevant factors and procedures specified in other sections of the zoning ordinance and consider the following additional factors:*

- A. The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or activity within any Floodway District that will cause any increase in the one percent (1%) chance flood elevation.*

- B. The danger that materials may be swept on to other lands or downstream to the injury of others.*
- C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.*
- D. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.*
- E. The importance of the services provided by the proposed facility to the community.*
- F. The requirements of the facility for a waterfront location.*
- G. The availability of alternative locations not subject to flooding for the proposed use.*
- H. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.*
- I. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.*
- J. The safety of access by ordinary and emergency vehicles to the property in time of flood.*
- K. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.*
- L. The historic nature of a structure. Variances for repair or rehabilitation of historic structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.*
- M. Such other factors which are relevant to the purposes of this ordinance.*

*The Board of Zoning Appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.*

*Variances shall be issued only after the Board of Zoning Appeals has determined that the granting of such will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.*

*Variances shall be issued only after the Board of Zoning Appeals has determined that the variance will be the minimum required to provide relief.*

*The Board of Zoning Appeals shall notify the applicant for a variance, in writing that the issuance of a variance to construct a structure below the one percent (1%) chance flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance.*

*A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.*

***Sec. 22-17-8A.21. Administration.***

*Sec. 22-17-8A.21.1: Designation of the Floodplain Administrator [44 CFR 59.22(b)]*

*The Zoning Administrator is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:*

- A. Do the work themselves. In the absence of a designated Floodplain Administrator, the duties are conducted by Fluvanna County's Administrator.*
- B. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.*
- C. Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve Fluvanna of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.*

*Sec. 22-17-8A-21.2: Duties and Responsibilities of the Floodplain Administrator [44 CFR 60.3]*

*The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:*

- A. Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA).*
- B. Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.*
- C. Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.*
- D. Review applications to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or*

*alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 100-year frequency floodplain of free-flowing non-tidal waters of the State.*

*E. Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE) and have submitted copies of such notifications to FEMA.*

*F. Advise applicants for new construction or substantial improvement of structures that are located within an area of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act that Federal flood insurance is not available on such structures; areas subject to this limitation are shown on FIRMs as Coastal Barrier Resource System Areas (CBRS) or Otherwise Protected Areas (OPA).*

*G. Approve applications and issue permits to develop in flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.*

*H. Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.*

*I. Review Elevation Certificates and require incomplete or deficient certificates be corrected.*

*J. Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for Fluvanna County, within six months after such data and information becomes available if the analyses indicate changes in base flood elevations.*

*K. Maintain and permanently keep records that are necessary for the administration of these regulations, including:*

- 1. Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps) and Letters of Map Change; and*
- 2. Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been flood-proofed, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.*

*L. Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.*

*M. Advise the Board of Zoning Appeals regarding the intent of these regulations and, for each*

*application for a variance, prepare a staff report and recommendation.*

*N. Administer the requirements related to proposed work on existing buildings:*

- 1. Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.*
- 2. Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct, and prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.*

*O. Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.*

*P. Notify the Federal Emergency Management Agency when the corporate boundaries of Fluvanna County have been modified and:*

- 1. Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and*
- 2. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.*

*Q. Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.*

*R. It is the duty of the Floodplain Administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of Fluvanna County, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or*



surveying).

Sec. 22-17-8A-21.3 - Use and Interpretation of FIRMs [44 CFR 60.3]

*The Floodplain Administrator shall make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:*

*A. Where field surveyed topography indicates that adjacent ground elevations:*

- 1. Are below the base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to the requirements of these regulations;*
- 2. Are above the base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.*

*B. In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.*

*C. Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.*

*D. Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.*

*E. If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:*

- 1. Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.*
- 2. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Section 22-17-8A-7.1(A)(3) and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.*
- 3. Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the base flood elevations and/or designated floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or*

*appeal to FEMA.*

Sec. 22-17-8A.21.4 - Jurisdictional Boundary Changes [44 CFR 59.22, 65.3]

*The County floodplain ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. Municipalities with existing floodplain ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified flood hazards. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.*

*In accordance with the Code of Federal Regulations, Title 44 Subpart (B) § 59.22(a)(9)(v) all NFIP participating communities must notify the Federal Insurance Administration and optionally the State Coordinating Office in writing whenever Fluvanna's boundaries have been modified by annexation or the county has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.*

*In order that all FIRMs accurately represent the community's boundaries, a copy of a map of the County suitable for reproduction, clearly delineating the new corporate limits or new area for which the County has assumed or relinquished floodplain management regulatory authority must be included with the notification.*

Sec. 22-17-8A.21.5 – Submitting Technical Data [44 CFR 65.3]

*Fluvanna County's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the County shall notify FEMA of the changes by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.*

Sec. 22-17-8A.21.6 – Letters of Map Revision

*When development in the floodplain will cause or causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.*

*Example cases:*

- *Any development that causes a rise in the base flood elevations within the floodway.*
- *Any development occurring in Zones AI-30 and AE without a designated*

*floodway, which will cause a rise of more than one foot in the base flood elevation.*

- *Alteration or relocation of a stream (including but not limited to installing culverts and bridges) 44 Code of Federal Regulations §65.3 and §65.6(a)(12)*

*The public purpose for such amendment is to conform the zoning ordinance to federal flood insurance regulations.*



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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:** SDP 15:05

**Tax Map:** Tax Map 5, Section 7, Parcel 9B

**From:** Steve Tugwell

**District:** Columbia

**Date:** May 27, 2015

**General Information:** This item is scheduled to be heard by the Planning Commission on Wednesday, May 27, 2015 at 7:00 p.m. in the Circuit Courtroom in the Courts Building.

**Owner:** Coleman-Elder, LLC (Jeff Wray, manager)

**Applicant/Representative:** School Lane & Associates, LLC

**Requested Action:** Approval of a sketch plan to construct a 9,500 square foot self-storage facility with respect to 10.25 acres of Tax Map 5, Section 7, Parcel 9B. (Attachment A)

**Location:** The subject property is located approximately 800 feet southwest of Richmond Road (Route 250) at the intersection of Better Living Drive and Richmond Road. (Attachment B)

**Existing Zoning:** B-1, Business, General

**Existing Land Use:** Existing self-storage buildings, an office, and parking

**Adjacent Land Uses:** Adjacent properties are zoned B-1, and I-1

**Comprehensive Plan:** Zion Crossroads Community Planning Area

**Zoning History:** A rezoning (ZMP 75:02) was approved on May 5, 1975; a rezoning (ZMP 99:10), from I-1 to B-1 was approved for this property on November 17, 1999. A site development plan (SDP 99-12) was approved on December 29, 1999.

## **Analysis:**

The applicant is requesting sketch plan approval to build a 9,500 square foot climate-controlled self-storage facility on B-1 zoned property, approximately 10.25 acres in size. Self-storage facilities are a by-right use in the B-1 zoning district. According to the submitted sketch plan, the applicant is proposing to construct a single-story storage building approximately 190 x 50' in size. There are currently nine (9) existing storage buildings on-site, one of which includes the office. (Attachment C)

### *Parking/Roads*

Site access is via an access easement off of Better Living Drive. VDOT has stated that the existing gravel entrance is adequate to support the newly proposed 9,500 square foot storage facility. This site has existing parking and no new parking is required or proposed.

### *Landscaping/Screening/Lighting*

All newly proposed landscaping and lighting shall be in compliance with the Fluvanna County Zoning Ordinance. This means that full-cutoff lighting is required.

### *Signage & Outdoor Lighting*

Directional signage is a key aspect of this site. Traffic circulation will be controlled by appropriate signage at the entrance/exit points into the site. Permanent signs are required to have a separate sign permit.

### *Stormwater Management*

The applicant has communicated with the E&S inspector and determined that E&S is not required for this particular project. (Attachment D)

### *Septic and Water Usage*

No impact to septic or water usage with this application.

## **Technical Review Committee:**

The following comments were generated from the April 16, 2015 Technical Review Committee meeting:

1. VDOT has made a site visit and reviewed the existing gravel Low Volume Entrance that serves the Zion Crossroads Self Storage. The existing gravel entrance is adequate to support the proposed 9,500 sq. ft. climate controlled storage building. Paving the first 25 feet of the existing gravel entrance would be a nice improvement and was suggested, however, VDOT said it was not a requirement;

2. Central Virginia Electric Corporation stated that there is power accessible to this site;
3. Planning staff – a final site development plan meeting all ordinance requirements will be needed prior to the issuance of building permits;
4. The Fire Chief stated there have been issues with the electronic gate, and there needs to be a posted emergency number to call to get access in a timely manner;
5. The Health Dept. stated they have no comments.
6. The Erosion and Sedimentation Control Inspector commented that an E&S permit is not required for this project.

(Attachment E)

**Conclusion:**

The submitted sketch plan appears to meet the sketch plan requirements of Section 22-23-8.A of the Fluvanna County Zoning Ordinance. Prior to final approval, a site development plan that meets the requirements of Sections 22-23, 24, 25 and 26 of the Fluvanna County Zoning Ordinance must be submitted for staff review and approval.

**Recommended Conditions:**

1. Meeting all final site plan requirements which include, but are not limited to, providing parking, landscaping, tree protection, and outdoor lighting plans;
2. Meeting all VDOT requirements;
3. Meet all required Erosion and Sedimentation Control regulations if it is determined that they are applicable to development.

**Suggested Motion:**

I move to approve SDP 15:05, a sketch site plan to construct a 9,500 square foot self-storage facility with respect to 10.25 acres of Tax Map 5, Section 7, Parcel 9B, subject to the conditions listed in the staff report.

**Attachments:**

- A – Application
- B – Aerial Vicinity Map
- C - Site sketch plan
- D – Applicant’s note regarding E&S
- E – TRC comment letter and emails

Copy:

Owner: Coleman-Elder, LLC (Jeff Wray), 2153 Richmond Road, Charlottesville, VA 22911, whowray@ntelos.net  
File



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
 Site Development Application

Received  
 MAR 31 2015  
 Fluvanna County

**Owner of Record:** JEFF WRAY MANAGER OF: COLEMAN-ELDER LLC  
 E911 Address: 2153 RICHMOND Rd. CHARLOTTESVILLE VA. 22911  
 Phone: 434-531-3481 Fax: 434-296-8477  
 Email: whowray@ntelos.net

**Applicant of Record:** JEFF WRAY MANAGER OF: SCHOOL LANE 9 ASSOC. LLC  
 E911 Address: 2153 RICHMOND Rd. CIVILLE, VA. 22911  
 Phone: 434-531-3481 Fax: 434-296-8477  
 Email: whowray@ntelos.net

**Representative:** WRAY BEOS. INC. % Jeff Wray  
 E911 Address: 2153 Richmond Rd. CIVILE VA. 22911  
 Phone: 434-531-3481 Fax: 434-296-8477  
 Email: whowray@ntelos.net

**Tax Map and Parcel(s):** 5 7 9B **Deed Book Reference:** 404-708  
**Acreage:** 10.25 **Zoning:** B1 **Deed Restrictions?**  No  Yes (Attach copy)

**Location:** 2107 X ROADS Self Storage 659 Better Living Dr. TROY, VA. 22974  
**Description of Property:** EXISTING BACK 5 ACRES - mini STORAGE FACILITY w/ OFFICE & PARKING  
FRONT 5 ACRES - undeveloped  
**Proposed Structure:** 9500 sqft CLIMATE CONTROLLED SINGLE STORY BLDG. ON EXISTING  
NON-IMPVIOUS ASPHALT AREA CALLED VEHICLE STORAGE  
**Dimensions of Building:** 50'-0" WIDE X 190'-00" Long **Lighting Standards on Site:**  No  Yes  
**# of Employees:** NO ADDED EMPLOYEES **# of Parking Spaces:** NO ADDED PARKING SPACES  
**Noise Limitations:** NONE

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.

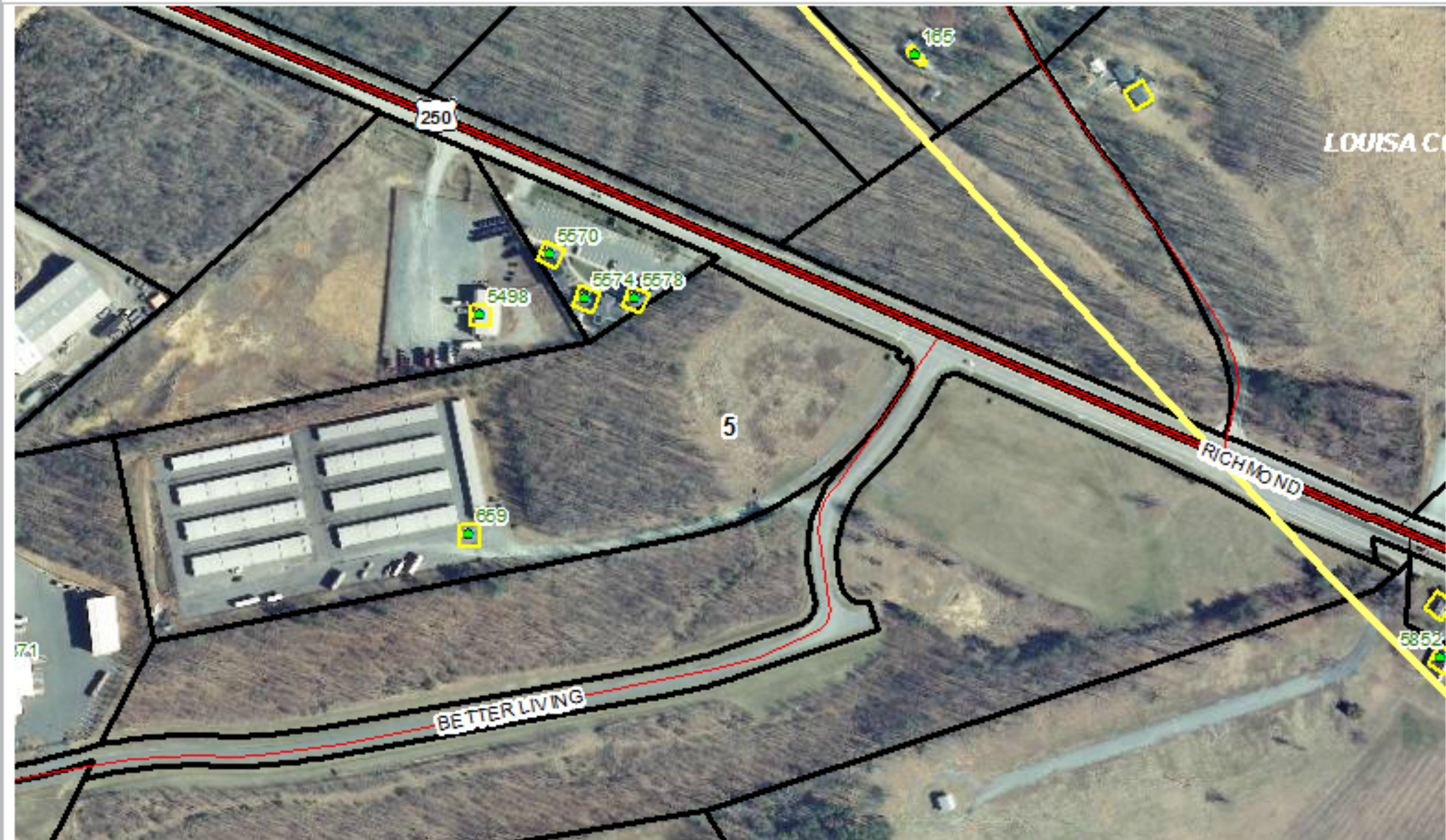
Is property in Agricultural Forestal District?  No  Yes  
 If Yes, what district: \_\_\_\_\_

I declare that the statements made and information given on this application are true, full and correct to the best of my knowledge and belief. I agree to conform fully to all terms of any certificate or permit which may be issued on account of this application.

Jeff WRAY  
 Applicant Name (Please Print)

Jeff 3/31/15  
 Applicant Signature and Date

OFFICE USE ONLY		
Date Received: <u>03/31/2015</u>	Fee Paid: <input checked="" type="checkbox"/> <u>1,100</u>	Application #: <u>SDP 15 :005</u>
Election District: <u>Columbia</u>	Planning Area: <u>Columbia CA</u>	Number of Lots: _____
Total Fees Due at Time of Submittal		
Sketch Plan: \$150.00	Minor Plan: \$550.00	Major Plan: \$1,100.00
Additional Fees Due at Time of Review		
Health Department Subdivision Review:	\$250.00 + \$25.00 per lot	Existing System Review \$50.00
Street Sign Installation:	\$200.00 Per Intersection	
Amendment of Plan	\$150.00	
Outdoor Lighting Plan Review*	\$ 50.00	
Landscape Plan Review*	\$ 50.00	
Tree Protection Plan Review*	\$ 50.00	
* If not part of a Site Plan Review		

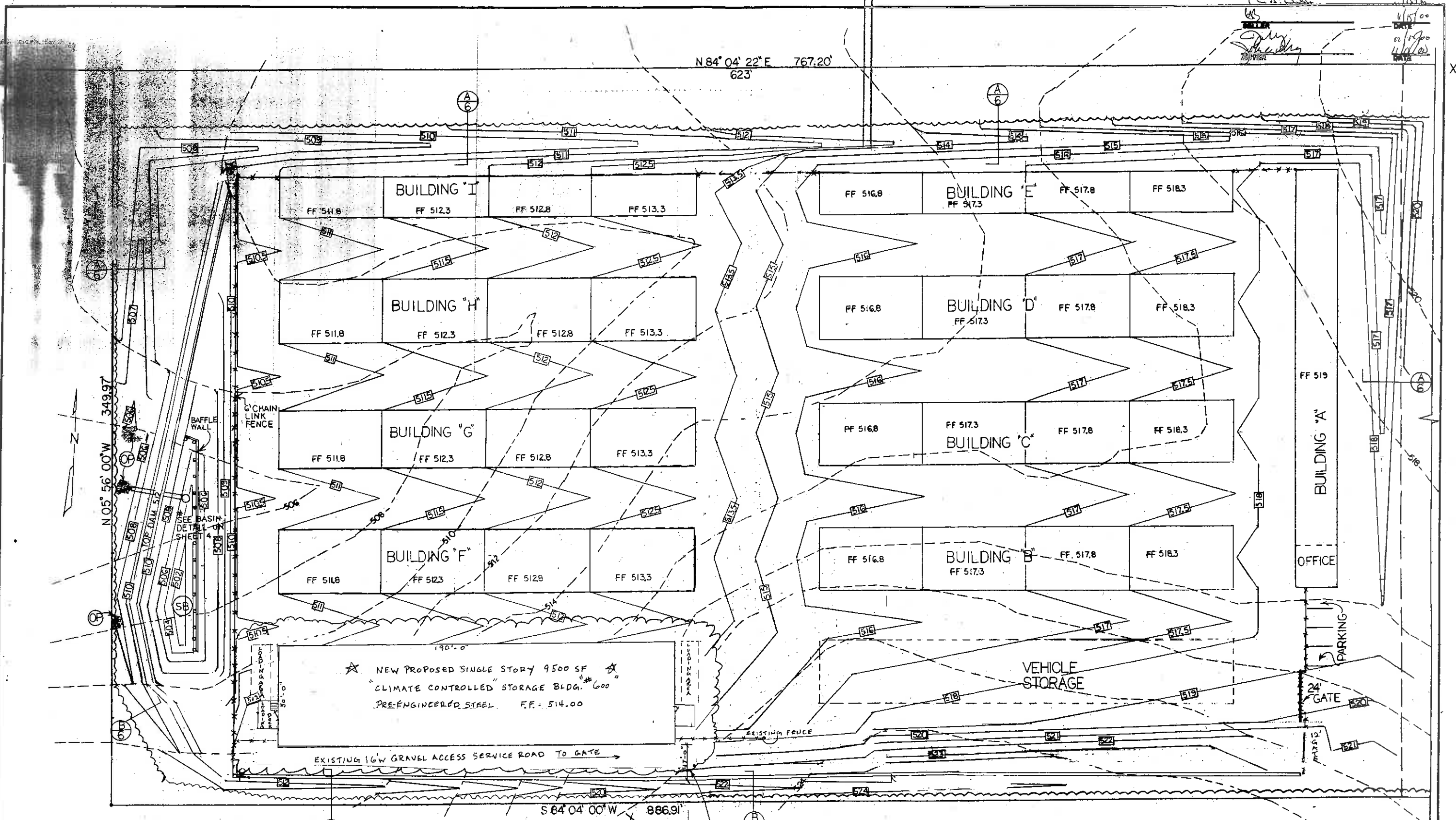


Scale: 1:4513.988705	Date: 05/21/2015	Printed By:
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Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).







**CONVERSION OF SEDIMENT BASIN TO DETENTION BASIN**

ONCE CONSTRUCTION IS COMPLETE AND PROPER VEGETATION HAS BEEN ESTABLISHED, THE SITE IS TO BE INSPECTED AND RELEASED BY THE COUNTY. ONCE THE SITE HAS BEEN RELEASED FOR REMOVAL OF E & S CONTROLS AN 8" DIAMETER ORIFICE IS TO BE MADE IN THE RISER WITH THE INVERT AT ELEV. 806.00. A 12"x12"x12" SCREEN CAGE IS TO BE FASTENED TO THE RISER IN FRONT OF THE 8" ORIFICE TO PREVENT BLOCKAGE.

**SITE PLAN**  
1"=20'

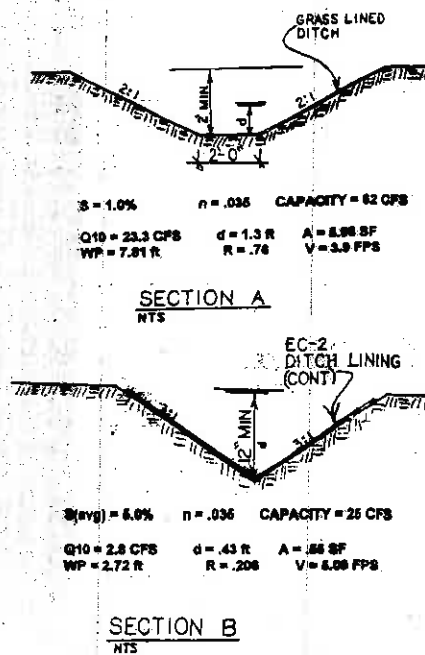
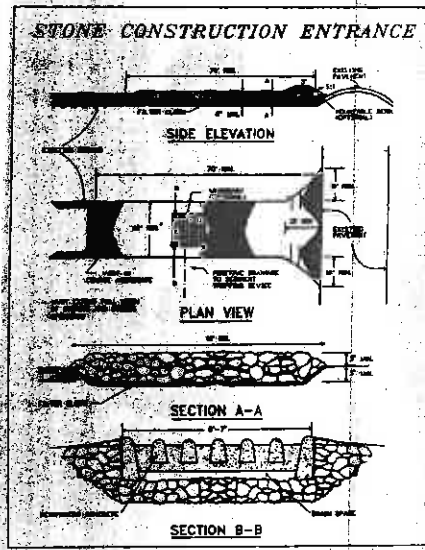
NEW  
CLOUDED AREA

DATE: 4/1/15					
SITE PLAN					
AMENDMENT					
NEW CLIMATE CONTROLLED BLDG.					
NO.	DATE	BY	REVISION		
3	6-5-04	ML	PER TJSWCD COMMENTS		
2	2-3-03	ML	COUNTY SIGN OFF		
1	11-22-98	ML	PERMIT ISSUE		

DRAINAGE PLAN PHASE II		AS NOTED
ZIONS CROSSROADS SELF STORAGE ZIONS CROSSROADS, VA.		DATE: 4/1/15
Keith & Associates, Inc.		942
PUGHMONT 1544 PUGH ROAD WEST CROSSLAND, VA 23030 (804) 794-2888		3 of 5
GOODLAND 5800 GORPHE HILL RD. GOODLAND, VA 23060 (804) 427-2128		



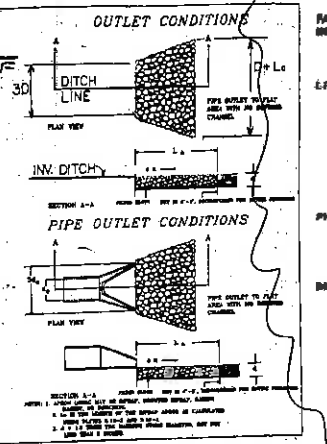
★ LIGHTS EXTERIOR



**NOTE**  
 DRAINAGE DITCH "A" HAS BEEN DESIGNED TO CARRY THE STORM WATER RUNOFF GENERATED BY THE ACCESS ROAD WHICH BEGINS AT ROUTE 280 AND RUNS WEST APPROXIMATELY 800 LF. ALL ACCESS ROAD DRAINAGE FROM THAT POINT ON WILL HAVE TO BE DITCHED AND DIVERTED WEST AND BE DISCHARGED AT SOME POINT DOWNSTREAM OF THE MINN STORAGE SITE.

NOTE: SAME AS EXISTING  
**WPI Wallpack (OR EQUIVALENT)**  
 Compact HPS and Metal Halide Wallpack for 35 to 100 watts. Supplied with medium beam clear R17 lenses. UV resistant, vandalproof prismatic polycarbonate reflector.

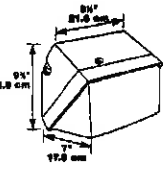
High Pressure Sodium	Low Pressure Sodium	Metal Halide	Compact Fluorescent
E17 Medium HPS 100 35 WPIB00G	E17 Medium LPS 87 30 WPIB00G	E17 Medium HPS 87 30 WPIB00G	E17 Medium HPS 87 30 WPIB00G
E17 Medium HPS 100 70 WPIB070	E17 Medium LPS 100 70 WPIB070	E17 Medium HPS 100 70 WPIB070	E17 Medium HPS 100 70 WPIB070
E17 Medium HPS 100 76 WPIB076	E17 Medium LPS 100 76 WPIB076	E17 Medium HPS 100 76 WPIB076	E17 Medium HPS 100 76 WPIB076
E17 Medium HPS 100 100 WPIB100	E17 Medium LPS 100 100 WPIB100	E17 Medium HPS 100 100 WPIB100	E17 Medium HPS 100 100 WPIB100



**FACTORY INSTALLED SOFTWARE**

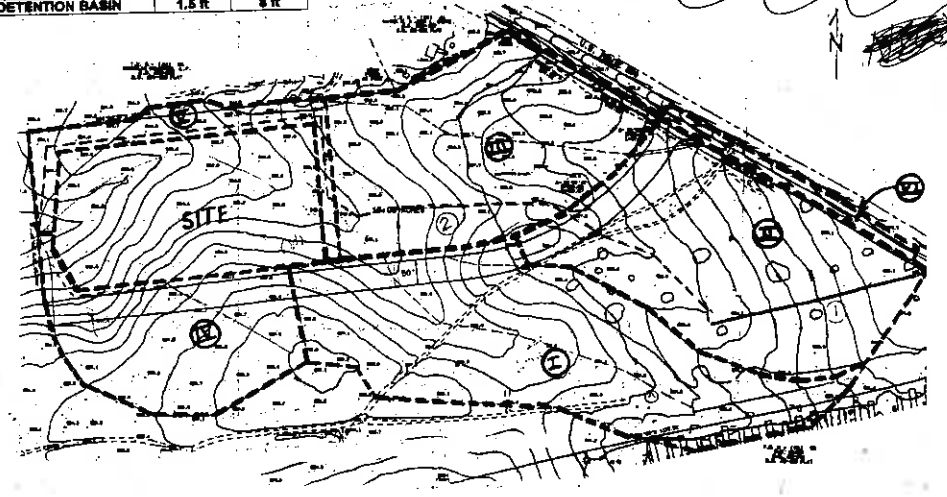
**PHOTOMETRIC**

Mounting Height	15'	20'	25'	30'	35'	40'	45'	50'
Wattage	25	30	35	40	45	50	55	60
Beam Angle	12	12	12	12	12	12	12	12

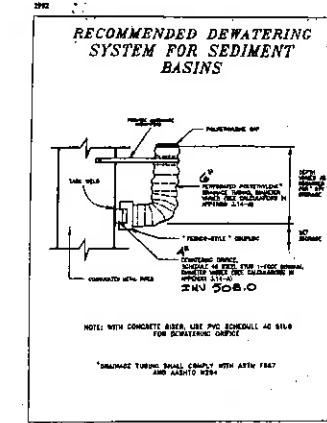


**RAB** RAB Manufacturing, Inc. • 170 Linden Avenue • Northvale, New Jersey 07647-0070 • 201 764-0000 • 801 764-9077 (Fax)

	D	L	W
CULVERT #1	1.25 R	8 R	8 R
CULVERT #2	1.25 R	8 R	8 R
CULVERT #3	N/A	N/A	N/A
DITCH "A"	2 R	16 R	16 R
DITCH "B"	1.6 R	8 R	8 R
DETENTION BASIN	1.5 R	8 R	8 R



DRAINAGE AREA MAP NTS



DATE: 4/1/15

SITE PLAN AMENDMENT  
 NEW CLIMATE CONTROLLED BLDG.

NO.	DATE	BY	REVISION
4	10-00-17		DITCH A NOTE ADDED
3	6-30-07		ADD DITCH LINGING - SECTION B
2	2-3-00		CONTRACT SIGN OFF
1	11-17-97		PERMIT ISSUE

**GENERAL NOTES**

All standards refer to those of the Virginia Department of Transportation (VDOT) and the County of FLOYDVA, Virginia.

Dimensions and notes shown are to face of curb where applicable.

The contractor shall secure all necessary permits for this project from VDOT and the County of FLOYDVA, Virginia.

The contractor shall be responsible for the verification of 95% compaction within the paved area, on subgrade, by an independent soil testing laboratory.

Any sign in excess of eight (8) feet requires a permit which must be obtained from the Building Inspection Department. Temporary construction signs shall not be erected without owners approval.

All parking spaces to be delineated by four (4) inch wide, white painted strips.

All drainage structures shall be built and installed in accordance with the Virginia Department of Transportation specifications. Drainage structures shall be cast in place or precast concrete, unless otherwise noted.

The contractor shall notify the County Engineer 24 hours prior to the beginning of construction.

All construction and materials shall conform with the latest standard and specifications of the Virginia Department of Transportation, except where FLOYDVA County standards are applicable.

The owner must arrange a pre-construction meeting with representatives of FLOYDVA County Department of Engineering at least 48 hours prior to land disturbance.

Location of existing sewers, water and gas pipes, conduits and other structures across underground or otherwise along the line of proposed work are not necessarily shown on plans, and if shown are only approximately correct. The contractor shall be liable for all damage done to any structure or property through his negligence or carelessness. Contractor shall verify location and elevation of all underground utilities shown on plan in areas of construction prior to starting work. Contact Engineer immediately if location or elevation is different from that shown on plan or upon discovery of any utility not shown on plan. For assistance in locating existing utilities, call "Miss Utility" at 1-800-552-7001 - 48 hours prior to excavation.

**EROSION CONTROL NOTES**

It shall be the Designer's responsibility to inspect erosion control devices periodically and after every rainfall event. Any necessary repairs or clean-up to maintain the effectiveness of the erosion control devices shall be made immediately.

No disturbed area will be denuded for more than 30 calendar days.

All erosion and siltation measures are to be placed prior to or as the first step in clearing and grading.

All storm and sanitary sewer lines not in trenches are to be matched and sealed immediately after backfill. No more than five hundred (500) feet are to be open at one site.

Electric power, telephone, and gas supply trenches are to be completed, sealed and matched immediately after backfill.

All temporary earth berms, ditches, and silt dums are to be matched and sealed for regular cover immediately after grading. Snow or hay mulch is required. The same applies to all soil stockpiles.

During construction, all storm sewer inlets will be protected by silt traps, maintained and modified as required by construction progress.

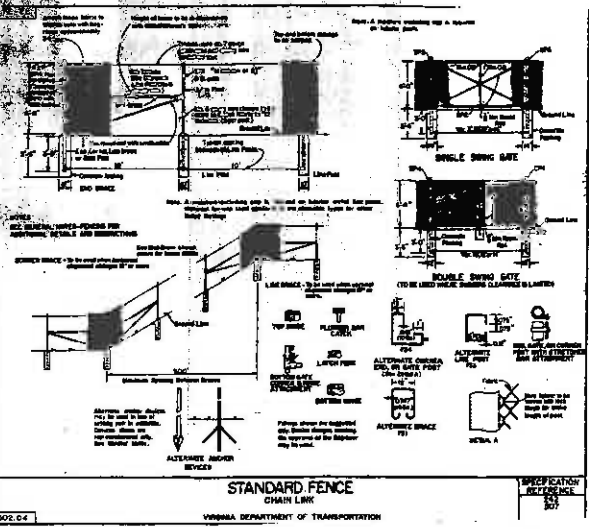
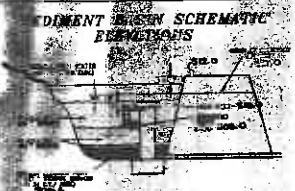
Any disturbed area not paved, seeded, or mulched by November 1st, is to be seeded on that date with seed, straw, hay or equivalent and mulched with hay or straw mulch. Modify as applicable depending on proposed time of construction.

All erosion control devices must be installed and maintained in accordance with the Virginia Erosion and Sediment Control Handbook.

If during construction, additional erosion control devices are found necessary, they shall be installed as directed by the County Engineer.

**Minimum Standards**

- Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain denuded (undisturbed) for longer than 30 days. Permanent stabilization shall be applied to areas that are to be left denuded for more than one year.
- A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved that, in the opinion of the local program administrator or his designated agent, is uniform, mature enough to survive and will inhibit erosion.
- Sediment basins and traps, perimeter ditches, sediment barriers and other measures (included to trap sediment) shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance begins.
- Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion. Slopes that are found to be eroding adversely within one year of permanent stabilization shall be provided with additional slope stabilizing measures until the problem is corrected.
- All storm sewer inlets that are made operable during construction shall be protected so that sediment-laden water cannot enter the conveyance system without first being filtered or otherwise treated to remove sediment.
- Before newly constructed stormwater conveyance channels are made operational, adequate outlet protection and any required temporary or permanent channel lining shall be installed in both the conveyance channel and receiving channel.
- Where construction vehicle access routes intersect paved public roads, provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface. Where sediment is transported onto a public road surface, the road shall be cleaned thoroughly at the end of each day. Sediment shall be removed from the road by shoveling or sweeping and transported to a sediment control disposal area. Street washing shall be allowed only after sediment is removed in this manner. This provision shall apply to individual subdivision lots as well as to larger land-disturbing activities.
- All temporary erosion and sediment control measures shall be removed within 30 days after final site stabilization or after the temporary measures are no longer needed, unless otherwise authorized by the local program administrator. Trapped sediment and the disturbed soil areas resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.



**EROSION AND SEDIMENT NARRATIVE**

**PROJECT DESCRIPTION** - THE PURPOSE OF THIS LAND DISTURBANCE IS TO CONSTRUCT A MINN STORAGE COMPLEX. THE TOTAL LAND DISTURBANCE FOR THIS PROJECT WILL BE 2.82 ACRES IN PHASE I AND 2.00 ACRES IN PHASE II.

**EXISTING SITE CONDITIONS** - EXISTING TOPOGRAPHY SLOPES MODERATELY FROM THE SOUTH EAST TO THE NORTH WEST. THIS SITE IS MOSTLY WOODED.

**ADJACENT AREAS** - ALL ADJACENT PARCELS ARE WOODED. THIS PARCEL IS INCLUDED IN THE PLANNED INDUSTRIAL AREA THE ADJACENT PARCEL TO THE NORTH IS ZONED AGRICULTURAL.

**SOILS** - SOILS CONSIST OF MASON BILT LOAMS 2% TO 8% SLOPE RANGE AND WORTHAM S.L.L. LOAMS 0% TO 2% SLOPE RANGE CRITICAL AREAS - THERE ARE NO CRITICAL AREAS ON THIS SITE.

**EROSION AND SEDIMENT CONTROL MEASURES**

- CONSTRUCTION ENTRANCE WILL BE INSTALLED AT THE STARTING OF THE ENTRANCE ROAD ON RT 280.
- SET FENCE WILL BE INSTALLED ABOVE GRADE OF ALL DISTURBED AREAS AS SHOWN ON THE APPROVED DRAWINGS.
- SLOPES, SHOULDERS, AND DITCHES ARE TO BE SEEDED, FERTILIZED, LIMED, AND MULCHED IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE VA EROSION AND SEDIMENT CONTROL HANDBOOK (3.32 & 3.35).
- SEED, MULCH, AND FERTILIZER AT REAR OF LOW SOIL STOCKPILES AND BORROW AREAS - THE SITE GRADING WAS DESIGNED TO BALANCE AS CLOSE AS POSSIBLE. NO STOCKPILE OR BORROW AREAS ARE ANTICIPATED.

**STORM WATER MANAGEMENT CONSIDERATIONS** - ANY INCREASE IN RUNOFF DUE TO THIS PROJECT IS CONSIDERED MINIMAL. NO FLOODING OR CHANNEL DEGRADATION SHOULD RESULT DOWNSTREAM.

**MAINTENANCE** - EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AFTER EVERY RAIN EVENT AND AT LEAST ONCE EVERY 30 DAYS. REPAIRS TO BE MADE AS NECESSARY OR AS DIRECTED BY COUNTY INSPECTOR.

**TABLE 2.33-A ORGANIC MULCH MATERIALS AND APPLICATION RATES**

MULCHES:	RATES:		NOTES:
	Per Acre	Per 1000 sq. ft.	
Straw or Hay	15 - 2 tons (minimum 2 tons for winter cover)	70 - 90 lbs.	Free from weeds and coarse matter. Must be anchored. Spread with match blower or by hand.
Fiber Mulch	Maximum 1500 lbs.	35 lbs.	Do not use as mulch for winter cover or during hot, dry periods. Apply as slurry.
Corn Stalks	4 - 6 tons	185 - 275 lbs.	Cut or shredded in 4-F lengths. Air-dried. Do not use in fine turf areas. Apply with match blower or by hand.
Wood Chips	4 - 6 tons	185 - 275 lbs.	Free of coarse matter. Air-dried. Treat with 12 lbs nitrogen per ton. Do not use in fine turf areas. Apply with match blower, chip handler, or by hand.
Bark Chips or Shredded Bark	50 - 70 cu. yds.	1-2 cu. yds.	Free of coarse matter. Air-dried. Do not use in fine turf areas. Apply with match blower, chip handler, or by hand.

\* When fiber mulch is the only available mulch during period, when straw should be used, apply at a minimum rate of 2000 lbs./ac, or 4 lbs./100 sq. ft.

**TABLE 2.33-B SITE SPECIFIC SEEDING MIXTURES FOR FLOODPLAIN AREA**

Minimum Care Laws	Total Lbs. Per Acre
Commercial or Residential	175-200 lbs.
Kentucky 31 or Turf-Type Tall Fescue	95-100%
Improved Perennial Ryegrass	0-5%
Kentucky Bluegrass	0-5%
High-Maintenance Lawn	200-250 lbs.
Kentucky 31 or Turf-Type Tall Fescue	100%
General Slope (Cut or less)	
Kentucky 31 Fescue	128 lbs.
Red Top Grass	20 lbs.
Seasonal Nurse Crop*	150 lbs.
Low-Maintenance Slope (Steeper than 3:1)	
Kentucky 31 Fescue	105 lbs.
Red Top Grass	20 lbs.
Seasonal Nurse Crop*	20 lbs.
Crownvetch**	150 lbs.

\* Use seasonal/nurse crop in accordance with seeding dates as stated below:  
 February 16th through April ..... Annual Rye  
 May 1st through August 15th ..... Fescue Millet  
 August 16th through October ..... Annual Rye  
 November through February 15th ..... Winter Rye

\*\* Substitute Service lespedeza for Crownvetch east of Farmville, Va. (May through September use balled Series, all other periods, use unballed Series).  
 \* Fescue is used in lieu of Crownvetch, increase rate to 38 lbs./acre. All legume seed must be properly inoculated. Weeping Lovegrass may be added to any slope or low-maintenance mix during warmer seeding periods; add 10-20 lbs./acre in mixes.

**TABLE 2.31-C TEMPORARY SEEDING PLANT MATERIALS, SEEDING RATES, AND BATES**

SPECIES	SEEDING RATE	NORTH*		SOUTH*		PLANT CHARACTERISTICS
		Area	1000 sq ft	Area	1000 sq ft	
GRASS (Cultivar)	2 lbs. (up to 100 lbs. per ton less than 50 lbs.)	2 lbs.	X	X	X	Use spring varieties (e.g., Hybrid)
RYE* (Cultivar)	2 lbs. (up to 100 lbs. per ton less than 50 lbs.)	2.5 lbs.	X	X	X	Use for late fall seedings. Winter cover. Tolerates cold and late seedings.
GERMAN RYEGRASS (Cultivar)	30 lbs.	approx. 1 lb.	X	X	X	Winter-sown annual. Use as first seed. May be added to mixture.
ANNUAL RYEGRASS (Cultivar)	40 lbs.	1 lb.	X	X	X	May be added to mixture. Will come out of winter. Will tolerate cold.
WEEDING LOVEGRASS (Cultivar)	15 lbs.	5 lb. min.	X	X	X	Winter-sown perennial. May be added to mixture. Tolerates hot, dry slopes and soil, alkaline soils. May be added to mixture.
KOREAN LEPTODIA* (Cultivar)	20 lbs.	approx. 1 lb.	X	X	X	Winter-sown annual legume. Tolerates cold soils. May be added to mixture.

\* Northern Piedmont and Mountain region. See Pages 3.22-1 and 3.22-2.  
 \* Southern Piedmont and Coastal Plain.  
 \* May be used as a cover crop with spring seeding.  
 \* May be used as a cover crop with fall seeding.  
 \* May be planted between these dates.  
 \* May not be planted between these dates.

**NOTES AND DETAILS**

ZION'S CROSSROADS SELF STORAGE  
 ZION'S CROSSROADS, VA.

**Keith & Associates, Inc.**  
 RICHMOND 1644 RIVER ROAD WEST CHERRY, VA 23008 (804) 784-3525  
 GOOCHLAND 2804 CHAPPEL HILL RD. GOOCHLAND, VA 23060 (804) 677-2180

942  
 5/15/15

Coleman-Elder, L.L.C. • 2152 Richmond Rd. • 2345 Hunters Way #1 • Charlottesville, VA 22911 • (434) 296-0565 • FAX (434) 296-8477  
SCHOOL LANE PASSO-LLC

DATE: 4/1/15

PROJECT:

FROM: JEFF WRAY

ZION X ROADS SELF STORAGE SITE PLAN AMENDMENT

NEW 9500 ~~A~~ CLIMATE CONTROLLED BLDG.

PLEASE NOTE: MET WITH ROGER BLACK

Wed. 3/17/15 @ SITE TO DISCUSS EIS.

PER TELEPHONE CONVERSATION LATER THAT DAY W/ MR. BLACK THAT NO EIS WOULD BE REQUIRED FOR PROJECT.

THANK YOU

Sincerely,

*Jeff*  
JEFF WRAY - OWNER.

Received



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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)

May 4, 2015

School Lane & Associates, LLC  
2153 Richmond Road  
Charlottesville, VA 22911

Delivered via email

**Re: SDP 15:05 School Lane & Associates, LLC major site plan**  
**Tax Map: 5, Section 7, Parcel 9B**

Dear Mr. Wray:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, April 16, 2015.

1. VDOT has made a site visit and reviewed the existing gravel Low Volume Entrance that serves the Zion Crossroads Self Storage. The existing gravel entrance is adequate to support the proposed 9,500 sq. ft. climate controlled storage building. Paving the first 25 ft. of the existing gravel entrance would be a nice improvement and is suggested, however, it is not a requirement.
2. Central Virginia Electric Cooperation stated that there is power accessible to this site;
3. Planning staff- a final site development plan meeting all ordinance requirements will be needed prior to the issuance of building permits;
4. The Fire Chief stated there have been issues with the electronic gate, and there needs to be a posted emergency number to call to get access in a timely manner;
5. Health Dept. stated they have no comments;

The Planning Commission will have a meeting to discuss this item at their Wednesday, May 27, 2015 meeting. **Your attendance is required at this meeting.**

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**

---

**From:** Wood, Mark, P.E., LS (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Wednesday, April 29, 2015 5:30 PM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** VDOT's April 16, 2015 Fluvanna County TRC Comments

**Importance:** High

Steve,

**SDP 15:05 – Wary Brothers Inc. (Tax Map 5, Section 7, Parcel 9B), Fluvanna County (Better Living Drive)**

VDOT has made a site visit and reviewed the existing gravel Low Volume Entrance that serves the Zion Crossroads Self Storage. The existing gravel entrance is adequate to support the proposed 9,500 sq. ft. climate controlled storage building. Paving the first 25 ft. of the existing gravel entrance would be a nice improvement and is suggested, however, it is not a requirement.

**SDP 15:06 – LMOA – New Golf Clubhouse (Tax Map 18A, Section 4, Parcel 224A), Fluvanna County (Bunker Boulevard – private road)**

VDOT reviewed the site plan for the proposed Clubhouse, Cart Barn and expanded parking lot in Lake Monticello and the proposed project will not negatively impact VDOT's road system.

**SUP 15:02 – Flick Investments Group, LLC (Tax Map 59, Section A, Parcel 8), Fluvanna County (Rte. 695, Creasy Town Road)**

VDOT had previously visited this site and reviewed a proposed entrance location off Rte. 695 to access the existing storage building. The proposed entrance is located over 500 ft. off Rte. 15 and will provide for "stacking" of vehicles while customers make a right turn into the site. A commercial entrance permit will be required, entrance radii will be based on the size of delivery trucks coming into the site.

VDOT understands that the Applicant has an agreement with the adjacent church for overflow parking, the church has access off both Rte. 15 and Rte. 695. VDOT further understands that trucks will deliver estate type items to the storage building approximately two times per week, "Live Auctions" will be held on Thursdays 6:00 p.m. to approximately 11:00 – 12:00 a.m. and on Saturdays. Online auctions will be conducted from the building as well.

**ZMP 15:02 – Steven L. Peters (Tax Map 8, Section A, Parcel A14A), Fluvanna County (Rte. 53, Thomas Jefferson Parkway/Rte. 618, Lake Monticello Road).**

VDOT has been working on a turn lane improvement project at this location, however, progress recently slowed due to Right of Way acquisition which will include land on the southwest side of Rte. 53 that is in a Virginia Outdoor Foundation Easement. The developer proposes a roundabout at this location which would be an ideal long term fix at this location. Rte. 53 and Rte. 618 are both Major Collectors. Based on VDOT's 2014 Traffic Data, Rte. 53 carries 6900 AADT and while Rte. 618 carries 3,000 AADT. Given the existing traffic volumes and the proposed commercial growth in this area, this intersection is a good candidate for a roundabout. The Right of Way dedication proposed by the developer would allow for much of the roundabout to be constructed outside of the existing Rte. 53 and Rte. 618 travel lanes which would reduce both construction time and cost.

The proposed concept plan for a roundabout at the intersection of Rte. 53/618 has been provided to Location & Design staff at the Culpeper District staff for review. VDOT does not currently have funds to construct a roundabout at this location.



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, April 15, 2015 3:06 PM  
**To:** Steven Tugwell  
**Subject:** RE: April 16, 2015 TRC agenda

Steve,

Based on the information provided, we have no comments.  
Thanks,

Charles

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Tuesday, April 14, 2015 5:13 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); Brent, Mike; Patricia Eager; Robert Popowicz; Roger Black; [soilson@forcvec.com](mailto:soilson@forcvec.com); Tony O'Brien; Wayne Stephens  
**Subject:** April 16, 2015 TRC agenda

Dear TRC members:

Attached is the agenda for this month's TRC meeting. I look forward to seeing you at the meeting.

Any questions please let me know.

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:** Steve Olson <solson@MyCVEC.com>  
**Sent:** Monday, May 04, 2015 10:55 AM  
**To:** Steven Tugwell  
**Subject:** RE: April 16, 2015 TRC meeting comments

Steve,

No comments on the Wray Bothers Inc. Project. Power is already on site. Contact Engineering when ready if a new service is needed.

LMOA Clubhouse will need to contact CVEC get a work order to remove the overhead line where the new building is to be located. May want to consider leaving the old pole in place that is serving the existing facilities if possible. This could save on some costs but this depends on the routing of the existing secondary conductors that run to the old clubhouse. The new service for the new facilities whether single phase or three phase could be buried but there would be cost. Once the project is approved contact CVEC to create a new work order for the new service. At that time you can schedule an onsite meeting to discuss all available options.

Flick Investments Group, LLC. This project is in Dominion's Service Territory.

Steven L. Peters. This project is in Dominion's Service Territory.

Thanks,

Steven C. Olson  
 Field Engineering Supervisor  
 Reliability & System Engineering  
 P. O. Box 247  
 Lovingston, VA 22949  
 800.367.2832, Ext. 1450  
 Direct: 434.263.7631  
[www.mycvec.com](http://www.mycvec.com)




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**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Monday, May 04, 2015 10:34 AM  
**To:** Mike Brent; Steve Olson; Miller, Charles (VDH)  
**Cc:** Roger Black  
**Subject:** April 16, 2015 TRC meeting comments



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# COUNTY OF FLUVANNA

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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:** SDP 15:06  
**Tax Map:** Tax Map 18A, Section 4, Parcel 224A

**From:** Steve Tugwell  
**District:** Cunningham  
**Date:** May 27, 2015

**General Information:** This item is scheduled to be heard by the Planning Commission on Wednesday, May 27, 2015 at 7:00 p.m. in the Circuit Courtroom in the Courts Building.

**Owner:** Lake Monticello Owner's Association

**Applicant/Representative:** Catherine Neelley/Angela Easterwood

**Requested Action:** Approval of a sketch plan to construct a 9,670 square foot golf clubhouse, a 5,600 square foot cart barn, and a 1,425 square foot pavilion with respect to 2.837 acres of Tax Map 18A, Section 4, Parcel 224A. (Attachment A)

**Location:** The subject property is located on Bunker Boulevard approximately 900 feet south of its intersection with Oak Grove Road. (Attachment B)

**Existing Zoning:** R-4, Residential, Limited

**Existing Land Use:** Golf Clubhouse

**Adjacent Land Uses:** Adjacent properties are zoned R-4

**Comprehensive Plan:** Rivanna Community Planning Area

## **Analysis:**

The applicant is requesting sketch plan approval to build a 9,670 square foot golf clubhouse, a 5,600 square foot cart barn, and a 1,425 square foot pavilion on R-4 zoned property, approximately 2.837 acres in size. According to the submitted sketch plan, the applicant is proposing to construct a new golf clubhouse building approximately 170 x 55 in size, *more or less*, with a 5,600 square foot building to accommodate storage of gold carts, and a 1,425 square foot pavilion building. (Attachment C)

### *Parking/Roads*

Site access is off of Bunker Boulevard within the main-gated subdivision of Lake Monticello.

The new clubhouse is considered an assembly hall under the “*recreation*” matrix in the off-street parking & loading section of the zoning ordinance. This use requires one (1) parking space per one-hundred (100) square feet of floor area. The building as proposed is 9,670 square feet, which requires 97 parking spaces. The applicant is proposing 69 new parking spaces, 14 additional spaces, and there are 55 existing spaces. This will bring the total number of parking spaces to 138, or exactly 40% more than required. (Attachment D)

### *Landscaping/Screening*

All landscaping should be in compliance with the Fluvanna County Zoning Ordinance. All parking lots of five (5) or more spaces must be screened from view of public roads, rights-of-way, and adjacent properties. Shade trees are required in the parking islands and at the ends of all parking bays.

### *Signage & Outdoor Lighting*

Directional signage is a key aspect of this site. Traffic circulation will be controlled by appropriate signage at the entrance/exit points into the site. Permanent signs are required to have a separate sign permit. Approximate locations of outdoor lighting have been shown on the sketch plan. The applicant will be required to submit an outdoor lighting plan as part of the final site plan approval. This plan must show outdoor lighting that is fully shielded and uses full cut-off lighting fixtures.

### *Stormwater Management*

An erosion and sediment control plan would also be required for review and approval prior to the issuance of any land disturbing permit.

### *Septic and Water Usage*

Water and sewer would be provided by connecting into the existing water and sewer service, which is provided by Aqua Virginia. Aqua Virginia must approve the final site plan.

**Technical Review Committee:**

The following comments were generated from the April 16, 2015 Technical Review Committee meeting:

1. VDOT stated that they reviewed the site plan for the proposed Clubhouse, Cart Barn and expanded parking lot in Lake Monticello and the proposed project will not negatively impact VDOT's road system;
2. Water and sewer service is provided by Aqua Virginia, and they must approve the final site plan;
3. Central Virginia Electric Cooperation stated that LMOA Clubhouse will need to contact CVEC get a work order to remove the overhead line where the new building is to be located. May want to consider leaving the old pole in place that is serving the existing facilities if possible. This could save on some costs but this depends on the routing of the existing secondary conductors that run to the old clubhouse. The new service for the new facilities whether single phase or three-phase could be buried but there would be cost. Once the project is approved contact CVEC to create a new work order for the new service. At that time you can schedule an onsite meeting to discuss all available options;
4. The erosion and sediment control inspector asked what the plan is for stormwater management, and that an E&S plan will be required;
5. Planning staff- a final site development plan meeting all ordinance requirements will be needed prior to the issuance of building permits;
6. The Fire Chief stated the proposed square footage will dictate whether or not sprinklers are required;
7. Health Dept. stated they have no comments.

**Conclusion:**

The submitted sketch plan appears to meet the sketch plan requirements of Section 22-23-8.A of the Fluvanna County Zoning Ordinance. Prior to final approval, a site development plan that meets the requirements of Sections 22-23, 24, 25 and 26 of the Fluvanna County Zoning Ordinance must be submitted for staff review and approval.

**Recommended Conditions:**

1. Meeting all final site plan requirements which include, but are not limited to, providing parking, landscaping, tree protection, and outdoor lighting plans;

2. Prior to the issuance of a final certificate of occupancy, the sewage and water systems must have received all final approvals from Aqua Virginia and must be ready to begin operation;
3. Meeting all VDOT requirements, if any;
4. Meet all required Erosion and Sedimentation Control regulations.

**Suggested Motion:**

I move to approve SDP 15:06, a sketch site plan to construct a 9,670 square foot golf clubhouse, a 5,600 square foot cart barn, and a 1,425 square foot pavilion with respect to 2.837 acres of Tax Map 18A, Section 4, Parcel 224A, subject to the conditions listed in the staff report.

**Attachments:**

- A – Application, site data email from the applicant
- B – Aerial Vicinity Map
- C - Site sketch plan
- D – TRC comment letter and emails

Copy:

Owner: Lake Monticello Owner's Association, 41 Ashlawn Blvd., Palmyra, VA 22963

Applicant: Catherine Neelley, 41 Ashlawn Blvd., Palmyra, VA 22963 – [cneelley@lmoa.org](mailto:cneelley@lmoa.org)

Representative: Angela Easterwood, 41 Ashlawn Blvd., Palmyra, VA 22963 – [aeasterwood@lmoa.org](mailto:aeasterwood@lmoa.org)

Julia Skare - [jskare@daa.com](mailto:jskare@daa.com)

File



Attachment A  
Received

COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Site Development Application **Planning Dept.**

APR 01 2015

Owner of Record: Lake Monticello Owners' Association

Applicant of Record: Catherine ~~Nesley~~ Neelley

E911 Address: 41 Ashlawn Blvd, Palmyra, VA 22963

E911 Address: 41 Ashlawn Blvd, Palmyra, VA 22963

Phone: 434-589-8263 Fax: \_\_\_\_\_

Phone: 434-589-4263 Fax: \_\_\_\_\_

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

Email: cneelley@lmoa.org

Representative: Angela Easterwood

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: 41 Ashlawn Blvd, Palmyra, VA 22963

Phone: 434-589-8263 Fax: \_\_\_\_\_

Is property in Agricultural Forestal District?  No  Yes

Email: aeasterwood@lmoa.org

If Yes, what district: \_\_\_\_\_

Tax Map and Parcel(s): 18A 4 224A

Deed Book Reference: \_\_\_\_\_

Acreage: \_\_\_\_\_ Zoning: \_\_\_\_\_

Deed Restrictions?  No  Yes (Attach copy)

Location: 51 Bunker Blvd.

Description of Property: Golf Clubhouse & Cart Barn

Proposed Structure: New Golf Clubhouse & Cart Barn, pavilion

Dimensions of Building: \_\_\_\_\_ Lighting Standards on Site:  No  Yes

# of Employees: \_\_\_\_\_ # of Parking Spaces: proposed~70

Noise Limitations: \_\_\_\_\_

I declare that the statements made and information given on this application are true, full and correct to the best of my knowledge and belief. I agree to conform fully to all terms of any certificate or permit which may be issued on account of this application.

Catherine Neelley, LMOA General Manager  
Applicant Name (Please Print)

Catherine Neelley 3 April 2015  
Applicant Signature and Date

OFFICE USE ONLY		
Date Received: <u>04/01/2015</u>	Fee Paid: <input checked="" type="checkbox"/>	Application #: <u>SDP 15-004</u>
Election District: <u>Cunningham</u>	Planning Area: <u>Dis Juran CPA</u>	Number of Lots: _____
<b>Total Fees Due at Time of Submittal</b>		
Sketch Plan: \$150.00	Minor Plan: \$550.00	Major Plan: \$1,100.00
<b>Additional Fees Due at Time of Review</b>		
Health Department Subdivision Review:	\$250.00 + \$25.00 per lot	Existing System Review \$50.00
Street Sign Installation:	\$200.00 Per Intersection	
Amendment of Plan	\$150.00	
Outdoor Lighting Plan Review*	\$ 50.00	
Landscape Plan Review*	\$ 50.00	
Tree Protection Plan Review*	\$ 50.00	
* If not part of a Site Plan Review		





Letter of Transmittal

To: County of Fluvanna
Planning & Zoning
132 Main Street
Palmyra, VA 22963

Date: April 1, 2015
Project Number: C14169C-01
Project Name: Lake Monticello New Golf Clubhouse
Phone No.

cc:

We are sending you via: Hand-Delivered [X] Attached [ ] Under separate cover
[ ] Shop Drawings [ ] Prints [ ] Plans [ ] Specifications [ ] Samples

Table with 4 columns: Copies, Date, No., Description. Row 1: 1, 4/1/15, [ ], Sketch Plan Checklist. Row 2: 3, 4/1/15, [ ], Sketch Review Site Plan (Full-Size).

These are transmitted as checked below:

- [ ] For approval [ ] Returned for corrections [ ] Resubmit \_\_\_ copies for review
[ ] As requested [ ] Return \_\_\_ corrected prints
[X] For review and comment [ ] Prints returned after loan to us

REMARKS:

Application Fee will be submitted separately today.
If you have any questions or comments, please do not hesitate to contact Julia Skare at 434.295.0700.
Thank you.

DRAPER ADEN ASSOCIATES

Printed Name: Clint Pendleton, E.I.T.
Title: Staff Engineer, SP&E

Signature: [Handwritten Signature]

Received
APR - 1 2015
Fluvanna County

**Steven Tugwell**

---

**From:** Clint Pendleton <cpendleton@daa.com>  
**Sent:** Thursday, May 21, 2015 12:56 PM  
**To:** Steven Tugwell  
**Subject:** RE: Lake Golf Clubhouse (Bunker Recreational Facility)  
**Attachments:** 15 0401 - C14169C-01 - SKETCH REVIEW PLAN - CEP.pdf; 15 0401 - C14169C-01 - SR EXISTING CONDITIONS - CEP.pdf

Steven,

I've attached the sketch review plan that was submitted on 04/01/2015. The other information is as follows:

- **Parking Spaces:**
  - **Existing:** 55. An additional parking lot is located at the main entrance that has 59 spaces, but is outside of the project area. (Total Existing of 114)
  - **Proposed:** 69 (14 additional, 128 total with other existing parking lot included).
- **Acreage:**
  - The project is within the Common Area, Deed Book 199-532 plat (**2.837 Acres**), which is adjacent Parcel #18A 4 224A owned by LMOA.
  - Proposed **Limits of Disturbance** is 2.57 Acres.

Please give me a call if you need anything else, thank you for your time.

Respectfully,

Clint Pendleton

**Draper Aden Associates**

*Engineering • Surveying • Environmental Services*  
*Lasting Positive Impact*

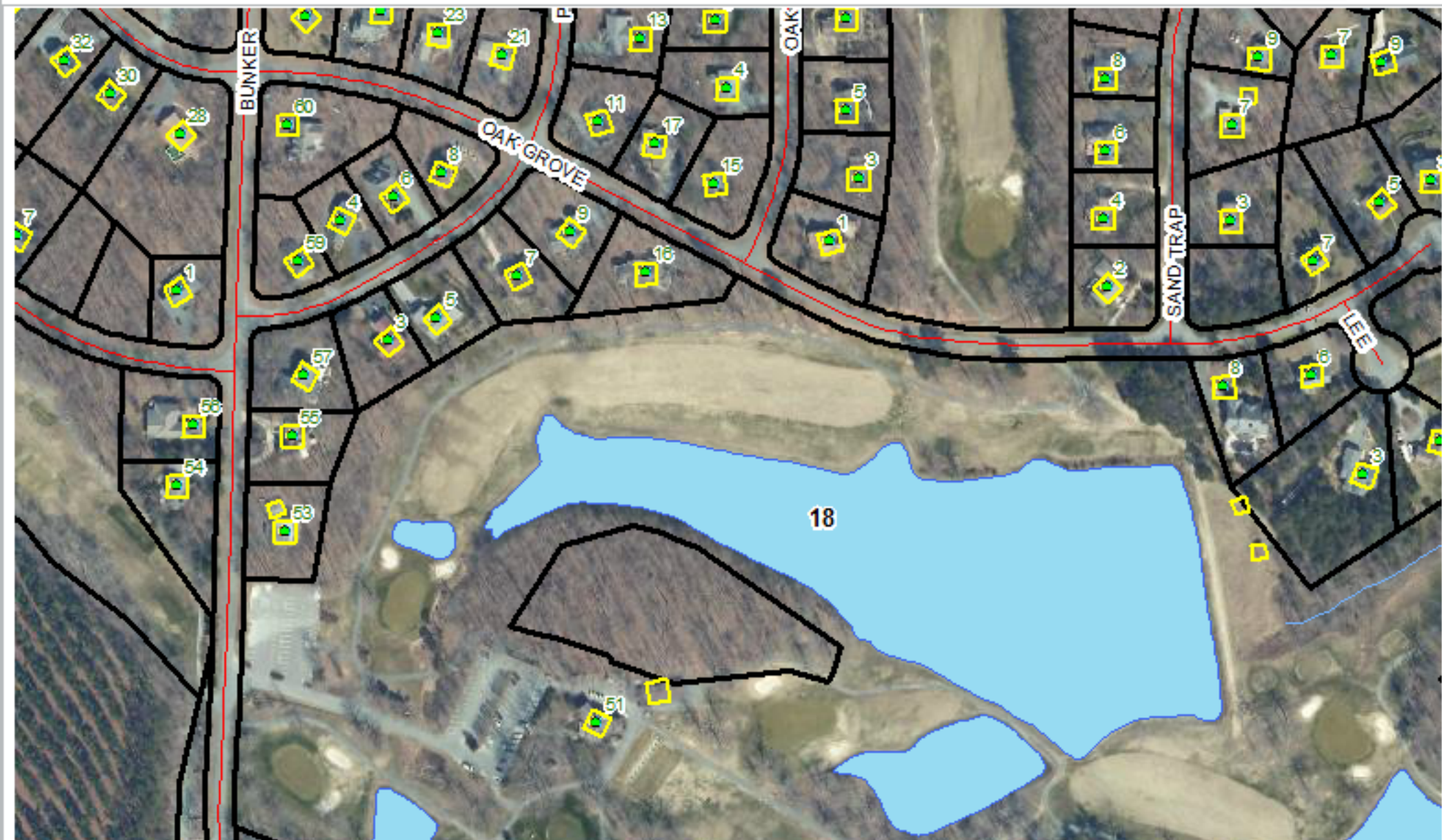
Phone 540-552-0444 / fax 540-552-0291  
[www.daa.com](http://www.daa.com)

All the Stormwater News That's Fit to Print - [The Inlet](#)



 Please consider the environment before printing this email

**From:** Steven Tugwell <[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)>  
**Date:** May 21, 2015 at 12:20:04 PM EDT  
**To:** "Julia Skare ([jskare@daa.com](mailto:jskare@daa.com))" <[jskare@daa.com](mailto:jskare@daa.com)>  
**Subject:** Lake Golf Clubhouse



Scale: 1:4513.988705

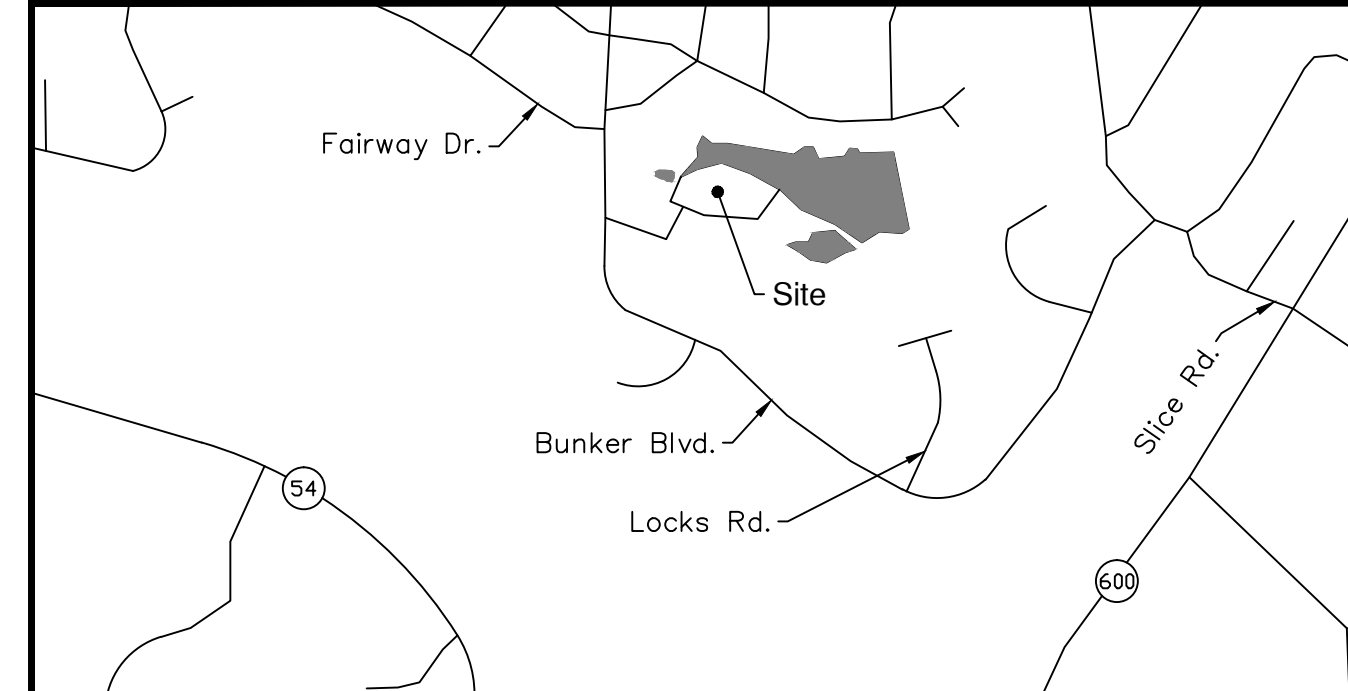
Date: 05/21/2015

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).

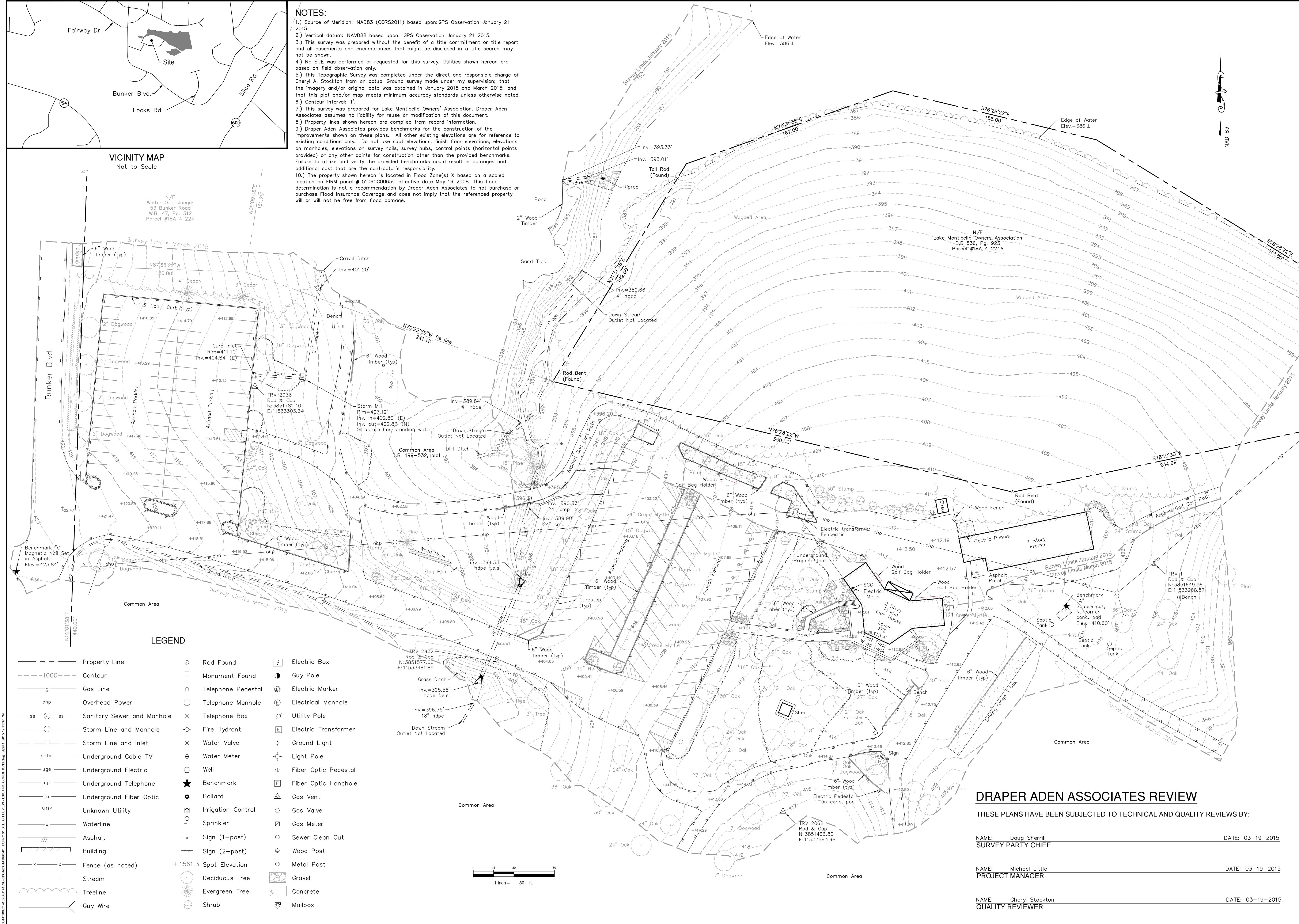
**NOTES:**

- 1.) Source of Meridian: NAD83 (CORS2011) based upon: GPS Observation January 21 2015.
- 2.) Vertical datum: NAVD88 based upon: GPS Observation January 21 2015.
- 3.) This survey was prepared without the benefit of a title commitment or title report and all easements and encumbrances that might be disclosed in a title search may not be shown.
- 4.) No SUE was performed or requested for this survey. Utilities shown hereon are based on field observation only.
- 5.) This Topographic Survey was completed under the direct and responsible charge of Cheryl A. Stockton from an actual ground survey made under my supervision; that the imagery and/or original data was obtained in January 2015 and March 2015; and that this plot and/or map meets minimum accuracy standards unless otherwise noted.
- 6.) Contour Interval: 1'.
- 7.) This survey was prepared for Lake Monticello Owners' Association. Draper Aden Associates assumes no liability for reuse or modification of this document.
- 8.) Property lines shown hereon are compiled from record information.
- 9.) Draper Aden Associates provides benchmarks for the construction of the improvements shown on these plans. All other existing elevations are for reference to existing conditions only. Do not use spot elevations, finish floor elevations, elevations on manholes, elevations on survey nails, survey hubs, control points (horizontal points provided) or any other points for construction other than the provided benchmarks. Failure to utilize and verify the provided benchmarks could result in damages and additional cost that are the contractor's responsibility.
- 10.) The property shown hereon is located in Flood Zone(s) X based on a scaled location on FIRM panel # 5106500055 effective date May 16 2008. This flood determination is not a recommendation by Draper Aden Associates to not purchase or purchase Flood Insurance Coverage and does not imply that the referenced property will or will not be free from flood damage.



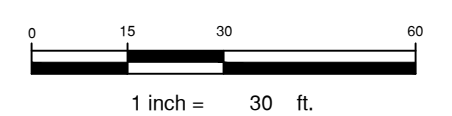
VICINITY MAP  
Not to Scale

N/F  
Walter O. II Jaeger  
53 Bunker Road  
W.B. 47, Pg. 312  
Parcel #18A 4 224



**LEGEND**

- |        |                            |          |                    |   |                      |
|--------|----------------------------|----------|--------------------|---|----------------------|
| —      | Property Line              | ○        | Rod Found          | ⊡ | Electric Box         |
| - - -  | Contour                    | □        | Monument Found     | ⊙ | Guy Pole             |
| —g—    | Gas Line                   | ⊙        | Telephone Pedestal | ⊙ | Electric Marker      |
| ohp    | Overhead Power             | ⊙        | Telephone Manhole  | ⊙ | Electrical Manhole   |
| —ss—   | Sanitary Sewer and Manhole | ⊙        | Telephone Box      | ⊙ | Utility Pole         |
| —      | Storm Line and Manhole     | ⊙        | Fire Hydrant       | ⊙ | Electric Transformer |
| —      | Storm Line and Inlet       | ⊙        | Water Valve        | ☆ | Ground Light         |
| —catv— | Underground Cable TV       | ⊙        | Water Meter        | ⊙ | Light Pole           |
| —uge—  | Underground Electric       | ⊙        | Well               | ⊙ | Fiber Optic Pedestal |
| —ugt—  | Underground Telephone      | ★        | Benchmark          | ⊡ | Fiber Optic Handhole |
| —fo—   | Underground Fiber Optic    | ●        | Bollard            | ⊙ | Gas Vent             |
| —unk   | Unknown Utility            | ⊙        | Irrigation Control | ⊙ | Gas Valve            |
| —w—    | Waterline                  | ⊙        | Sprinkler          | ⊙ | Gas Meter            |
|        | Asphalt                    | —        | Sign (1-post)      | ○ | Sewer Clean Out      |
| —x—x—  | Fence (as noted)           | + 1561.3 | Spot Elevation     | ⊙ | Wood Post            |
| —      | Stream                     | ⊙        | Deciduous Tree     | ⊙ | Metal Post           |
| —      | Treeline                   | ⊙        | Evergreen Tree     | ⊡ | Gravel               |
| —      | Guy Wire                   | ⊙        | Shrub              | ⊡ | Concrete             |
|        |                            | ⊡        | Mailbox            | ⊡ |                      |



**DRAPER ADEN ASSOCIATES REVIEW**

THESE PLANS HAVE BEEN SUBJECTED TO TECHNICAL AND QUALITY REVIEWS BY:

NAME: Doug Sherrill DATE: 03-19-2015  
SURVEY PARTY CHIEF

NAME: Michael Little DATE: 03-19-2015  
PROJECT MANAGER

NAME: Cheryl Stockton DATE: 03-19-2015  
QUALITY REVIEWER

SKETCH REVIEW - EXISTING CONDITIONS  
**LAKE MONTICELLO NEW GOLF CLUBHOUSE**  
PALMYRA, VIRGINIA

**Draper Aden Associates**  
Engineering • Surveying • Environmental Services  
Blacksburg, VA  
Richmond, VA  
Charlottesville, VA  
703 Thimble Shoals Boulevard, Suite C2  
Newport News, VA 23606  
757-599-9880  
www.daa.com

DESIGNED BY: N/A  
DRAWN BY: MJL  
CHECKED BY: CAS  
SCALE: 1" = 30'  
DATE: 04-01-2015  
PROJECT NUMBER: C14169C-01  
**C101**





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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)

May 4, 2015

Lake Monticello Owner's Association, c/o Catherine Neely & Angela Easterwood  
41 Ashlawn Boulevard  
Palmyra, VA 22963

Delivered via email

**Re: SDP 15:06 Lake Monticello Golf Clubhouse & Cart Barn major site plan**  
**Tax Map: 18A, Section 4, Parcel 224A**

Dear LMOA:

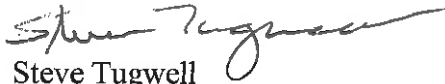
The following comments are the result of the Technical Review Committee meeting that was held on Thursday, April 16, 2015.

1. VDOT stated that they reviewed the site plan for the proposed Clubhouse, Cart Barn and expanded parking lot in Lake Monticello and the proposed project will not negatively impact VDOT's road system;
2. Central Virginia Electric Cooperation stated that LMOA Clubhouse will need to contact CVEC get a work order to remove the overhead line where the new building is to be located. May want to consider leaving the old pole in place that is serving the existing facilities if possible. This could save on some costs but this depends on the routing of the existing secondary conductors that run to the old clubhouse. The new service for the new facilities whether single phase or three-phase could be buried but there would be cost. Once the project is approved contact CVEC to create a new work order for the new service. At that time you can schedule an onsite meeting to discuss all available options;
3. The erosion and sediment control inspector asked what the plan is for stormwater management, and that an E&S plan will be required;
4. Planning staff- a final site development plan meeting all ordinance requirements will be needed prior to the issuance of building permits;
5. The Fire Chief stated the proposed square footage will dictate whether or not sprinklers are required;
6. Health Dept. stated they have no comments.

The Planning Commission will have a meeting to discuss this item at their Wednesday, May 27, 2015 meeting. Your attendance is required at this meeting.

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: Julia Skare, P.E., Draper Aden Associates, via email [jskare@daa.com](mailto:jskare@daa.com)

File

**Steven Tugwell**

**From:** Wood, Mark, P.E., L.S (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Wednesday, April 29, 2015 5:30 PM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** VDOT's April 16, 2015 Fluvanna County TRC Comments

**Importance:** High

Steve,

**SDP 15:05 – Wary Brothers Inc. (Tax Map 5, Section 7, Parcel 9B), Fluvanna County (Better Living Drive)**

VDOT has made a site visit and reviewed the existing gravel Low Volume Entrance that serves the Zion Crossroads Self Storage. The existing gravel entrance is adequate to support the proposed 9,500 sq. ft. climate controlled storage building. Paving the first 25 ft. of the existing gravel entrance would be a nice improvement and is suggested, however, it is not a requirement.

**SDP 15:06 – LMOA – New Golf Clubhouse (Tax Map 18A, Section 4, Parcel 224A), Fluvanna County (Bunker Boulevard – private road)**

VDOT reviewed the site plan for the proposed Clubhouse, Cart Barn and expanded parking lot in Lake Monticello and the proposed project will not negatively impact VDOT's road system.

**SUP 15:02 – Flick Investments Group, LLC (Tax Map 59, Section A, Parcel 8), Fluvanna County (Rte. 695, Creasy Town Road)**

VDOT had previously visited this site and reviewed a proposed entrance location off Rte. 695 to access the existing storage building. The proposed entrance is located over 500 ft. off Rte. 15 and will provide for "stacking" of vehicles while customers make a right turn into the site. A commercial entrance permit will be required, entrance radii will be based on the size of delivery trucks coming into the site.

VDOT understands that the Applicant has an agreement with the adjacent church for overflow parking, the church has access off both Rte. 15 and Rte. 695. VDOT further understands that trucks will deliver estate type items to the storage building approximately two times per week, "Live Auctions" will be held on Thursdays 6:00 p.m. to approximately 11:00 – 12:00 a.m. and on Saturdays. Online auctions will be conducted from the building as well.

**ZMP 15:02 – Steven L. Peters (Tax Map 8, Section A, Parcel A14A), Fluvanna County (Rte. 53, Thomas Jefferson Parkway/Rte. 618, Lake Monticello Road).**

VDOT has been working on a turn lane improvement project at this location, however, progress recently slowed due to Right of Way acquisition which will include land on the southwest side of Rte. 53 that is in a Virginia Outdoor Foundation Easement. The developer proposes a roundabout at this location which would be an ideal long term fix at this location. Rte. 53 and Rte. 618 are both Major Collectors. Based on VDOT's 2014 Traffic Data, Rte. 53 carries 6900 AADT and while Rte. 618 carries 3,000 AADT. Given the existing traffic volumes and the proposed commercial growth in this area, this intersection is a good candidate for a roundabout. The Right of Way dedication proposed by the developer would allow for much of the roundabout to be constructed outside of the existing Rte. 53 and Rte. 618 travel lanes which would reduce both construction time and cost.

The proposed concept plan for a roundabout at the intersection of Rte. 53/618 has been provided to Location & Design staff at the Culpeper District staff for review. VDOT does not currently have funds to construct a roundabout at this location.



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:** Steve Olson <solson@MyCVEC.com>  
**Sent:** Monday, May 04, 2015 10:55 AM  
**To:** Steven Tugwell  
**Subject:** RE: April 16, 2015 TRC meeting comments

Steve,

No comments on the Wray Bothers Inc. Project. Power is already on site. Contact Engineering when ready if a new service is needed.

LMOA Clubhouse will need to contact CVEC get a work order to remove the overhead line where the new building is to be located. May want to consider leaving the old pole in place that is serving the existing facilities if possible. This could save on some costs but this depends on the routing of the existing secondary conductors that run to the old clubhouse. The new service for the new facilities whether single phase or three phase could be buried but there would be cost. Once the project is approved contact CVEC to create a new work order for the new service. At that time you can schedule an onsite meeting to discuss all available options.

Flick Investments Group, LLC. This project is in Dominion's Service Territory.

Steven L. Peters. This project is in Dominion's Service Territory.

Thanks,

Steven C. Olson  
Field Engineering Supervisor  
Reliability & System Engineering  
P. O. Box 247  
Lovingston, VA 22949  
800.367.2832, Ext. 1450  
Direct: 434.263.7631  
[www.mycvec.com](http://www.mycvec.com)



**Central Virginia Electric Cooperative**  
**HONEST · FAIR · RESPONSIBLE**

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**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Monday, May 04, 2015 10:34 AM  
**To:** Mike Brent; Steve Olson; Miller, Charles (VDH)  
**Cc:** Roger Black  
**Subject:** April 16, 2015 TRC meeting comments

**Steven Tugwell**

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**From:** Miller, Charles (VDH) <Charles.Miller@vdh.virginia.gov>  
**Sent:** Wednesday, April 15, 2015 3:06 PM  
**To:** Steven Tugwell  
**Subject:** RE: April 16, 2015 TRC agenda

Steve,

Based on the information provided, we have no comments.  
Thanks,

Charles

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**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Tuesday, April 14, 2015 5:13 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); Brent, Mike; Patricia Eager; Robert Popowicz; Roger Black; [solson@forcvec.com](mailto:solson@forcvec.com); Tony O'Brien; Wayne Stephens  
**Subject:** April 16, 2015 TRC agenda

Dear TRC members:

Attached is the agenda for this month's TRC meeting. I look forward to seeing you at the meeting.

Any questions please let me know.  
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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