



Buckingham County Planning Commission Agenda
Monday, May 23, 2022, 2022 7:00PM
County Administration Building
Peter Francisco Meeting Room
www.buckinghamcountyva.org

You may view the meeting by logging on to <https://youtu.be/K5J3kzcDV24>

1. Call to Order by Chairman

Invocation

Pledge of Allegiance

Establishment of Quorums

2. Adoption of Agenda

3. Approval of Minutes

A. April 25, 2022 Regular Meeting

4. Public Comment

5. Old Business

A. Public Hearing Case 22-SUP302 Erin Lamonte

B. Public Hearing Case 22-SUP303 Roy and Janice Turner

C. Public Hearing Case 22-SUP304 John Yoder

D. Public Hearing Case 22-SUP305 Jonathan King

E. Public Hearing Case 22-SUP306 Laurens and Anne-Marie Prinsloo

F. Public Hearing Case 22-ZMA307 Piedmont Companies

G. Request to Unsuspend Case 21-SUP298 Ike Yoder

6. New Business

A. Introduction Case 22-ZMAZTA308 Aaron Revere/Tiger Fuel

- B. Introduction Case 22-SUP309 Aaron Revere/Tiger Fuel
- C. Introduction Case 22-SUP310 Brian Shaw
- D. Introduction Case 22-SUP311 Elam Stoltzfus

7. Reports

- A. Building Permits Report
- B. Zoning Administrator Report

8. Commission Matters and Concerns

9. Adjournment

**Buckingham County
Planning Commission
April 25, 2022**

At a regular scheduled meeting of the Buckingham County Planning Commission held on Monday, April 25, 2022 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John Bickford; James D. Crews III; Stephen Taylor; Steve Dorrier; Ashley Shumaker; Joyce Gooden and Board of Supervisors' representative Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney.

Re: Call to Order, Quorum Present, Invocation, and Pledge of Allegiance

Chairman Bickford called the meeting to order. Joyce Gooden gave the invocation, James D Crews III led the Pledge of Allegiance and it was said by all who were in attendance. Chairman Bickford certified there was a quorum- eight of eight members were present. The meeting could continue.

Bickford: Before we move forward, I'd like to give Pete our new member a minute to introduce himself and elaborate on how you want to improve the board.

Kapuscinski: Im Pete Kapuscinski im a neighbor, I'm pleased to be here, real pleased to have been selected a little bit surprised. Look forward to serving Buckingham, and our community and all of you all. Thank you.

Bickford: Thank you, Pete. Look forward to working with you. That brings us to adoption of agenda. Excuse. me, Nicci, any changes to the agenda?

Edmondston: No sir.

Allen: So moved.

Bickford: I have a motion do I have a second.

Dorrier: Second.

Supervisor Allen moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to approve agenda as presented.

Bickford: All right. All in favor, raise your right hand. Passes. Approval of minutes March 21 work session.

Allen: So moved.

Gooden: Second.

Supervisor Allen moved, Commissioner Gooden seconded, and was unanimously carried by the Commission to approve minutes as presented.

Bickford: All in favor? Approved. March 28th Minutes

Allen: So moved.

Gooden: A few changes. I said stripe instead of strike and yet was written instead of yes. So those were the corrections with regard to what I saw what I said.

Allen: So move with changes.

Shumaker: Second.

Bickford: Okay. Have a second any further discussion? All in favor, raise your right hand passes. Alright, that brings us to public comment period. Do we have anybody signed up?

Supervisor Allen moved, Commissioner Shumaker seconded, and was unanimously carried by the Commission to approve minutes with changes.

Edmondston: No sir.

Bickford: No one signed up. All right, we'll close that and move to our old business, public hearing sign placement for the notice of public hearings.

Edmondston: No one signed up.

Bickford: No one signed up for that either. So I'll close that and we'll move to the commissioners. Any discussion on that? That's just the revisions we made to the placement of the signs.

Shumaker: I would move that we move that along to the Board of Supervisors.

Edmondston: Anyone need further clarification or anything, any other discussion for me and further definition? You all did discuss this in our work session because the Board of Supervisors in January had tasked the planning commission with moving forward with a recommendation back to them. I'll just read over just a little bit just to give you a bit more information this afternoon since it's been a little over a month since we had the meeting. But the county's ordinance requires that applicants post signs when an application for special use permit is made. The county by custom has generally done this and we are idle in state and locality cannot do

more than as authorized by the state. The courts have said that a county can't require the posting of the signs by the applicants, Buckingham has continued the practice in a general way just to try to get notice out for all the public. And there may not have been a specific adherence to the to that requirement to that end. But the amendment needs to be added to the zoning ordinance to cover the legal part of the signs we would still require the signs be posted. But we would add language to our zoning ordinance that provides for any type of noncompliance by the applicant with the signposting that would not invalidate the actions taken by the Planning Commission or the Board of Supervisors. So that would be what you're making a recommendation back to the board supervisors.

Bickford: Thank you Nicci any discussion from commissioners? Do I have a motion to approve then?

Dorrier: I make a motion we approve this for the Board of Supervisors.

Shumaker: Second.

Bickford: I have a second Any further discussion? All in favor Raise your right hand, passes. That bring us to case 22 special use permit 301 Amos Smucker, it's my understanding that they have pulled this application.

Commissioner Dorrier moved, Commissioner Shumaker seconded, and was unanimously carried by the Commission to move requirement of signs public hearing on to Board of Supervisors.

Edmondston: Yes, sir. We did receive a formal notification from Mr. Smucker and Mr. Beiler withdrawing the application for this SUP22 301. They stay due to the fact that Spouse's lane cannot temporarily be used for Spouses Lane location a new site was picked on Banton Shop road hopefully this letter is a sufficient confirmation to withdraw and or void the special use permit application that was signed by Amos Smucker and Aaron Beiler. Tax map 124 12. And that was submitted to the administration building last week. And each of you have a copy of that as well.

Allen: I make a motion we go ahead and accept the withdrawal of the permit.

Bickford: Have a second?

Crews: Second.

Bickford: Any further discussion? All in favor? Passes, withdrawal is approved. That brings us to Nicci our new businesses.

Supervisor Allen moved, Commissioner Crews seconded, and was unanimously carried by the Commission to accept withdrawal of Case SUP22-301.

Edmondston: Yes sir. I apologize. Our first introduction this evening is case 22- SUP302. Our landowner is Dominick Lamonte and our applicant is Erin Reid Lamonte at 1833 Mulberry Grove Road. Buckingham, Virginia 23921. The tax map is 93. Our parcel is 12 and it contains approximately four acres. And the property of for which they're asking for the special use permit is actually located at 1867 Mulberry Grove Road Buckingham 23921. It is in the Maysville magisterial district. The zoning is currently a one and the request from the applicant is to obtain a special use permit for the purpose of operating an Airbnb Bed and Breakfast with six dry campsites. The applicant is asking the Planning Commission to recommend a public hearing date to hear this request. The zoning ordinance of course does not permit an Airbnb Bed and Breakfast and six dry camping sites is permitted by right uses in an agriculturally one zoning district zoning ordinance requires that an air b&b and breakfast and breakfast and or campground campsite obtain a special use permit. There are 14 conditions that have been listed. If you remember there were a few of these applications. In the months of November that were introduced to the Planning Commission they did move forward and were voted for approval in February of 2022. And these 14 conditions mirror those cases because they are all similar in nature. What would be the wishes of the planning commission? Would it be to set a hearing date May 23 2022 at 7pm. One thing to ponder there and if there are any questions or concerns our applicant, Miss Lamonte is with us this evening.

Bickford: Okay would the applicant please come forward. state your full name and address please just give us a quick overview what you want to do here.

Erin Lamonte: My name is Erin Reid Lamonte and I currently reside at 1833 Mulberry Grove Road and the property was family property and we bought it because we didn't want to see it you know go anywhere and we currently have five children three and we've adopted two and we really just, I love to host and have people. We've always got people from Louisiana that come to visit so I just there's always an issue of whether they're going to stay and have to go to Appomattox or drive. So I just thought you know instead of the house just sitting and dwindling away just to you know be able to host people and have people there. So it's not an issue of where they're going to stay and when and where so then it just kind of grew to if my family's having an issue of somewhere to stay down, surely that other people that come to visit Buckingham, Appomattox, Charlottesville you know, are surely looking for a place to stay as well

Bickford: Do we have any questions for the applicant at this time?

Kapuscinski: Yeah, excuse me I the way I read it you had to you have a home and a cottage on the property is that correct?

Lamonte: It's two separate parcels. Yes sir.

Kapuscinski: Okay, so the cottage is the thing that you're renovating or it's already been renovated?

Lamonte: Were renovating it, yes.

Kapuscinski: You're expecting to have it completed when?

Lamonte: In the next month or so. Yeah. earlier than expected, like the new roof just went up, the guys come in to paint it Wednesday. So that really is just the finishing touches

Kapuscinski: This cottage would hold a family? 4? 6? 8?

Lamonte: Six. it's got two queen beds and like a day bed area that I've got like a pullout couch to hold two as well. The property is right next to my home.

Kapuscinski: Ok thank you.

Bickford: Any of questions?

Shumaker: Just one, sorry. Condition eight on our list if you've read through these talk about getting a commercial waste container and I noticed in your narrative you said that the trash was taken out with your family trash I just wanted to make sure that you were aware.

Lamonte: Nicci and I kind of went over that and discussed there will be need to be you know something done about that.

Bickford: While were on that, you've read and understand all the conditions?

Lamonte: Yes, sir.

Bickford: You're fine with those?

Lamonte: Yes, sir.

Allen: I make a motion to move it on to the public hearing for the 23rd.

Gooden: Second.

Bickford: Motion and second, any further discussion? All in favor, raise your right hand. See you on the 23rd. Thank you.

Lamonte: Thank you

Supervisor Allen moved, Commissioner Gooden seconded, and was unanimously carried by the Commission to move Case SUP22-302 on to public hearing.

Edmondston: Our next case for introduction is case 22 SUP 303 our landowners and applicants are Roy and Janice Turner. They reside at 429 Maple Top Lane, Buckingham 23921. They have I believe it's four tax maps that they are including in their application this evening for special use permit so tax map 34 34 with a little over nine acres nearly 10 tax map 34 33 70.3 acres tax map 34 34 lot A 10 acres tax map 34 34 lot B 7.287. All of these are located by way of entry to 429 Maple Top lane, Virginia 23921. They are in the James River District. They are zoned a one. This applicant wishes to obtain a special use permit for the purpose of operating and Airbnb Bed and Breakfast. campsites and event center. Events to include but not limited to weddings, reunions, festivals, concerts crafting arts celebrations of life with up to 1500 attendees. The applicant is asking the Planning Commission to recommend a public hearing date to hear this request. As I mentioned these properties are all located in the James River District and the zoning ordinance does not permit an Airbnb Bed and Breakfast with campsites and Event Center as by right uses and are agriculturally one zoning district so the zoning ordinance requires that these types of events and uses obtain a special use permit. The Turner's, Mr. Miss Turner did present a narrative and a full application they are also here with us this evening. They do have 14 conditions attached to their special use permit application and introduction would it be the wishes of the planning commission to set a public hearing date possibly may 23 2022 At 7pm the applicants I believe are here with us this evening as well. They're happy to address questions or concerns.

Bickford: Would you like to come up and give us a little brief overlay?

Roy Turner: We are currently in the process of getting an Airbnb. We have the property that like Nicci explained that we want to use for the special permit events, weddings etc.

Bickford: Roy, the access is going to have to come through the farm?

Turner: Yes.

Bickford: That was one of my questions on some of your major events do you plan got any set times you think you might go till? I know you its sort of in the future here but...

Turner: I would think you know that type of thing will be over by midnight I think that would be late. Probably a wedding you know wouldn't even go that late.

Bickford: You don't need any special lighting or anything or if it is it'd be temporary?

Turner: Absolutely everything would be temporary.

Bickford: Any other questions from the commissioners?

Dorrier: Yes, I just wanted to know if you have any neighbors or you've got enough land around that you will probably not have any problem with neighbors or anything?

Turner: I don't think so I think that it's surrounded by our land on three sides and I think the other one is family beside us downriver.

Kapuscinski: I read it I thought it was pretty interesting. But the question I'd have is this event these events that you intend to have will they be like concerts?

Turner: Possibly.

Kapuscinski: Are they outside or inside?

Turner: All be outside

Kapuscinski: And so you wouldn't suggest that there would be neighborhood problems in that event right? I mean, you're far enough away?

Turner: I certainly wouldn't think so.

Kapuscinski: I mean, what about the traffic? I mean if you had a whole 1500 people there What about going in and get out and are you concerned about any congestion in that area and how would you handle that?

Turner: Not really because it's fields you know it could easily be opened up to two lanes if need be because its hay field and pasture feeding in.

Kapuscinski: Are you going to have any kind of stadium seating or anything like that or not?

Turner: Not at this time no, you know we don't have anything planned like that it would be all temporary that they would you know they would bring chairs or you know for wedding you'd bring in tables.

Kapuscinski: So for a wedding would your suggestion that maybe people would bring in tents for the weddings?

Turner: Possibly.

Kapuscinski: You intend to rent those tents toon or are they going to bring that in on their own?

Turner: They would probably bring them on their own. You know this is all you know down the road we don't....

Kapuscinski: All you want to do is really offer the land and the parking?

Turner: Pretty much.

Kapuscinski: Would you would take care of any of the ingress or egress to make sure that all that traffic would have a logical place to get back onto the main street?

Turner: Absolutely. Yes.

Bickford: Any other questions for the applicant? Motion?

Dorrier: I'll make a motion we approve

Edmondston: Motion to set a public hearing.

Dorrier: Yes.

Bickford: Do I have a second?

Shumaker: Second.

Bickford: All right, any further discussion? Seeing none, all in favor raise your right hand. We will see you on May 23. At 7:00 Thank you.

Commissioner Dorrier moved, Commissioner Shumaker seconded, and was unanimously carried by the Commission to move Case SUP22-303 on to public hearing.

Edmondston: All right. Our next introduction is case 22 SUP 304. This is landowner and applicant John Yoder. Its property is located at 2750 Ranson road tax map 65 parcel 13. It does contain approximately 154 acres, and it is located in the slate river magisterial district. It's currently zoned a one. The request before you tonight is to obtain a special use permit for the purpose of operating a sawmill. The applicant is asking the Planning Commission to recommend a public hearing date to actually hear this request. The zoning ordinance does not permit a commercial sawmill as a permitted by right use in an agriculturally one zoning district. However, within the a one district a commercial sawmill may be permitted by the Buckingham County Board of Supervisors by way of a special use permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district and the special use permit is approved. The submitted application and narrative are attached. There are 12 conditions currently stated on this introduction which of course may be amended and deleted added to would it be the wishes of the planning commission to hold a public hearing possibly on May 23 2020 to 7pm. I will add Mr. Yoder is in our audience to answer any questions and one thing that I did want to add Mr. Yoder did have vdot come to his

area on 2750 Ranson road to review this, the applicant along with his engineer did turn the document into Steve Snell with vdot. We have not received that back after multiple attempts on behalf of the applicant and I reached out as well to see if maybe they needed confirmation of my email address or any further information I don't have that. So I want to make you aware of that that that will be an additional condition as this moves forward if it is to move forward to the public hearing that we would need to obtain that approval from them.

Bickford: Okay, thank you Nicci. Mr. Yoder would you come on up and speak briefly sir? Give full name and address.

John Yoder: Good evening, John Yoder my current address is 541 Allens Lake Road in Dillwyn 23936. The property that this application as Nicci said is 2750 Ranson road also Dillwyn Virginia. Most of you probably still remember me from a couple of months ago want the same thing, special use permit to operate a sawmill. I was asked to find a new location and I did so I also have Andy Klepack here from hurt and profit. He has my entrance and site plan here if he can show that.

Bickford: Commissioners have any questions for Mr. Yoder?

Allen: The subdivision part that you have here. What are you planning for that?

Yoder: What was the question?

Allen: The subdivision.

Yoder: Yes, we are planning on a subdivision. Do they have these Nicci? Okay.

Allen: And your acreage? I didn't see the acreage, what are you cutting off on each one?

Yoder: We're doing equal there again Andy is doing that he drew up this, pretty much five equal parcels which will be around 30 acres.

Allen: You counting on the saw mill being on block one?

Yoder: Yes

Allen: and the other four lots are they family? or is that...

Yoder: Family.

Allen: And they going to be above or in between 29 and 39 acres each lot?

Yoder: I think so we still didn't finalize that the special use permit is for the sawmill. This subdivision is still in a distance.

Allen: But it's all in there so I thought it was part of this.

Yoder: The only thing the only reason it's in here is because it would possibly be using the same entrance.

Allen: Right. Right. Okay. Just checking.

Bickford: Mr. Yoder. Just some quick questions to follow up. Monday through Saturday, you think you'd be sawing?

Yoder: Yes. I'd like to have that, I think Nicci said, one condition on there was Monday through Saturday.

Edmondston: Yes, sir. Condition four Monday through Saturday 6am to 6pm.

Yoder: I have on my narrative. I have Monday through Friday, seven to five.

Bickford: Well this will give you a little extra time.

Yoder: I'd like to have the rest just in case.

Bickford: What's your traffic level you expect about what you had before?

Yoder: Yes, I mean, it's one two man operation. My goal is to do 12,000 feet a day. It might be more or less.

Bickford: That's really all I had. Any other commissioners have any questions for Mr. Yoder?

Dorrier: I did. Will it be any impact on anyone else in your area? The other families?

Yoder: You mean on the subdivision.

Dorrier: Right.

Yoder: Yes, they all want to work there.

Dorrier: Okay. That's what I was wondering. It was no problem with that.

Yoder: The subdivisions are my children. And the oldest is 13. So it's a way off.

Bickford: Any other questions? Or motion moves to public hearing?

Yoder: Did you need to see the site plan from Andy?

Bickford: Yeah, that might be helpful.

Edmondston: Its actually enclosed in the package.

Bickford: I thought so.

Dorrier: Yeah I was looking at it in there.

Shumaker: Im assuming we'll have VDOT information by the time of the public hearing?

Yoder: Yes. That's one thing. I don't, I know. I know DD had stopped in at the property once. I wasn't there. I don't think VDOT was at the site but Andy gave his information to Steve Snell. I haven't heard from him yet, but I don't think he had a problem.

Edmondston: You haven't heard from Mr. Snell?

Edmondston: I believe when Mr. Klepack engineer for Mr. Yoder sent the information to vdot along with the engineer plans. Steve Snell commented favorably. I don't have that email with me. He just did not complete the document as required in the application. But he did comment favorably for the entrance.

Bickford: So we're actually waiting for v dot?

Edmondston: Just to complete that document.

Bickford: Just to complete the document. That's good clarification.

Edmondston: There were no problems indicated by Steve Snell. He's the assistant resident engineer

Allen: So moved to the public hearing.

Bickford: Have a motion to move this towards public hearing. Do I have a second?

Dorrier: Second.

Bickford: Any further discussion? All in favor, raise your right hand. We'll see you next month Mr. Yoder.

Supervisor Allen moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to move Case SUP22-304 on to public hearing.

Edmondston: The next case for introduction before you is 22 SUP 305 Our landowners Jonas Fischer 1039 Banton Shop road Dillwyn, Virginia, and our applicant is Jonathan King. He resides at 328 Johnson Station road Dillwyn Virginia. The tax map for this application is 95 parcel 39 lot A it does contain approximately 108.15 acres and it is located near 1039 Banton Shop road it is in the Maysville magisterial district. This is an A one agricultural district and the request from the applicant this evening is to obtain a special use permit for the purpose of operating a private school. a one room schoolhouse, the applicant is asking the Planning Commission to hold a public hearing for this request. Of course, the zoning ordinance does not permit a private school as a permitted by right use and an A one zoning district however within this district, a private school may be permitted by the Buckingham County Board of Supervisors by a special use permit following recommendation by the Planning Commission and have coordinates accordance with this ordinance and the Code of Virginia once again the Planning Commission may recommend that the Board may impose conditions to ensure protection of the district if this special use permit is approved. The application and narrative are attached there are 11 conditions. There has been a have been approvals for private schools, one room schoolhouses, these conditions are taken from those so any additions, deletions amendments, of course may be imposed upon the 11 that are stated. What will be the wishes of the planning commission would it be to set a hearing and date, hearing date and time possibly may 23 2022? At 7pm. I believe I know Jonathan King; our applicant is with us in the audience this evening. If you have questions,

Bickford: Mr. King, if you would, sir. Come on up to the podium. State your full name, address and just give us a quick overview what you want to do

Jonathan King: Jonathan King Jr 328 Johnson Station road Dillwyn. Just asking for a special use permit to operate a one room school. I guess it is our desire to have our own schools got to educate our children that they can learn how to make an honest living. There any questions?

Edmondston: I may add, that Jonathan King has reached out to v dot and has made me aware of that, to have the traffic impact determination study completed. We have not received that back from VDOT. Of course, we'll continue to work together to reach out to VDOT to get that for the most part.

Bickford: Any questions from the commissioners?

Allen: I see you have only three to four vehicles per day, bringing the kids back and forth to school I guess that's what you got.

King: I did think about that later on. I might I should I think I was thinking that might be. Generally, they'd probably be two vehicles per day, twice. So I'm not sure how that factors in there, I should have maybe made that six to eight instead just to cover the there's at least once a year that we have a Christmas program. Sometimes, some years. it'll generate more traffic. But on average, it'll be two vehicles. Hopefully they're the school parents. They're doing their duty to come visit school once in a while we'll have that next year, one or two per week.

Allen: I just like seeing them have a ride to school and stuff more buggies on the road and could get in trouble.

King: As a rule most won't be. Most of them aren't coming horse and buggy. There'll be the parents would be more of the parents coming to visiting school to generate horse and buggy traffic.

Allen: I understand.

Bickford: Any other questions from the commission? I can't seem to find it but you don't start until August?

King: Usually the last Monday in August.

Bickford: You'll have the school up by then?

King: We will see what we can do.

Bickford: You'll be trying in other words. Questions from any of the commissioners?

Gooden: Mr. Chairman, so we're only waiting on the vdots Official.

Bickford: Right what we can do if you choose we can move forward to public hearing but if we don't have that report by them, chances are we will not be able to vote on it.

King: Do they have like a 30 day period that they have to respond to that or don't they have any...?

Edmondston: Generally, we receive, we being the applicant calls upon VDOT to the location. Generally, we get them back fairly quickly. We don't have this one yet. I'm sure within the next 30 days.

King: I'm going to have to reach out to him again?

Edmondston: Yes.

Bickford: That would probably be a good idea. Reach out. Anyway that does that answer your question?

Gooden: Yes.

Bickford: If there are no other questions, we have to make a decision.

Crews: I'll make a motion that we move it on public hearing.

Bickford: A motion do i have a second?

Allen: Second.

Bickford: Any further discussion? All in favor, raise your right hand. We'll see you on the 23rd.

King: Thank you.

Commissioner Crews moved, Supervisor Allen seconded, and was unanimously carried by the Commission to move Case SUP22-305 on to public hearing.

Bickford: Thank you, sir. Brings us to our next case.

Edmondston: Yes, sir. Mr. Chairman, our next introduction is case 22 SUP 306. Landowner and applicants are Lauren's and Anne Marie Prinsloo. They're at 781 Bransford. Road Arvonía 23004 tax map 41 parcel 11. This parcel contains approximately 235.6 acres and it is located in the Marshall magisterial district. It's in an A one zoning district currently and the applicant with this application wishes to obtain a special use permit for the purpose of operating and Airbnb Bed and Breakfast campsites and Event Center. events to include but not limited to weddings, reunions business functions with up to 1500 attendees. The applicant is asking the Planning Commission to recommend a public hearing date for this request. As I mentioned, this is located at 781 Bransford. Road in Arvonía. Zoning ordinance does not permit an Airbnb Bed and Breakfast campsite and Event Center as a permitted by right uses in a one zoning district. They do require that these types of uses obtain a special use permit. The application and narrative are attached we do have the 14 conditions. Would it be the wishes of the planning commission to hold a public hearing possibly may 23 2022 at 7pm. Mr. Ms. Prinsloo are available in the audience to address questions concerns and any discussion regarding their application.

Bickford: When either if you want to come up front and speak Okay as you state your full name, address, and

Christian Prinsloo: Good evening, everyone. My name is Christian Lawrence Prinsloo. You've got on the application Lawrence. Address that we have on the application is 781 Bransford Road. The main property is 497 Bransford Road. The property is pretty big. It consists of three dwellings, the main house, the original farmhouse, which is like 100 years old, and then a cottage which is where Miss Abshser raised and Jack raised their family. So this application is specifically for the old farmhouse location and you'll see it in your maps. So we just got a number for the row before this entrance not too long ago. So if I mess up the number I do to not mess around. So 781 Bransford Road is where the main entrances it's also where the family cemetery is. So the area... that whole farms got a lot of history around it. And we've specifically bought this, this property with a five-year business plan in mind. Last year, my second youngest daughter decided to hit the fast forward button and move us right into our last year of this this

five year plan. And we started our doing some renovations to have a wedding on the farm. So we set up location and everything is now kind of working towards getting it ready for the venue and to have the wedding venue there. Like we mentioned as a 235 acre property, it's got immense potential. And we've actually been renovating and doing a lot of agriculture things on the farm specifically using the NRCS and were implementing a lot of environmental practices on the farm. For instance, we have stopped cutting any hay on the property, we're doing purely rotational grazing, we have implemented a huge wildflower bed, and you'll see that in the map as well. So this is about, it's about an acre, just wildflowers that we are planting specifically to protect the environment, etc, etc. So we're doing a lot of stuff on the farm. It's a five year business plan. This week, nice blue marker, we received our five high tunnels to implement our farmers market garden, on this property as well. So there's a lot of things happening on this property. Like I said, this specific application is for our wedding venue, special events, the new camping component, etc, etc. So we've done a lot of stuff. And that's where we moving towards our answer as many questions as you guys want to throw my way.

Bickford: I'll open up to the Commission for questions.

Dorrier: Did you say this is the old Absher estate?

Prinsloo: Yes sir.

Dorrier: Where Miss ABsher lived?

Prinsloo: Yes sir.

Dorrier: Okay im familiar with it I just wanted to make sure I saw where DD had recommended a Culvert approximately 20 foot to the south to allow greater turning radiuses. Is that going to be okay?

Prinsloo: As a matter of fact, so one of the practices we have on the on the farm is cattle. So I've, I've got cattle on the farm as well. And I've been planning to do this for the longest time. Because when you come into the property, it's a real sharp turn, especially if you've got a 35 foot of cattle trailer behind you. So yes, it needs to be done. In any case, it's not just for this thing. It's just one of those many project, man on island that needs to get done. So this will definitely will need to get done. So

Dorrier: What about your private road its pretty narrow?

Prinsloo: Actually its surprising because like I said, we just had five high tunnels delivered, material delivered this week and an 18 Wheeler came in there. And I was I was stunned. I didn't... either the guy's a phenomenal driver. But he actually brought that entire 18 Wheeler into the property. But even that is going to get changed, because that, we are planning to put a much better, nicer entrance there because were starting a business, and it's going to be very different.

Dorrier: Thank you.

Kapuscinski: So you said right now you do a farmer's market?

Prinsloo: No, no, no, no, we, that's part of our business plan. We have we've so one of our missions, for the farm is to do business with local communities. A lot of work that we've done so far, we've done with people in the community. It was so nice to bump into Mr. Bryant, this this afternoon and go like Mr. Bryant, I need some work for you to come and do my farm. Because he's done. He's actually done my entire market garden for me. So the market garden is bought off a USDA grant, we have five tunnels coming in, and we will do a farmer's market garden through that.

Kapuscinski: You live on the property as well?

Prinsloo: Absolutely, sir. I'm the man on the island.

Kapuscinski: I may have asked this question before and I guess I'm a little bit unfamiliar with this, but and I should have asked that with regard to the others but they intend to have these 1500 people, let's just say 1500 people showed up? Is that a VDOT at issue? I mean, do we need to know the VDOTs okay with that before we move this forwards?

Bickford: Yes. And that would be they would do a study on it. And which I'm assuming they are in the process of doing im assuming.

Kapuscinski: So in either case, where people are going to have these large acreage events, one of the conditions is VDOT approval?

Edmondston: So what happens is when the applicant approaches VDOT for the traffic impact determination study, they are forthcoming and they tell vdot exactly what they're going to be utilizing this for, I'm sure any conversation regarding an event that were to come up for 1500 or more than 300. What may require a one day permitting from vdot which may be a bit different. As you can see one of the conditions in this case along with the other ones that have the events associated to them any event with more than 300 attendees does require that the sheriff's office have certain level of approval. They're generally the sheriff's office will work with fire and emergency services to ensure that parking is adequate. If they need flaggers or deputies working that particular day it actually becomes more of a plan or an event for that particular day or days?

Kapuscinski: We don't have to worry about that particular... In order to move this thing to public hearing, we don't have to worry about that particular thing?

Edmondston: No because the very first condition ensures that they must adhere to all local state and federal guidelines. Generally, what I found in the past is any applicant that is approved will come back to administration and ask those questions our applicants, and those who ultimately

received special use permits tend to be very responsible. So they understand that any violation of the conditions could nullify their special use permit. So.

Kapuscinski: So in in this review, the assumption is you've already gone ahead and had a VDOT review.

Edmondston: Yes.

Prinsloo: That's where the question came from, in terms of the entrance to 781 needs to be widened a little bit more. And it actually makes sense. Because that's also where I, it's one of the entrances to the farm. We load and unload cattle as well.

Kapuscinski: The only other question I'd have is, if you had a major event, and I'm assuming you, you would also entertain having concerts at your place?

Prinsloo: Yes, absolutely.

Kapuscinski: Do you have any issues with your neighbors?

Prinsloo: So my neighbors just with the exception of one person that's across the road, my neighbors are very far away. The closest this road Bransford road itself there is two other families living on this except us on the property. Last Name, Harris, and they are like I would say miles away.

Kapuscinski: Your events will be outdoors?

Prinsloo: We it will be indoor and outdoor.

Kapuscinski: Indoor too?

Prinsloo: So that the barn that that we use for indoor will definitely not be suited for concerts. However, outside the barn, we've got about close to I would say it's about five acres that sits between the barn and the creek,

Kapuscinski: Your neighbor across the street is aware of the fact that you may have these music concerts or whatever concert you have?

Prinsloo: So obviously, I've had conversations with all my neighbors, yes, they do know that we're going to have an event property....

Kapuscinski: You didn't have any issue, there was no issue with your neighbor across the street.

Prinsloo: No, I know nothing. No, not at all.

Edmondston: And please note that all of our applicants do turn in their adjacent property owner so I will be sending letters to those individuals with properties that are actually adjacent to and we will place public hearings for two weeks.

Kapuscinski: That becomes part of the public hearing then?

Edmondston: Yes, that way any individual in close proximity or within the county itself would be able to come to attend a public hearing and voice their comment.

Bickford: As well as Nicci said, what we voted on the sign ordinance. There will be signs posted for special use permits.

Kapuscinski: Okay. All right. Thank you.

Bickford: Hopefully making them aware that there is you know, there's going to be a change on the property soon. I assume with some of the outside stuff you'll be using temporary like tents or whatever?

Prinsloo: Yeah, absolutely. So like I said, We are fast forward button was hit on this whole thing. So yes, there will be definitely some things put up at certain stages. At this point in time, we will also like we've done with the wedding will be renting portable units from a sector perspective.

Bickford: How about your duration of event times?

Prinsloo: So it is at this point in time like we've got it in our outlay would be it could be during the week but it will be from four to nine type of time the weddings obviously go a little bit later. Like to dinner around whatever the ordinance is for the county is what we will do.

Bickford: And assuming also any temporary lighting, you would us it would be temporary. If you had to put it up for an event?

Prinsloo: Yes, absolutely. It will be. The property location is very unique and absolutely liens it up of implementation. The property like we said is 235 acers. We have this setup is going all the way back in about the west side of the property that goes into the forest that faces the forest and to the main house, so it's away from the neighbors. My neighbor behind me is forest.

Bickford: Timberland. I'm familiar with the property.

Prinsloo: So the only people that are complaining is the foxes and the deer.

Bickford: Any other questions from the commissioners?

Allen: The property he was saying before is 781. That's where you go have events at?

Prinsloo: That's correct.

Allen: So you came up, you're saying 497, but that's your home.

Prinsloo: That's the main property. So like we like we said in our narrative, we don't want to limit ourselves because the property leads to tremendous outlay. Like we have three dwellings on the property. Number one is the main house, then the original farmhouse, which is where the family cemetery is. And then there is the cottage where Miss Absher raised her family bless her heart. I don't know how she did it, but it must be phenomenal. So yes, so all those, especially those two locations, will eventually be renovated. We plan to have the former have the old farmhouse to be the bride quarters, and then pass he will be the groom quarters, after the event will turn into there.

Allen: So should be 497 being looked at by VDOT too?

Prinsloo: So they've looked at both they don't make any comments on the 497 because it's so wide. Like I said, I just had 18 Wheeler coming in there to offload stuff and all the construction stuff. It's been coming in there 497, it's definitely way wider than 781.

Allen: Okay, I just want to make sure we didn't have a wrong number

Bickford: Have any other questions?

Allen: Make a motion to move it onto a public hearing.

Dorrier: Second.

Bickford: Have the motion to move forward and second, any further discussion? All in favor Raise your right hand. Thank you. We will see you next month sir.

Prinsloo: May I ask for the second public hearing? Is there anything that we do? Or is it something that we need to bring?

Edmondston: We will we will have your application here if you want to bring a copy of that during the public hearing commentary period there be questions that need answers. Please be present. The doors will open at 630 on May 23. Just be available.

Prinsloo: Thank everyone for your time I really do appreciate it.

Supervisor Allen moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to move Case SUP22-306 on to public hearing.

Bickford: Thank you Nicci that brings us to Piedmont Companies.

Edmondston: Yes, sir. introduction for case. 22 ZMA 307. Our landowners are Elam, Eli and Jacob Stoltzfus at 25766 North James Madison highway, New Canton. The applicant is Piedmont companies and they are from Lincoln North Carolina. The property information is actually part of tax map 69 parcel 49. The entire parcel contains 96.25 acres. However, Piedmont companies is to purchase two acres from the Stoltzfus landowners part of that documentation is included. Once this sale of the two acres is complete, we will have an updated recorded deed to accompany that to indicate that this rezoning or zoning map amendment is only intended for the two acres to be purchased. It is located at that 25766 North James Madison highway address in the Marshall district. This property is currently zoned a one. The request before you is a zoning map amendment and Piedmont companies is asking the Planning Commission to recommend a public hearing date to hear the request for rezoning from a one to b one for the purpose of building and operating a Family Dollar Tree. As I mentioned, Piedmont company seeks to build and operate a Family Dollar Tree on two acres which are to be purchased. This proposal is located within close proximity to the Gold Hill village center area which is characterized by a medical clinic several small automotive related businesses convenience stores, a low to moderate income apartment complex and several churches. The area is currently not served by public water and sewer in a larger residential component would greatly accentuate the nucleus of businesses that are beginning to form in this village center as another village centers land use policies that cluster residential and neighborhood serving commercial uses within this area should be considered provided that adequate water and sewer is available. So once again this is a one but it is located in close proximity to a village center. We do have the applicant with us you have the applicant, Larry Bearden am I saying that right? If I'm not, I apologize. He is part of Piedmont companies. And he's here to address questions and concerns.

Bickford: Sir, please come forward. Just give us a brief overview. What do you want to do?

Lawrence Bearden; Do you want to have a lot of weddings hopes for others. My name is Larry Bearden. And I reside in Davidson, North Carolina, which is some distance from here. But we're developers for Family Dollar, Dollar Tree and some other development company, retail tenants. Our plan is to put \$1 tree Family Dollar Store there, that's about a 10,000 square foot store, it's a new concept. Half the store is Dollar Tree products we sell for \$1. The other half of it is Family Dollar products we sell for anywhere from \$1 to \$5. But it's a split type store. And we've gotten in touch with Steve Snell. And he's approved what we want to do as far as the driveway. We've submitted plans, we have a lease, we have lease approval, we have a contractor who's willing to build it for us. If prices don't go up too much, and we're ready to proceed, we look forward to bringing this benefit to Buckingham County, and feel that it'll be a positive for you. Let's talk about traffic for a minute because I know you're going to ask me a question about it. We have less than 400 cars day trips a day in there. Current traffic count is about 3000 I think according to Steve, and we don't really have that many customers in and out all during the day. We operate anywhere from nine o'clock in the morning till about nine o'clock in the evening. And you have a store over here in Dillwyn that's a Family Dollar Store. Pretty much see what they do in terms of

traffic. So we're pleased to be here. Thank you for your opportunity to at least come before you and discuss this. You have any questions for me I'd be happy to answer.

Bickford: Thank you, sir. Commissioners have questions?

Crews: Is this similar to the one they built like this over in Cumberland courthouse area? I think it's a new one over there.

Bearden: Not really sure. We I'm one of maybe four or five developers that work in Virginia. And what happens is Dollar Tree Family Dollar sends us to various communities. Find a site. If it's got Dollar Tree on one side, Family Dollar on the other, it's very similar or exactly the same. And I think we provide it in our rendering. So it should be in your packet of what it looks like. I'm sorry, I can't answer the question specifically.

Crews: It looks the same.

Bearden: Well, it probably will be. We'll try and make it the same.

Bickford: Its a good location. I think it should work very well I hope being right beside a health center like that.

Bearden: Sure. I just hope it's a benefit. That's all. That's all we ever tried to do. But anyway, thank you. Any other questions?

Bickford: You've read the conditions that we've got. I'm assuming you've already fine with those?

Bearden: Yes, sir.

Bickford: Any other questions?

Bearden: And congratulations. Think you'll do well, I'm sure I'll see you again.

Bickford: Seeing we don't have any more questions do I have a motion to move this forward to public hearing?

Dorrier: Okay. I'll make a motion that we move this to public hearing.

Gooden: Second.

Bickford: I have a motion and a second. Any further discussion? Seeing none, all in favor? Raise your right hand. We will see you in May sir.

Commissioner Dorrier moved, Commissioner Gooden seconded, and was unanimously carried by the Commission to move Case SUP22-307 on to public hearing.

Bearden: Thank you. I've heard some comments here tonight about Steve Snell. And he's difficult guy to get in touch with. In all fairness to the applicants that are preceded before me. He's very busy and VDOT is very busy now and understaffed. I'll try and help you if I can, with this if I can because I think what people are trying to do here is a positive for your community. We had to bang away at him for a while. So I'll leave that thought. I'll see you later. Appreciate it. Thank you. And I've enjoyed working with this lady.

Bickford: We're about to wrap up anyway. Nicci I believe that brings you to your reports.

Edmondston: In your packet this month, there is the building permits report, you may want to take a look at that the number of building permits are quite extensive than just from a zoning administrator standpoint. It's been a busy year, we're only four months in. I think up until this point, we'd had four introductions at one time moving forward for four public hearings. And we've topped that this month. One thing that I will remind each of you these special use permits or rezoning requests, they do speak to the development, the development of more economic impact, positive economic impact to our county. So it's not just a special use permit for a specific purpose because that business plan is going to lend itself to growth and maybe you know, it may appear small at a time but anyone that attends any function event, wedding reunion, they're going to pass to this county, they're going to spend money in this county and they're going to realize that Buckingham is truly the destination and the place to be to travel, work, live and relax. So I appreciate each of you on the planning commission. You have lots to keep you busy in the months moving forward and I just appreciate your commitment to special use permits the rezoning and ultimately to the economic development in the county.

Bickford: Thank you Nicci brings us to commission matters and concerns, anyone have anything? Seeing none do I have a motion to adjourn?

Allen: So moved.

Shumaker: Second.

Bickford: I have a motion and a second. All in favor, raise your right hand. We are adjourned. Thank you.

Supervisor Allen moved, Commissioner Shumaker seconded, and was unanimously carried by the Commission to adjourn the meeting.

There being no further business, Chairman Bickford declared the meeting adjourned.

ATTEST:

Nicci Edmondston
Zoning Administrator

John Bickford
Chairman

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to, including but not limited to 12 VAC 5-450-VDH Rules and Regulations Governing Campgrounds.
2. The facility shall meet all safety requirements of all applicable building codes
3. That commencement of the facility shall begin within two years of the approval by the Board of Supervisors or this special use permit shall be null and void.
3. Right of ways and roadway shoulders shall not be used for parking. Ample parking for occupants shall be supplied on premises.

4. Only trailers classified as Recreational Vehicles or self-contained camping unit and with current registration shall be allowed.
5. No campground structure shall be erected within 50' of adjoining properties without adjacent landowners written permission.
6. The Sheriff's Office shall be notified three weeks prior to any event inviting or expecting 300 or more persons.
7. The property shall be kept neat and orderly.
8. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
9. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
10. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
11. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
12. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable
13. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
14. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☒ NO

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: ☒ YES ☐ NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES ☐ NO
- B. Area of land proposed for consideration, in square feet or acres: ☒ YES ☐ NO
- C. Scale and north point: ☒ YES ☐ NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES ☐ NO

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: YES NO N/A
2. Owner and Project Name: YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: YES NO N/A
4. Property lines of existing and proposed zoning district lines: YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: YES NO N/A
6. Scale and north point: YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: YES NO N/A
8. Easements and encumbrances, if present on the property: YES NO N/A
9. Topography indicated by contour lines: YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of “no areas having slopes of 15% to 25% or greater”): YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of “not in floodplain”): YES NO N/A
12. Delineation of existing mature tree lines or written indication of “no mature tree lines”: YES NO N/A *no mature tree lines*
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO N/A
14. General locations of major access points to existing streets: YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO N/A *Single family home*
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO N/A
17. Location of existing and proposed utilities, above or underground: YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: YES NO N/A
20. Location and design of screening and landscaping: YES NO N/A
21. Building architecture: YES NO N/A
22. Site lighting proposed: YES NO N/A
23. Area of land disturbance in square feet and acres: YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES NO N/A
25. Historical sites or gravesites on general site plan: YES NO N/A
26. Show impact of development of historical or gravesite areas: YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES NO N/A

T A X R E C E I P T - Y E A R 2 0 2 1 - 2nd H A Ticket #:00048480002 @

BUCKINGHAM COUNTY
CHRISTY L CHRISTIAN
(434) 969-4744
POST OFFICE BOX 106
BUCKINGHAM VA 23921

Date : 12/02/2021
Register: KS2/KS1
Trans. #: 14075
Dept # : RE202102
ACCT# : 5046

REAL ESTATE 2021			Previous	
RT 649 - 5 MI NW OF	93	12	Balance	\$ 234.52
BUCKINGHAM 4 AC	Acres:	4.000		
Land: 21000	Imp:	69200	Principal Being Paid	\$ 234.52
			Penalty	\$.00
			Interest	\$.00
GRIFFIN BRUCE HASTINGS			Amount Paid	\$ 234.52
1409 OLD BETHANY RD			*Balance Due	
PAMPLIN VA 23958			as of 12/02/2021	\$.00

Check# BKAM 962929010 \$ 62804.04

Pd by BB&T MORTGAGE % CORELOGIC
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST. (DUPLICATE)

#2021-765

BOOK 482 PAGE 755

Title(s) of Document: Deed of Trust

Date of Document: April 20, 2021

Grantor's (Trustor's) name: Dominick LAMONTE, Jr

Grantee's (Beneficiary's) name: Truist Bank

Trustee name(s): Melinda A. Clayton

Prepared By: Iris BUDULYCZ, 111 Millport Circle, Greenville, SC 29607

Return To: Karen S Moore, Absolute Title & Settlement, LLC, 1540 Confederate Blvd, 2nd Floor,
Appomattox, VA 24522

RPC / Parcel ID #: 93-12

Consideration of Deed: \$87,494.00

Actual Value of the Property Conveyed: \$92,000.00

The Tax Map Reference #: _____

Brief Legal Description: _____

Code section under which any exemption from recordation taxes is claimed:

Return To: Karen S Moore, Absolute Title & Settlement, LLC
1540 Confederate Blvd
2nd Floor
Appomattox, VA 24522

**Tax Map Reference
Number:** _____

RPC/Parcel ID Number:
93-12

Prepared By: Iris BUDULYCZ
Truist ML Post Closing
111 Millport Circle
Greenville, SC 29607

Purchase Money Deed of Trust

MIN 100159969255863055

The following information, as further defined below, is provided in accordance with Virginia law:

This Deed of Trust is given by Dominick Lamonte, Jr, married, as Borrower ("*trustor*"), to Melinda A. Clayton 8200 Greensboro Dr, Suite 1000, Mclean, VA 22102, as Trustee, for the benefit of Mortgage Electronic Registration Systems, Inc. as beneficiary.

Definitions. Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "*Security Instrument*" means this document, which is dated April 20, 2021, together with all Riders to this document.

(B) "*Borrower*" is Dominick Lamonte, Jr, married. Borrower is the trustor under this Security Instrument.

(C) "*Lender*" is Truist Bank. Lender is a state non-member bank organized and existing under the laws of Virginia. Lender's address is 1001 Semmes Avenue, Richmond, VA 23224.

(D) "*Trustee*" is Melinda A. Clayton. Trustee (whether one or more persons) is a Virginia resident and/or a United States- or Virginia-organized corporation or other permissible entity. Trustee's address is 8200 Greensboro Dr, Suite 1000, Mclean, VA 22102.

(E) "*MERS*" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. **MERS is the beneficiary under this Security Instrument.** MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

(F) "*Note*" means the promissory note signed by Borrower and dated April 20, 2021. The Note states that Borrower owes Lender Eighty seven thousand four hundred ninety-four and 00/100 Dollars (U.S. \$87,494.00) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than May 1, 2051.

(G) "*Property*" means the property that is described below under the heading "Transfer of Rights in the Property."

(H) "*Loan*" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(I) "*Riders*" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- | | | |
|--|---|---|
| <input type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider | <input type="checkbox"/> Second Home Rider |
| <input type="checkbox"/> Balloon Rider | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> 1-4 Family Rider |
| <input type="checkbox"/> VA Rider | <input type="checkbox"/> Biweekly Payment Rider | <input type="checkbox"/> Other(s) [specify] |

(J) "*Applicable Law*" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(K) "*Community Association Dues, Fees, and Assessments*" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(L) "*Electronic Funds Transfer*" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) "*Escrow Items*" means those items that are described in Section 3.

(N) "*Miscellaneous Proceeds*" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(O) "*Mortgage Insurance*" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "*Periodic Payment*" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(Q) "*RESPA*" means the *Real Estate Settlement Procedures Act* (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (12 C.F.R. Part 1024), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, RESPA refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) "*Successor in Interest of Borrower*" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

Transfer of Rights in the Property. The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this

Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County [Type of Recording Jurisdiction] of Buckingham [Name of Recording Jurisdiction]: See Exhibit A

which currently has the address of 1867 Mulberry Grove Rd [Street] Buckingham, Buckingham [City/County], Virginia 23921 [Zip Code] ("*Property Address*");

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "*Property*." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

Uniform Covenants. Borrower and Lender covenant and agree as follows:

1. Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges.

Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments

due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

2. Application of Payments or Proceeds. Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from Borrower for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from Borrower to the repayment of the Periodic Payments if, and to the extent that, each payment can be paid in full. To the extent that any excess exists after the payment is applied to the full payment of one or more Periodic Payments, such excess may be applied to any late charges due. Voluntary prepayments shall be applied first to any prepayment charges and then as described in the Note.

Any application of payments, insurance proceeds, or Miscellaneous Proceeds to principal due under the Note shall not extend or postpone the due date, or change the amount, of the Periodic Payments.

3. Funds for Escrow Items. Borrower shall pay to Lender on the day Periodic Payments are due under the Note, until the Note is paid in full, a sum (the "*Funds*") to provide for payment of amounts due for: (a) taxes and assessments and other items which can attain priority over this Security Instrument as a lien or encumbrance on the Property; (b) leasehold payments or ground rents on the Property, if any; (c) premiums for any and all insurance required by Lender under Section 5; and (d) Mortgage Insurance premiums, if any, or any sums payable by Borrower to Lender in lieu of the payment of Mortgage Insurance premiums in accordance with the provisions of Section 10. These items are called "*Escrow Items*". At origination or at any time during the term of the Loan, Lender may require that Community Association Dues, Fees, and Assessments, if any, be escrowed by Borrower, and such dues, fees and assessments shall be an Escrow Item. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this Section. Borrower shall pay Lender the Funds for Escrow Items unless Lender waives Borrower's obligation to pay the Funds for any or all Escrow Items. Lender may waive Borrower's obligation to pay to Lender Funds for any or all Escrow Items at any time. Any such waiver may only be in writing. In the event of such waiver, Borrower shall pay directly, when and where payable, the amounts due for any Escrow Items for which payment of Funds has been waived by Lender and, if Lender requires, shall furnish to Lender receipts evidencing such payment within such time period as Lender may require. Borrower's obligation to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9. If Borrower is obligated to pay Escrow Items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow Item, Lender may exercise its rights under Section 9 and pay such amount and Borrower shall then be obligated under Section 9 to repay to Lender any such amount. Lender may revoke the waiver as to any or all Escrow Items at any time by a notice given in accordance with Section 15 and, upon such revocation, Borrower shall pay to Lender all Funds, and in such amounts, that are then required under this Section 3.

Lender may, at any time, collect and hold Funds in an amount (a) sufficient to permit Lender to apply the Funds at the time specified under RESPA, and (b) not to exceed the maximum amount a lender can require under RESPA. Lender shall estimate the amount of Funds due on the basis of current data and

reasonable estimates of expenditures of future Escrow Items or otherwise in accordance with Applicable Law.

The Funds shall be held in an institution whose deposits are insured by a federal agency, instrumentality, or entity (including Lender, if Lender is an institution whose deposits are so insured) or in any Federal Home Loan Bank. Lender shall apply the Funds to pay the Escrow Items no later than the time specified under RESPA. Lender shall not charge Borrower for holding and applying the Funds, annually analyzing the escrow account, or verifying the Escrow Items, unless Lender pays Borrower interest on the Funds and Applicable Law permits Lender to make such a charge. Unless an agreement is made in writing or Applicable Law requires interest to be paid on the Funds, Lender shall not be required to pay Borrower any interest or earnings on the Funds. Borrower and Lender can agree in writing, however, that interest shall be paid on the Funds. Lender shall give to Borrower, without charge, an annual accounting of the Funds as required by RESPA.

If there is a surplus of Funds held in escrow, as defined under RESPA, Lender shall account to Borrower for the excess funds in accordance with RESPA. If there is a shortage of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the shortage in accordance with RESPA, but in no more than 12 monthly payments. If there is a deficiency of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the deficiency in accordance with RESPA, but in no more than 12 monthly payments.

Upon payment in full of all sums secured by this Security Instrument, Lender shall promptly refund to Borrower any Funds held by Lender.

4. Charges; Liens. Borrower shall pay all taxes, assessments, charges, fines, and impositions attributable to the Property which can attain priority over this Security Instrument, leasehold payments or ground rents on the Property, if any, and Community Association Dues, Fees, and Assessments, if any. To the extent that these items are Escrow Items, Borrower shall pay them in the manner provided in Section 3.

Borrower shall promptly discharge any lien which has priority over this Security Instrument unless Borrower: (a) agrees in writing to the payment of the obligation secured by the lien in a manner acceptable to Lender, but only so long as Borrower is performing such agreement; (b) contests the lien in good faith by, or defends against enforcement of the lien in, legal proceedings which in Lender's opinion operate to prevent the enforcement of the lien while those proceedings are pending, but only until such proceedings are concluded; or (c) secures from the holder of the lien an agreement satisfactory to Lender subordinating the lien to this Security Instrument. If Lender determines that any part of the Property is subject to a lien which can attain priority over this Security Instrument, Lender may give Borrower a notice identifying the lien. Within 10 days of the date on which that notice is given, Borrower shall satisfy the lien or take one or more of the actions set forth above in this Section 4.

Lender may require Borrower to pay a one-time charge for a real estate tax verification and/or reporting service used by Lender in connection with this Loan.

5. Property Insurance. Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "*extended coverage*," and any other hazards including, but not limited to, earthquakes and floods, for which Lender requires insurance. This insurance shall be maintained in the amounts (including deductible levels) and for the periods that Lender requires. What Lender requires pursuant to the preceding sentences can change during the

term of the Loan. The insurance carrier providing the insurance shall be chosen by Borrower subject to Lender's right to disapprove Borrower's choice, which right shall not be exercised unreasonably. Lender may require Borrower to pay, in connection with this Loan, either: (a) a one-time charge for flood zone determination, certification and tracking services; or (b) a one-time charge for flood zone determination and certification services and subsequent charges each time remappings or similar changes occur which reasonably might affect such determination or certification. Borrower shall also be responsible for the payment of any fees imposed by the Federal Emergency Management Agency in connection with the review of any flood zone determination resulting from an objection by Borrower.

If Borrower fails to maintain any of the coverages described above, Lender may obtain insurance coverage, at Lender's option and Borrower's expense. Lender is under no obligation to purchase any particular type or amount of coverage. Therefore, such coverage shall cover Lender, but might or might not protect Borrower, Borrower's equity in the Property, or the contents of the Property, against any risk, hazard or liability and might provide greater or lesser coverage than was previously in effect. Borrower acknowledges that the cost of the insurance coverage so obtained might significantly exceed the cost of insurance that Borrower could have obtained. Any amounts disbursed by Lender under this Section 5 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

All insurance policies required by Lender and renewals of such policies shall be subject to Lender's right to disapprove such policies, shall include a standard mortgage clause, and shall name Lender as mortgagee and/or as an additional loss payee. Lender shall have the right to hold the policies and renewal certificates. If Lender requires, Borrower shall promptly give to Lender all receipts of paid premiums and renewal notices. If Borrower obtains any form of insurance coverage, not otherwise required by Lender, for damage to, or destruction of, the Property, such policy shall include a standard mortgage clause and shall name Lender as mortgagee and/or as an additional loss payee.

In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly by Borrower. Unless Lender and Borrower otherwise agree in writing, any insurance proceeds, whether or not the underlying insurance was required by Lender, shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such insurance proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such insurance proceeds, Lender shall not be required to pay Borrower any interest or earnings on such proceeds. Fees for public adjusters, or other third parties, retained by Borrower shall not be paid out of the insurance proceeds and shall be the sole obligation of Borrower. If the restoration or repair is not economically feasible or Lender's security would be lessened, the insurance proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such insurance proceeds shall be applied in the order provided for in Section 2.

If Borrower abandons the Property, Lender may file, negotiate and settle any available insurance claim and related matters. If Borrower does not respond within 30 days to a notice from Lender that the insurance carrier has offered to settle a claim, then Lender may negotiate and settle the claim. The 30-

day period will begin when the notice is given. In either event, or if Lender acquires the Property under Section 22 or otherwise, Borrower hereby assigns to Lender (a) Borrower's rights to any insurance proceeds in an amount not to exceed the amounts unpaid under the Note or this Security Instrument, and (b) any other of Borrower's rights (other than the right to any refund of unearned premiums paid by Borrower) under all insurance policies covering the Property, insofar as such rights are applicable to the coverage of the Property. Lender may use the insurance proceeds either to repair or restore the Property or to pay amounts unpaid under the Note or this Security Instrument, whether or not then due.

6. Occupancy. Borrower shall occupy, establish, and use the Property as Borrower's principal residence within 60 days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control.

7. Preservation, Maintenance and Protection of the Property; Inspections. Borrower shall not destroy, damage or impair the Property, allow the Property to deteriorate or commit waste on the Property. Whether or not Borrower is residing in the Property, Borrower shall maintain the Property in order to prevent the Property from deteriorating or decreasing in value due to its condition. Unless it is determined pursuant to Section 5 that repair or restoration is not economically feasible, Borrower shall promptly repair the Property if damaged to avoid further deterioration or damage. If insurance or condemnation proceeds are paid in connection with damage to, or the taking of, the Property, Borrower shall be responsible for repairing or restoring the Property only if Lender has released proceeds for such purposes. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. If the insurance or condemnation proceeds are not sufficient to repair or restore the Property, Borrower is not relieved of Borrower's obligation for the completion of such repair or restoration.

Lender or its agent may make reasonable entries upon and inspections of the Property. If it has reasonable cause, Lender may inspect the interior of the improvements on the Property. Lender shall give Borrower notice at the time of or prior to such an interior inspection specifying such reasonable cause.

8. Borrower's Loan Application. Borrower shall be in default if, during the Loan application process, Borrower or any persons or entities acting at the direction of Borrower or with Borrower's knowledge or consent gave materially false, misleading, or inaccurate information or statements to Lender (or failed to provide Lender with material information) in connection with the Loan. Material representations include, but are not limited to, representations concerning Borrower's occupancy of the Property as Borrower's principal residence.

9. Protection of Lender's Interest in the Property and Rights Under this Security Instrument. If (a) Borrower fails to perform the covenants and agreements contained in this Security Instrument, (b) there is a legal proceeding that might significantly affect Lender's interest in the Property and/or rights under this Security Instrument (such as a proceeding in bankruptcy, probate, for condemnation or forfeiture, for enforcement of a lien which may attain priority over this Security Instrument or to enforce laws or regulations), or (c) Borrower has abandoned the Property, then Lender may do and pay for whatever is reasonable or appropriate to protect Lender's interest in the Property and rights under this Security Instrument, including protecting and/or assessing the value of the Property, and securing and/or repairing the Property. Lender's actions can include, but are not limited to: (a) paying any sums secured by a lien which has priority over this Security Instrument; (b) appearing in court; and (c) paying reasonable attorneys' fees to protect its interest in the Property and/or rights under this Security

Instrument, including its secured position in a bankruptcy proceeding. Securing the Property includes, but is not limited to, entering the Property to make repairs, change locks, replace or board up doors and windows, drain water from pipes, eliminate building or other code violations or dangerous conditions, and have utilities turned on or off. Although Lender may take action under this Section 9, Lender does not have to do so and is not under any duty or obligation to do so. It is agreed that Lender incurs no liability for not taking any or all actions authorized under this Section 9.

Any amounts disbursed by Lender under this Section 9 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

If this Security Instrument is on a leasehold, Borrower shall comply with all the provisions of the lease. If Borrower acquires fee title to the Property, the leasehold and the fee title shall not merge unless Lender agrees to the merger in writing.

10. Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan, Borrower shall pay the premiums required to maintain the Mortgage Insurance in effect. If, for any reason, the Mortgage Insurance coverage required by Lender ceases to be available from the mortgage insurer that previously provided such insurance and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to obtain coverage substantially equivalent to the Mortgage Insurance previously in effect, at a cost substantially equivalent to the cost to Borrower of the Mortgage Insurance previously in effect, from an alternate mortgage insurer selected by Lender. If substantially equivalent Mortgage Insurance coverage is not available, Borrower shall continue to pay to Lender the amount of the separately designated payments that were due when the insurance coverage ceased to be in effect. Lender will accept, use and retain these payments as a non-refundable loss reserve in lieu of Mortgage Insurance. Such loss reserve shall be non-refundable, notwithstanding the fact that the Loan is ultimately paid in full, and Lender shall not be required to pay Borrower any interest or earnings on such loss reserve. Lender can no longer require loss reserve payments if Mortgage Insurance coverage (in the amount and for the period that Lender requires) provided by an insurer selected by Lender again becomes available, is obtained, and Lender requires separately designated payments toward the premiums for Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to maintain Mortgage Insurance in effect, or to provide a non-refundable loss reserve, until Lender's requirement for Mortgage Insurance ends in accordance with any written agreement between Borrower and Lender providing for such termination or until termination is required by Applicable Law. Nothing in this Section 10 affects Borrower's obligation to pay interest at the rate provided in the Note.

Mortgage Insurance reimburses Lender (or any entity that purchases the Note) for certain losses it may incur if Borrower does not repay the Loan as agreed. Borrower is not a party to the Mortgage Insurance.

Mortgage insurers evaluate their total risk on all such insurance in force from time to time, and may enter into agreements with other parties that share or modify their risk, or reduce losses. These agreements are on terms and conditions that are satisfactory to the mortgage insurer and the other party (or parties) to these agreements. These agreements may require the mortgage insurer to make payments using any source of funds that the mortgage insurer may have available (which may include funds obtained from Mortgage Insurance premiums).

As a result of these agreements, Lender, any purchaser of the Note, another insurer, any reinsurer, any other entity, or any affiliate of any of the foregoing, may receive (directly or indirectly) amounts that derive from (or might be characterized as) a portion of Borrower's payments for Mortgage Insurance, in exchange for sharing or modifying the mortgage insurer's risk, or reducing losses. If such agreement provides that an affiliate of Lender takes a share of the insurer's risk in exchange for a share of the premiums paid to the insurer, the arrangement is often termed "*captive reinsurance*." Further:

(A) Any such agreements will not affect the amounts that Borrower has agreed to pay for Mortgage Insurance, or any other terms of the Loan. Such agreements will not increase the amount Borrower will owe for Mortgage Insurance, and they will not entitle Borrower to any refund.

(B) Any such agreements will not affect the rights Borrower has - if any - with respect to the Mortgage Insurance under the Homeowners Protection Act of 1998 or any other law. These rights may include the right to receive certain disclosures, to request and obtain cancellation of the Mortgage Insurance, to have the Mortgage Insurance terminated automatically, and/or to receive a refund of any Mortgage Insurance premiums that were unearned at the time of such cancellation or termination.

11. Assignment of Miscellaneous Proceeds; Forfeiture. All Miscellaneous Proceeds are hereby assigned to and shall be paid to Lender.

If the Property is damaged, such Miscellaneous Proceeds shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such Miscellaneous Proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may pay for the repairs and restoration in a single disbursement or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such Miscellaneous Proceeds, Lender shall not be required to pay Borrower any interest or earnings on such Miscellaneous Proceeds. If the restoration or repair is not economically feasible or Lender's security would be lessened, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such Miscellaneous Proceeds shall be applied in the order provided for in Section 2.

In the event of a total taking, destruction, or loss in value of the Property, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is equal to or greater than the amount of the sums secured by this Security Instrument immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the sums secured by this Security Instrument shall be reduced by the amount of the Miscellaneous Proceeds multiplied by the following fraction: (a) the total amount of the sums secured immediately before the partial taking, destruction, or loss in value divided by (b) the fair market value of the Property immediately before the partial taking, destruction, or loss in value. Any balance shall be paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is less than the amount of the sums secured immediately before the partial taking, destruction, or loss in value, unless Borrower

and Lender otherwise agree in writing, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument whether or not the sums are then due.

If the Property is abandoned by Borrower, or if, after notice by Lender to Borrower that the Opposing Party (as defined in the next sentence) offers to make an award to settle a claim for damages, Borrower fails to respond to Lender within 30 days after the date the notice is given, Lender is authorized to collect and apply the Miscellaneous Proceeds either to restoration or repair of the Property or to the sums secured by this Security Instrument, whether or not then due. "*Opposing Party*" means the third party that owes Borrower Miscellaneous Proceeds or the party against whom Borrower has a right of action in regard to Miscellaneous Proceeds.

Borrower shall be in default if any action or proceeding, whether civil or criminal, is begun that, in Lender's judgment, could result in forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. Borrower can cure such a default and, if acceleration has occurred, reinstate as provided in Section 19, by causing the action or proceeding to be dismissed with a ruling that, in Lender's judgment, precludes forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. The proceeds of any award or claim for damages that are attributable to the impairment of Lender's interest in the Property are hereby assigned and shall be paid to Lender.

All Miscellaneous Proceeds that are not applied to restoration or repair of the Property shall be applied in the order provided for in Section 2.

12. Borrower Not Released; Forbearance By Lender Not a Waiver. Extension of the time for payment or modification of amortization of the sums secured by this Security Instrument granted by Lender to Borrower or any Successor in Interest of Borrower shall not operate to release the liability of Borrower or any Successors in Interest of Borrower. Lender shall not be required to commence proceedings against any Successor in Interest of Borrower or to refuse to extend time for payment or otherwise modify amortization of the sums secured by this Security Instrument by reason of any demand made by the original Borrower or any Successors in Interest of Borrower. Any forbearance by Lender in exercising any right or remedy including, without limitation, Lender's acceptance of payments from third persons, entities or Successors in Interest of Borrower or in amounts less than the amount then due, shall not be a waiver of or preclude the exercise of any right or remedy.

13. Joint and Several Liability; Co-signers; Successors and Assigns Bound. Borrower covenants and agrees that Borrower's obligations and liability shall be joint and several. However, any Borrower who co-signs this Security Instrument but does not execute the Note (a "co-signer"): (a) is co-signing this Security Instrument only to mortgage, grant and convey the co-signer's interest in the Property under the terms of this Security Instrument; (b) is not personally obligated to pay the sums secured by this Security Instrument; and (c) agrees that Lender and any other Borrower can agree to extend, modify, forbear or make any accommodations with regard to the terms of this Security Instrument or the Note without the co-signer's consent.

Subject to the provisions of Section 18, any Successor in Interest of Borrower who assumes Borrower's obligations under this Security Instrument in writing, and is approved by Lender, shall obtain all of Borrower's rights and benefits under this Security Instrument. Borrower shall not be released from Borrower's obligations and liability under this Security Instrument unless Lender agrees to such release in writing. The covenants and agreements of this Security Instrument shall bind (except as provided in Section 20) and benefit the successors and assigns of Lender.

14. Loan Charges. Lender may charge Borrower fees for services performed in connection with Borrower's default, for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument, including, but not limited to, attorneys' fees, property inspection and valuation fees. In regard to any other fees, the absence of express authority in this Security Instrument to charge a specific fee to Borrower shall not be construed as a prohibition on the charging of such fee. Lender may not charge fees that are expressly prohibited by this Security Instrument or by Applicable Law.

If the Loan is subject to a law which sets maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the Loan exceed the permitted limits, then: (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from Borrower which exceeded permitted limits will be refunded to Borrower. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to Borrower. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge (whether or not a prepayment charge is provided for under the Note). Borrower's acceptance of any such refund made by direct payment to Borrower will constitute a waiver of any right of action Borrower might have arising out of such overcharge.

15. Notices. All notices given by Borrower or Lender in connection with this Security Instrument must be in writing. Any notice to Borrower in connection with this Security Instrument shall be deemed to have been given to Borrower when mailed by first class mail or when actually delivered to Borrower's notice address if sent by other means. Notice to any one Borrower shall constitute notice to all Borrowers unless Applicable Law expressly requires otherwise. The notice address shall be the Property Address unless Borrower has designated a substitute notice address by notice to Lender. Borrower shall promptly notify Lender of Borrower's change of address. If Lender specifies a procedure for reporting Borrower's change of address, then Borrower shall only report a change of address through that specified procedure. There may be only one designated notice address under this Security Instrument at any one time. Any notice to Lender shall be given by delivering it or by mailing it by first class mail to Lender's address stated herein unless Lender has designated another address by notice to Borrower. Any notice in connection with this Security Instrument shall not be deemed to have been given to Lender until actually received by Lender. If any notice required by this Security Instrument is also required under Applicable Law, the Applicable Law requirement will satisfy the corresponding requirement under this Security Instrument.

16. Governing Law; Severability; Rules of Construction. This Security Instrument shall be governed by federal law and the law of the jurisdiction in which the Property is located. All rights and obligations contained in this Security Instrument are subject to any requirements and limitations of Applicable Law. Applicable Law might explicitly or implicitly allow the parties to agree by contract or it might be silent, but such silence shall not be construed as a prohibition against agreement by contract. In the event that any provision or clause of this Security Instrument or the Note conflicts with Applicable Law, such conflict shall not affect other provisions of this Security Instrument or the Note which can be given effect without the conflicting provision.

As used in this Security Instrument: (a) words of the masculine gender shall mean and include corresponding neuter words or words of the feminine gender; (b) words in the singular shall mean and include the plural and vice versa; and (c) the word "may" gives sole discretion without any obligation to take any action.

17. Borrower's Copy. Borrower shall be given one copy of the Note and of this Security Instrument.

18. Transfer of the Property or a Beneficial Interest in Borrower. As used in this Section 18, *"Interest in the Property"* means any legal or beneficial interest in the Property, including, but not limited to, those beneficial interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, the intent of which is the transfer of title by Borrower at a future date to a purchaser.

If all or any part of the Property or any Interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent, Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

19. Borrower's Right to Reinstate After Acceleration. If Borrower meets certain conditions, Borrower shall have the right to have enforcement of this Security Instrument discontinued at any time prior to the earliest of: (a) five days before sale of the Property pursuant to any power of sale contained in this Security Instrument; (b) such other period as Applicable Law might specify for the termination of Borrower's right to reinstate; or (c) entry of a judgment enforcing this Security Instrument. Those conditions are that Borrower: (a) pays Lender all sums which then would be due under this Security Instrument and the Note as if no acceleration had occurred; (b) cures any default of any other covenants or agreements; (c) pays all expenses incurred in enforcing this Security Instrument, including, but not limited to, reasonable attorneys' fees, property inspection and valuation fees, and other fees incurred for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument; and (d) takes such action as Lender may reasonably require to assure that Lender's interest in the Property and rights under this Security Instrument, and Borrower's obligation to pay the sums secured by this Security Instrument, shall continue unchanged. Lender may require that Borrower pay such reinstatement sums and expenses in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality or entity; or (d) Electronic Funds Transfer. Upon reinstatement by Borrower, this Security Instrument and obligations secured hereby shall remain fully effective as if no acceleration had occurred. However, this right to reinstate shall not apply in the case of acceleration under Section 18.

20. Sale of Note; Change of Loan Servicer; Notice of Grievance. The Note or a partial interest in the Note (together with this Security Instrument) can be sold one or more times without prior notice to Borrower. A sale might result in a change in the entity (known as the *"Loan Servicer"*) that collects Periodic Payments due under the Note and this Security Instrument and performs other mortgage loan servicing obligations under the Note, this Security Instrument, and Applicable Law. There also might be one or more changes of the Loan Servicer unrelated to a sale of the Note. If there is a change of the Loan Servicer, Borrower will be given written notice of the change which will state the name and address of the new Loan Servicer, the address to which payments should be made and any other information RESPA requires in connection with a notice of transfer of servicing. If the Note is sold and thereafter the Loan is serviced by a Loan Servicer other than the purchaser of the Note, the mortgage loan servicing obligations to Borrower will remain with the Loan Servicer or be transferred to a successor Loan Servicer and are not assumed by the Note purchaser unless otherwise provided by the Note purchaser.

Neither Borrower nor Lender may commence, join, or be joined to any judicial action (as either an individual litigant or the member of a class) that arises from the other party's actions pursuant to this Security Instrument or that alleges that the other party has breached any provision of, or any duty owed by reason of, this Security Instrument, until such Borrower or Lender has notified the other party (with such notice given in compliance with the requirements of Section 15) of such alleged breach and afforded the other party hereto a reasonable period after the giving of such notice to take corrective action. If Applicable Law provides a time period which must elapse before certain action can be taken, that time period will be deemed to be reasonable for purposes of this paragraph. The notice of acceleration and opportunity to cure given to Borrower pursuant to Section 22 and the notice of acceleration given to Borrower pursuant to Section 18 shall be deemed to satisfy the notice and opportunity to take corrective action provisions of this Section 20.

21. Hazardous Substances. As used in this Section 21: (a) "*Hazardous Substances*" are those substances defined as toxic or hazardous substances, pollutants, or wastes by Environmental Law and the following substances: gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials; (b) "*Environmental Law*" means federal laws and laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection; (c) "*Environmental Cleanup*" includes any response action, remedial action, or removal action, as defined in Environmental Law; and (d) an "*Environmental Condition*" means a condition that can cause, contribute to, or otherwise trigger an Environmental Cleanup.

Borrower shall not cause or permit the presence, use, disposal, storage, or release of any Hazardous Substances, or threaten to release any Hazardous Substances, on or in the Property. Borrower shall not do, nor allow anyone else to do, anything affecting the Property (a) that is in violation of any Environmental Law, (b) which creates an Environmental Condition, or (c) which, due to the presence, use, or release of a Hazardous Substance, creates a condition that adversely affects the value of the Property. The preceding two sentences shall not apply to the presence, use, or storage on the Property of small quantities of Hazardous Substances that are generally recognized to be appropriate to normal residential uses and to maintenance of the Property (including, but not limited to, hazardous substances in consumer products).

Borrower shall promptly give Lender written notice of (a) any investigation, claim, demand, lawsuit or other action by any governmental or regulatory agency or private party involving the Property and any Hazardous Substance or Environmental Law of which Borrower has actual knowledge, (b) any Environmental Condition, including but not limited to, any spilling, leaking, discharge, release or threat of release of any Hazardous Substance, and (c) any condition caused by the presence, use or release of a Hazardous Substance which adversely affects the value of the Property. If Borrower learns, or is notified by any governmental or regulatory authority, or any private party, that any removal or other remediation of any Hazardous Substance affecting the Property is necessary, Borrower shall promptly take all necessary remedial actions in accordance with Environmental Law. Nothing herein shall create any obligation on Lender for an Environmental Cleanup.

Non-Uniform Covenants. Borrower and Lender further covenant and agree as follows:

22. Acceleration; Remedies. Lender shall give notice to Borrower prior to acceleration following Borrower's breach of any covenant or agreement in this Security Instrument (but not prior to acceleration under Section 18 unless Applicable Law provides otherwise). The notice shall specify: (a) the default; (b) the action required to cure the default; (c) a date, not less than 30 days from the date the notice is given to Borrower, by which the default must be cured; and (d) that failure

Schedule A

Tax Map: 93-12

All of that certain lot or parcel of real estate together with any and all improvements thereon and the privileges and appurtenances thereunto appertaining, situate, lying and being in the Maysville Magisterial District of Buckingham County, Virginia, containing four (4) acres, more or less, abutting and lying on the northern side of Highway No. 649, abutting and lying on the western side of a private road running from said Highway No 649 to the residence now or formerly of Hugh Crews and Jeff Crews, and adjoining the lands now or formerly of John W. Crews on the north and west from which the said four acres hereby conveyed was taken; and is definitely described by a survey and plat thereof made by Emmett D. Gillispie, a certified land surveyor, on November 6, 1954. Reference is hereby made to the aforesaid plat for a more full and complete description of the real estate herein conveyed and the metes and bounds description thereon is incorporated in and made a part of this deed by reference the same as if written out herein.


Being the same property conveyed unto Dominick Lamonte, Jr., by Deed dated April 19, 2021 to be recorded in the aforesaid Clerk's Office immediately preceding the recordation of this Deed of Trust.

035 Rec Fee	<u>300</u>	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	<u>21875</u>	
Co. R. Tax	<u>7292</u>	
Transfer		The foregoing instrument with acknowledgement
Clerk	<u>2850</u>	was admitted to record on <u>April 21</u> 20 <u>21</u>
Lib.(145)	<u>33</u>	at <u>9:00 A</u> M. in D.B. <u>482</u> Page(s) <u>755-771</u>
T.T.F.	<u>500</u>	Teste: JUSTIN D. WIDKIFF, CLERK
Grantor Tax	<u>200</u>	BY: <u>J. Yuchen</u> , DEPUTY CLERK
036 Proc. Fee		
Total \$	<u>351107</u>	

NOTICE: THE DEBT SECURED HEREBY IS SUBJECT TO CALL IN FULL OR THE TERMS THEREOF BEING MODIFIED IN THE EVENT OF SALE OR CONVEYANCE OF THE PROPERTY CONVEYED.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

Borrower


Dominick Lamonte, Jr. *Seal*

Acknowledgment

Commonwealth of Virginia

County of Appomattox

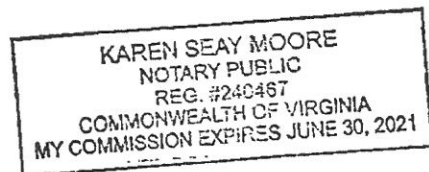
This instrument was acknowledged before me on April 20, 2021 by Dominick Lamonte, Jr.


Karen Seay Moore
Notary Public

Karen Seay Moore
 (Print Name)

My commission expires: 6/30/2021

Notary Registration Number: 240467



Loan Origination Organization: Truist Bank
 NMLS ID: 399803

Loan Originator: Michelle Good
 NMLS ID: 432508

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _____

Special Use Permit Request: Airbnb

Purpose of Special Use Permit: To provide short term lodging for visitors.

Zoning District: Agricultural Number of Acres: 4

Tax Map Section: 93 Parcel: 12 Lot: _____ Subdivision: _____ Magisterial Dist.: Maysville

Street Address: 1867 Mulberry Grove Rd. Buckingham

Directions from the County Administration Building to the Proposed Site: Head north toward US-100E,

Turn left onto US100W for 2 miles, Turn right onto VA-50N for 1 mile, Turn right onto Rte 602 for 1.5 miles, Turn left onto Rte 609 for 0.4 turn right.

Name of Applicant: Dominick & Erin Lamonte

Mailing Address: 1833 Mulberry Grove Rd. Buckingham Va 23921

Daytime Phone: _____ Cell Phone: 434-841-4593

Email: DayDay328@msn.com Fax: _____

Name of Property Owner: Dominick Lamonte Jr.

Mailing Address: 1833 mulberry Grove Rd. Buckingham Va 23921

Daytime Phone: _____ Cell Phone: 434-534-1441

Email: Dlamonte0810@gmail.com Fax: _____

Signature of Owner: _____ Date: _____

Signature of Applicant: Erin Lamonte Date: 3/7/2022

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Reid, Viola Gregory & Floyd W.

Mailing Address: 225 Slate River Mill Rd. Buckingham Va 23921

Physical Address: _____

Tax Map Section: 93 Parcel: 11 Lot: _____ Subdivision: _____

2. Name: Crews, Sallie Spencer

Mailing Address: 1657 Mulberry Grove Rd. Buckingham Va 23921

Physical Address: 1657 Mulberry Grove Rd. Buckingham Va. 23921

Tax Map Section: 92 Parcel: 43 Lot: _____ Subdivision: _____

3. Name: Jones Seth R & Jessica R Jones

Mailing Address: 14728 W. James Anderson Hwy. Dillwyn Va 23936

Physical Address: 1989 Mulberry Grove Rd. Buckingham Va 23921

Tax Map Section: 93 Parcel: 10 Lot: _____ Subdivision: _____

4. Name: Jones Seth R

Mailing Address: 1989 Mulberry Grove Rd. Buckingham Va 23921

Physical Address: 1989 Mulberry Grove Rd. Buckingham Va 23921

Tax Map Section: 93 Parcel: 13 Lot: _____ Subdivision: _____

6. Name: Reid Viola Gregory & Floyd W
Mailing Address: 225 Slate River Mill Rd. Buckingham Va 23921

Physical Address: _____

Tax Map Section: 108 Parcel: 1 Lot: _____ Subdivision: _____

7. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 4th day of MARCH, year 2022

I Doravick LAMORTE JR. hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

Doravick LAMORTE JR.

(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF VA

Subscribed and sworn to me on the 4th day of March
of the year 2022. My Commission expires on 2/28/2023.

Notary Public Signature: Ellen McGeary
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 4th day of MARCH, of the year 2022,

I DONAVICK LAMORTE JR (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

[Signature]

NOTARY PUBLIC

COUNTY OF Buckingham STATE OF VA

Subscribed and sworn to me on this 4th day of March,

of the year 2022. My commission expires 2/28/2023.

Notary Public Signature: [Signature]

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

The property has a 2 bedroom, 1 bath home and a
small shed.

County Records Check (describe the history of this property):

This property was deeded to John W. Crews in 1926. Then in 1954
was sold to my great aunt and uncle Earl and Evelyn Griffin. In 1997
it was gifted to Bruce H. Griffin. My husband and I purchased it April 2021

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No ☒

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No _____

If yes, please explain any impact:

Owner/Applicant Signature: Erin Reid Lamonte Date: 3/7/2022

Printed Name: Erin Reid Lamonte Title: _____

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: _____

Location: _____

Proposed Use: _____

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

☒ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes ☒ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Existing entrance is suitable for proposed use.

Signature of VDOT Resident Engineer: *P. D. Edwards*

Printed Name: *Charles D. Edwards* Date: *3/16/22*

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

Special Use Permit Application Narrative

Erin Lamonte

Thank you so much for the opportunity to present my vision to you. My name is Erin Reid Lamonte and my husband is Dominick Lamonte Jr. We are excited about helping grow the community of Buckingham.

I have lived here on Mulberry Grove Rd. most of my life. My husband is from Louisiana but since moving here in 2007 has quickly become a part of the community and made a name for himself in the logging/trucking industry. My family and I have deep roots here in the Mt. Vinco area. My grandfather Rufe Gregory built my home and the home next door to me that we just purchased.

I am a stay-at-home mom to our five beautiful children and also run a successful business sharing all-natural health supplements. In a little under two years, I made it to the top of the company. That allowed us to purchase what will hopefully be our next business adventure.

I have always been passionate about and had a huge heart for hospitality. Friends and family know our door is always open for a visit and a good meal. We intended to purchase this property to give our extended family a place to stay while visiting Virginia. Since then, I have realized they are not the only ones who run into trouble with finding somewhere to stay around here. We have numerous family and friends come every year to visit our mountains, dig into Virginia's history and float our rivers. Sadly, most have to drive to surrounding towns for hotel lodging.

It's not just our family and friends though. Since Covid-19, people are traveling differently. They are looking for new ways and places to vacation. They are also being mindful of safety, exposure, and social distancing. My vision is to provide a safe family-friendly country cottage experience so visitors can enjoy what I call "home on the farm" ... a little piece of Buckingham.

We have spent the last 8 months working to turn our new little house (a house you have probably passed without noticing) into a modern rustic farmhouse with tons of curb appeal. With lots of family farmland surrounding the parcel and the most beautiful sunset over the mountains to enjoy while sitting on the front porch swing, it's now the perfect country vacation home people are looking for. The following sections give a detailed in-depth description of the relationship our project has with Buckingham County's Comprehensive Plan.

1. Land Use

We will use the home for short-term housing used by visitors in our area. There is also an RV electric hookup run to the field to accommodate one RV and six dry camping sites. We will be limiting it to families who have been vetted by a vacation rental platform (Airbnb or Vrbo) to ensure people who come to stay have adequate financial resources. Just 6 minutes from

Buckingham, visitors can use our updated cottage as a home base to explore all that Buckingham county has to offer. The property has plenty of open space to accommodate horse trailers, boats, and other things visitors might want to bring with them for a country vacation.

2. Community Design

Because it is unlikely that any hotels or large rental properties will be built in the area, this is a way to bring people into the area while maintaining the scenic quality of the landscape. Visitors can come to enjoy the festivals and community events without impacting the peaceful quality of life we all currently enjoy. Also, they will need gas and groceries while they are here.

3. Cultural Resources

Buckingham county has historical and cultural resources that people can enjoy when they come to stay. The Historic Village at Lee Wayside) with Jefferson's courthouse, the historic Buckingham County Hotel, Civil War Monument, England House, Housewright Museum are all appealing attractions for visitors interested in the civil war and historic Virginia. The James River State Park and Appomattox-Buckingham State forest have an abundance of opportunities for people who hike, bike, or are equestrians. Hikers can enjoy Lee's Retreat Civil War Trails and the Civil Rights in Education Heritage Trail, the Virginia Birding and Wildlife Trail, or the Civil Rights in Education Heritage,

4. Economic Development

Short-term rentals and camping bring a positive economic impact to the county by providing additional income through tax revenues. This will also bring in additional revenue to the area by adding to our family income. I am already a successful small business owner but this will diversify our revenue stream. Additionally, visitors will be purchasing from local restaurants, gas stations, and tourist attractions.

5. Environment

This won't have any impact on the environment.

6. Fire and Rescue, Law Enforcement

The property is located near the Dillwyn community and the newly enhanced Glenmore Rescue Squad. In case of emergencies, people will be able to get any help they need.

7. Housing

This is a temporary housing solution that will help to diversify housing in the community. Short-term leasing has the potential to be extremely lucrative because the rentals can be higher than a long-term rental. This offers a lot of flexibility and we can adjust the rates. We can set minimum-night stays for high-demand dates (weekends, holidays, special events) and black-out dates. We live right next door to the property, so we will make sure the visitors are people who will add to, rather than detract from, our community.

8. Libraries

The property is only 14 minutes from the new Buckingham County Public Library, which is an additional attraction for people.

9. Parks and Open Spaces

This will not impact parks and open spaces, except possibly bring more use to the area by new families.

10. Potable Water

The water for the property is on-site.

11. Sewage

The sewage for the property is on-site.

12. Schools

This will not impact schools in the area.

13. Telecommunication

Visitors will have good phone service because the local cell tower is only 10 minutes away. We will offer a good internet connection for visitors. People looking for a quiet place to read or write or work will be able to enjoy all the remote access they have in a larger community.

14. Transportation

The location is ideal. Visitors can enjoy the peace and quiet of country living, just a few miles away from highways 602, 56, and 60. So it is a place to rest but also very easy to find and convenient for accessing local attractions, trails, parks, and cultural resources. It is a short easy drive to Appomatox, Charlottesville, and the James River.

15. Solid Waste

The property is 3-5 minutes from our solid waste and recycling facilities. We will have two industrial size cans and haul out our visitor's trash with our family trash.

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: *Erin Peirson*

Date: 3/7/22

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

January 25	Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22.
February 22	Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting.
March 8	Case is introduced to Board of Supervisors.
April 12	Board of Supervisors may approve / deny / table for more information.

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

T A X R E C E I P T

BUCKINGHAM COUNTY
CHRISTY L CHRISTIAN
(434) 969-4744
POST OFFICE BOX 106
BUCKINGHAM VA 23921

Ticket #:00001410001 @@

Date : 3/22/2022
Register: TC4/TC1
Trans. #: 09189
Dept # : SPUSE
Acct# :

SPECIAL USE PERMIT - ZONING
93 12

Previous
Balance \$.00

Principal Being Paid \$ 200.00
Penalty \$.00
Interest \$.00

LOMONTE DOMINICK

Amount Paid \$ 200.00

*Balance Due \$.00
Cash 200.00

Pd by LOMONTE DOMINICK

BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 3/2022

Tax Map Section: 93
Parcel: 12
Aerial View

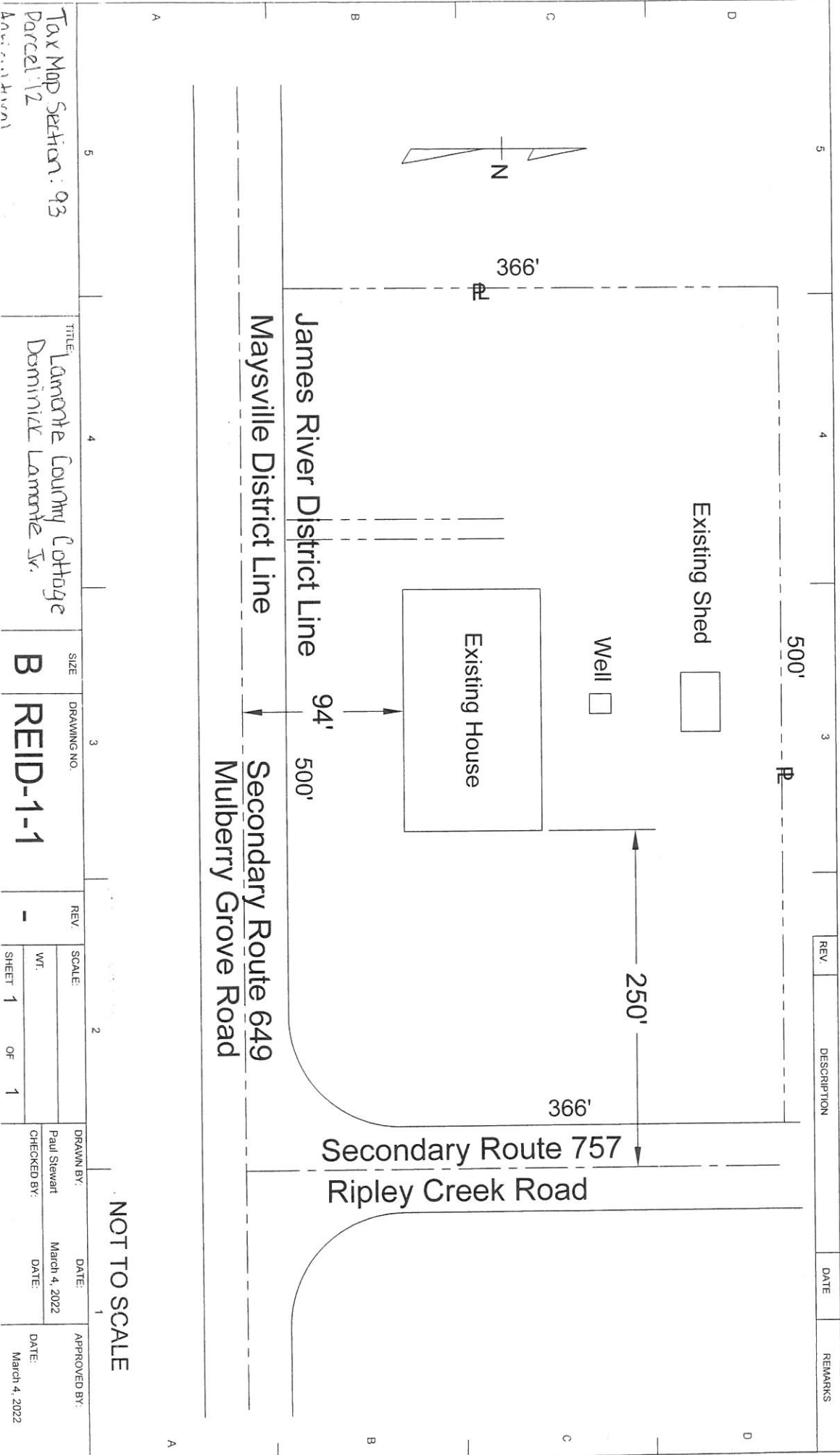
TITLE: Lamonte Country Cottage
Dominick Lamonte Jr.

SIZE: B
DRAWING NO.: REID-1-1

REV: -
SCALE: 1" = 100'
SHEET 1 OF 1

DRAWN BY: Paul Stewart
CHECKED BY: DATE: March 4, 2022
APPROVED BY: DATE: March 4, 2022

NOT TO SCALE



1. That all federal, state and local regulations, ordinances and laws be strictly adhered to, including but not limited to 12 VAC 5-450-VDH Rules and Regulations Governing Campgrounds.
2. The facility shall meet all safety requirements of all applicable building codes
3. That commencement of the facility shall begin within two years of the approval by the Board of Supervisors or this special use permit shall be null and void.

3. Right of ways and roadway shoulders shall not be used for parking. Ample parking for occupants shall be supplied on premises.
4. Only trailers classified as Recreational Vehicles or self-contained camping unit and with current registration shall be allowed.
5. No campground structure shall be erected within 50' if adjoining properties without adjacent landowners written permission.
6. The Sheriff's Office shall be notified three weeks prior to any event inviting or expecting 300 or more persons.
7. The property shall be kept neat and orderly.
8. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
9. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
10. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
11. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
12. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable
13. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
14. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

SPECIAL USE PERMIT APPLICATION CHECKLIST

BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office. YES NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: YES NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: YES NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES NO

Written Narrative (page 11 guidance in preparing the Written Narrative): YES NO

Fees: YES NO

Deed: YES NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: YES NO
- B. Area of land proposed for consideration, in square feet or acres: YES NO
- C. Scale and north point: YES NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: YES NO

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: ☒ YES ☐ NO ☐ N/A
2. Owner and Project Name: ☒ YES ☐ NO ☐ N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES ☐ NO ☐ N/A
4. Property lines of existing and proposed zoning district lines: ☒ YES ☐ NO ☐ N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES ☐ NO ☐ N/A
6. Scale and north point: ☒ YES ☐ NO ☐ N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES ☐ NO ☐ N/A
8. Easements and encumbrances, if present on the property: ☒ YES ☐ NO ☐ N/A
9. Topography indicated by contour lines: ☐ YES ☒ NO ☐ N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): ☐ YES ☒ NO ☐ N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): ☐ YES ☐ NO ☐ N/A *NOT IN FLOODPLAIN - STRUCTURE IS NOT*
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": ☒ YES ☐ NO ☐ N/A *IN FLOODPLAIN*
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: ☒ YES ☐ NO ☐ N/A
14. General locations of major access points to existing streets: ☒ YES ☐ NO ☐ N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: ☒ YES ☐ NO ☐ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: ☐ YES ☐ NO ☒ N/A
17. Location of existing and proposed utilities, above or underground: ☐ YES ☐ NO ☒ N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: ☐ YES ☐ NO ☒ N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES ☐ NO ☐ N/A
20. Location and design of screening and landscaping: ☐ YES ☐ NO ☒ N/A
21. Building architecture: ☐ YES ☐ NO ☒ N/A
22. Site lighting proposed: ☐ YES ☒ NO ☐ N/A
23. Area of land disturbance in square feet and acres: ☐ YES ☐ NO ☒ N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): ☐ YES ☐ NO ☒ N/A
25. Historical sites or gravesites on general site plan: ☐ YES ☒ NO ☐ N/A
26. Show impact of development of historical or gravesite areas: ☐ YES ☐ NO ☒ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☐ YES ☐ NO ☐ N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____

(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 3-16-22

Special Use Permit Request: AIRBNB & DRY CAMPING - Event Venue

Purpose of Special Use Permit: Air BnB & Dry Camping
Event Venue

Zoning District: _____ Number of Acres: 7.2 acres, 10 ACRES, 9.976, 70.3

Tax Map Section: 34 Parcel: 34 Lot: B Subdivision: _____ Magisterial Dist.: JAMES RIVER

Street Address: 34 33

Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Roy & Janice Turner

Mailing Address: 429 Maple Top Ln Buckingham, VA 23921

Daytime Phone: 434 238 2312 Cell Phone: 434 238 0974

Email: Jturner@hwa.com Fax: _____

Name of Property Owner: Same

Mailing Address: _____

Daytime Phone: _____ Cell Phone: _____

Email: _____ Fax: _____

Signature of Owner: Janice A Turner Date: 3-16-22

Signature of Applicant: Janice A Turner Date: 3-16-22

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Royd Janice Turner

Mailing Address: 429 Mapletop Lane Buckingham

Physical Address: 34-32, 34-31, 34-34B

Tax Map Section: 34 Parcel: 37 Lot: _____ Subdivision: _____

2. Name: ANTHONY MOSS

Mailing Address: 428 Mapletop Lane Buckingham

Physical Address: _____

Tax Map Section: 34 Parcel: 10 Lot: A Subdivision: _____

3. Name: AMY MILUCHAN

Mailing Address: PSC 3 BOX 3457 / APO, AP 96266

Physical Address: 34 36

Tax Map Section: 34 Parcel: 35 Lot: _____ Subdivision: _____

4. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

6. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

7. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 16 day of March, year 2022

I Tanico Turner & Roy Turner hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

Tanico A. Turner Roy J. Turner
(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

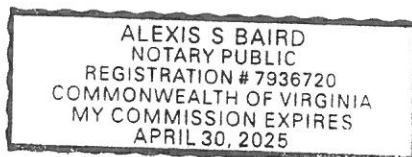
STATE OF Virginia

Subscribed and sworn to me on the 16 day of March

of the year 2022. My Commission expires on April 30 2025.

Notary Public Signature: Alexis S. Baird

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 16 day of March, of the year 2022,
I JANICE TURNER & ROY TURNER (printed name of owner)

hereby make oath that no member of the Buckingham County Board of Supervisors nor the Buckingham County Planning Commission has interest in such property either individually, or by ownership of stock in a corporation owning such land, or by partnership, or as a holder of ten percent (10%) or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Janice A. Turner Roy L. Turner

NOTARY PUBLIC

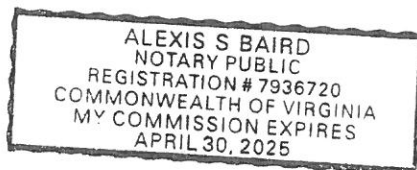
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 16 day of March,

of the year 2022. My commission expires April 30 2025.

Notary Public Signature: Alexis S. Baird

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

~~1~~ Cabin
Glamping tent
Dry Camping Sites
BARN

County Records Check (describe the history of this property):

NONE

Were any historical sites or gravesites found on site or be suspected by a reasonable person to be on the site? Yes _____ No ☒

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No ☒

If yes, please explain any impact:

Owner/Applicant Signature: Janice A Turner Date: 3-16-22

Printed Name: Janice A Turner Title: OWNER

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Roy & Janice Turner

Location: Rt 604, Buckingham County

Proposed Use: Air B+B

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

☒ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?
Yes ☒ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

The existing entrance is suitable for the proposed use.

Signature of VDOT Resident Engineer: [Signature]

Printed Name: Charles D. Edwards Date: 3/17/22

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp: _____

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: Janice A. Dunn
Date: 3/16/2022

I am Janice Surr lived in
Buckingham Co my whole life. Reside at
429 Maple Top Ln along the scenic & beautiful
James River. My request before you is to
obtain a special Use Permit to
operate a Air BNB, Dry Camping sites,
& a Event venue.

Accommodations to include, Proposal
6 Dry Camping sites per parcel
1 Cabin currently with possible plans to expand
Event venue to include, but not limited to
Weddings, reunions, festivals, concerts,
crafting, arts, Celebration of Life,
for up to 1,500 attendees.

Thank you

Janice A Surr

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

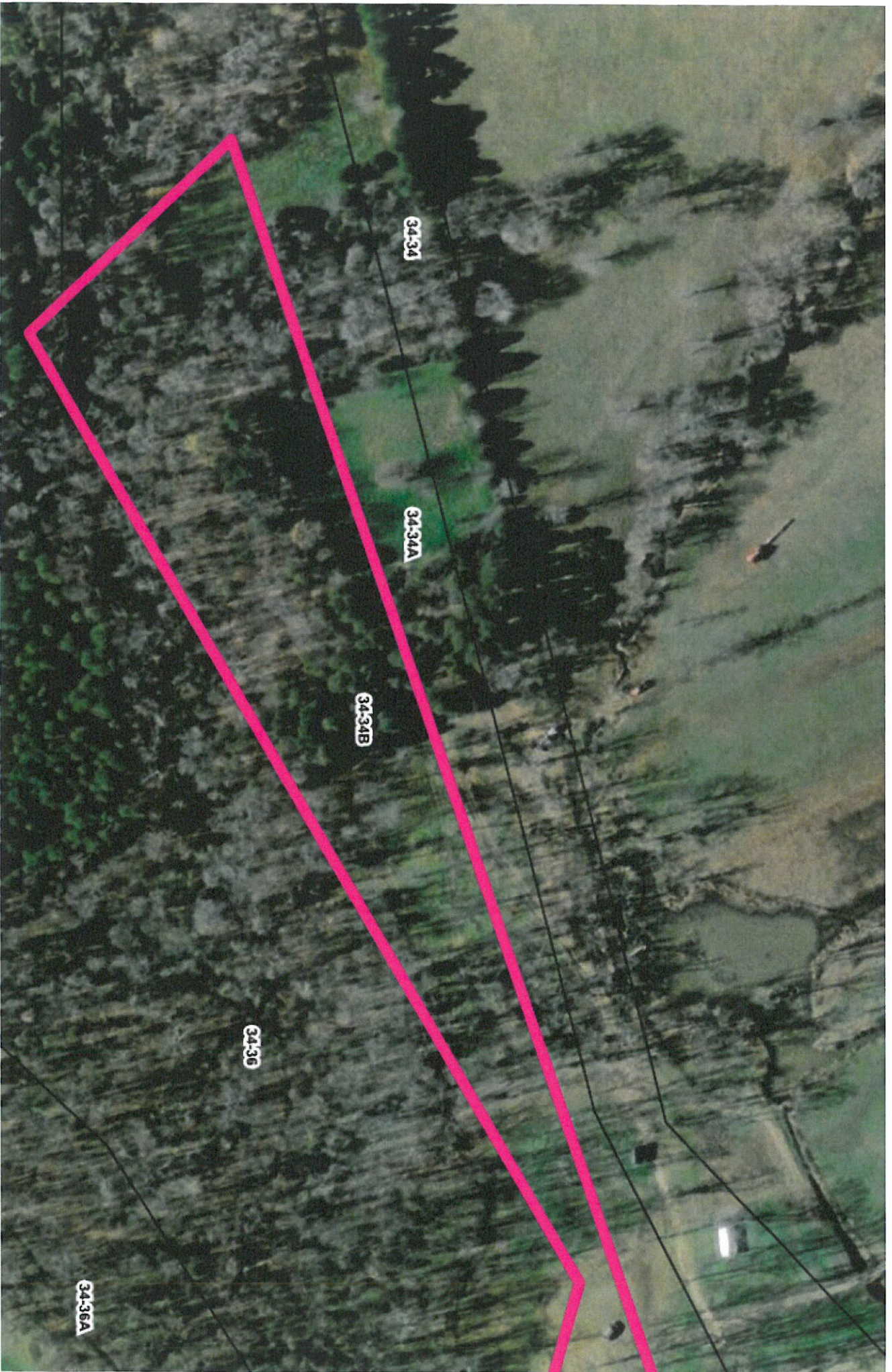
Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

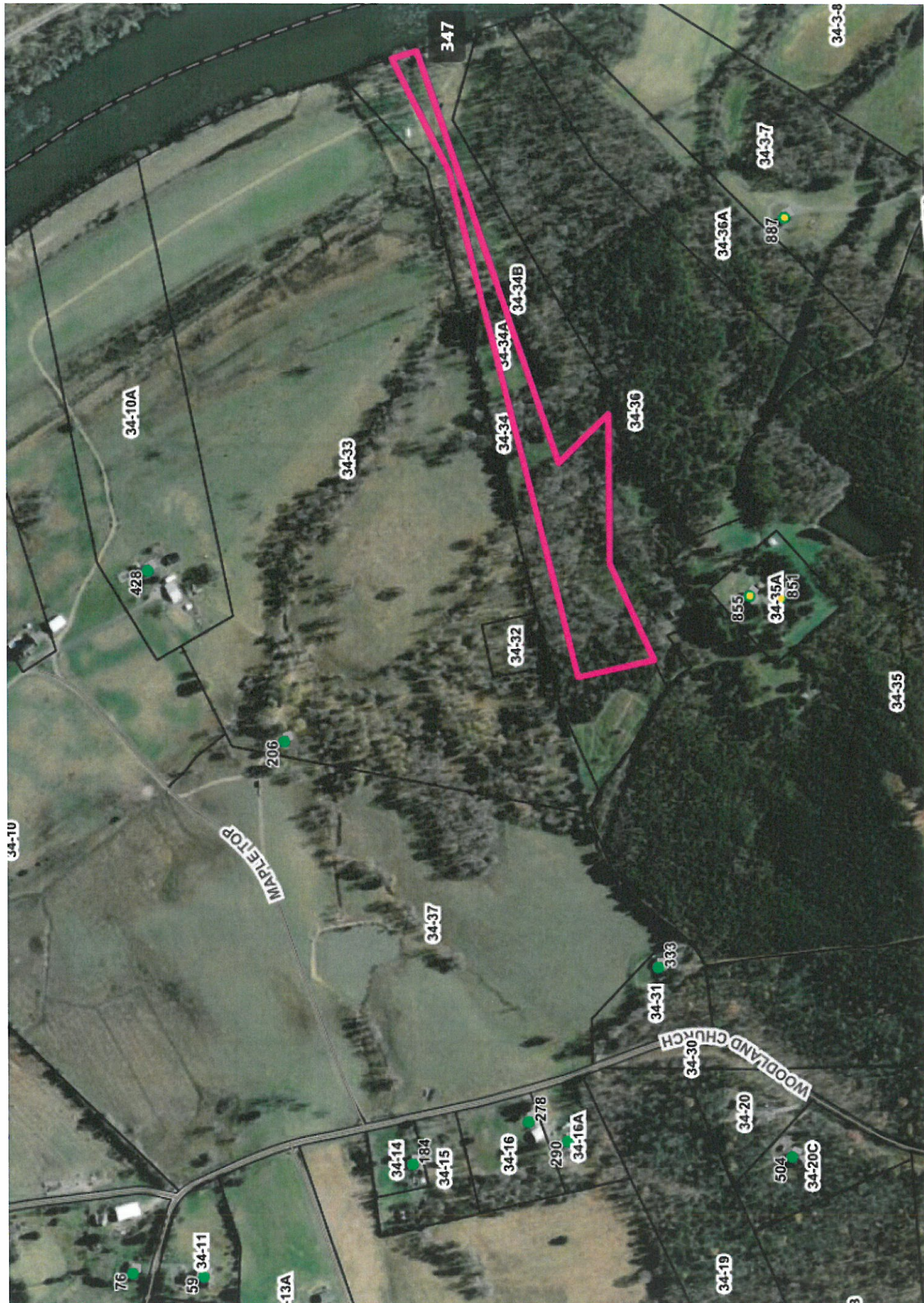
Example Timeline:

January 25	Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22.
February 22	Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting.
March 8	Case is introduced to Board of Supervisors.
April 12	Board of Supervisors may approve / deny / table for more information.

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.





T A X R E C E I P T

Ticket #:00001460001 @@

BUCKINGHAM COUNTY
CHRISTY L CHRISTIAN
(434) 969-4744
POST OFFICE BOX 106
BUCKINGHAM VA 23921

Date : 4/20/2022
Register: KS2/KAS1
Trans. #: 01901
Dept # : SPUSE
Acct# :

SPECIAL USE PERMIT - ZONING
34-34B/34-34A/34-34/34-33

Previous
Balance \$.00

Principal Being Paid \$ 200.00
Penalty \$.00
Interest \$.00

TURNER ROY &
TURNER JANICE

Amount Paid \$ 200.00

*Balance Due \$.00

Pd by TURNER ROY S & JANICE A Check 200.00 # TRUIST 6000
BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 4/2022

Buckingham County Planning Commission

May 23, 2022

Administration Building

7:00 PM

Public Hearing Case 22-SUP304

Owner/Applicant: Landowner John Yoder
2750 Ranson Road
Dillwyn VA 23936

Applicant John Yoder
2750 Ranson Road
Dillwyn VA 23936

Property Information: Tax Map 65, Parcel 13, containing approximately 154 acres, located at 2750 Ranson Road Dillwyn, VA 23936, Slate River Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating a Sawmill.

Background/Zoning Information: This property is located at 2750 Ranson Road Dillwyn VA 23936, Slate River Magisterial District. The landowner and applicant is John Yoder. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Commercial Sawmill as a Permitted by Right Use Agricultural A1 Zoning District. However, Within the A-1 Agricultural District, a Commercial Sawmill may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if the Special Use Permit is approved. The submitted application and narrative are attached.

Below are conditions that you may consider attaching to the request if approved:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. Right of ways and roadway shoulders shall not be used for parking.
3. The property shall be kept neat and orderly.
4. Hours of operation would be 6am to 6pm, Monday through Saturday.

5. Operation of the sawmill shall begin within two (2) years of the time that the approval by the Board of Supervisors becomes final and non-appealable or this Special Use Permit shall become null and void.

6. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.

7. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.

8. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.

9. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.

10. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable

11. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.

12. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

Due to additional documentation needed and due June 3, 2022, I am asking for this Public Hearing to be cancelled and a Public Hearing held for this case on June 27, 2022 at 7pm.

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: YES ☐ NO ☒ NA

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☐ NO ☒

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: ☒ YES ☐ NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES ☐ NO
- B. Area of land proposed for consideration, in square feet or acres: ☒ YES ☐ NO
- C. Scale and north point: ☒ YES ☐ NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES ☐ NO

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: ☒ YES NO N/A
2. Owner and Project Name: ☒ YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
4. Property lines of existing and proposed zoning district lines: ☒ YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
6. Scale and north point: ☒ YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO N/A
8. Easements and encumbrances, if present on the property: YES ☒ NO N/A
9. Topography indicated by contour lines: ☒ YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): ☒ YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES NO ☒ N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": ☒ YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES ☒ NO N/A
14. General locations of major access points to existing streets: ☒ YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: ☒ YES NO N/A
17. Location of existing and proposed utilities, above or underground: ☒ YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: ☒ YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES NO N/A
20. Location and design of screening and landscaping: ☒ YES NO N/A
21. Building architecture: ☒ YES NO N/A
22. Site lighting proposed: YES ☒ NO N/A
23. Area of land disturbance in square feet and acres: ☒ YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): ☒ YES NO N/A
25. Historical sites or gravesites on general site plan: YES ☒ NO N/A
26. Show impact of development of historical or gravesite areas: YES NO ☒ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☒ YES NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _____

Special Use Permit Request: for a Commercial Sawmill

Purpose of Special Use Permit: is To operate a Commercial
Sawmill

Zoning District: Slate River Number of Acres: 154

Tax Map Section: 65-13 Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: _____

Street Address: 2750 Ranson Road
Directions from the County Administration Building to the Proposed Site: Go West, Right on

Hall Rd. Right onto slate River Mill Rd left onto St. Andrews Rd, Right onto
Ranson Rd, To Property on Right.

Name of Applicant: John E Yoder

Mailing Address: 541 Aliens Lake Road, Dillwyn VA 23936

Daytime Phone: 434-505-4035 Cell Phone: X

Email: X Fax: _____

Name of Property Owner: John E Yoder

Mailing Address: 541 Aliens Lake Rd Dillwyn VA 23936

Daytime Phone: 434-505-4035 Cell Phone: X

Email: X Fax: _____

Signature of Owner: John E Yoder Date: 3-29-22

Signature of Applicant: John E Yoder Date: 3-29-22

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☐ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Jones Stanley L & Debra A

Mailing Address: 2759 Ranson Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 65-2A Parcel: _____ Lot: _____ Subdivision: _____

2. Name: Warner Willie D & Barbra E

Mailing Address: 2733 Ranson Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 65-3 :Also 65-4 Subdivision: _____

3. Name: Chambers Makeisha M

Mailing Address: 2711 Ranson Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 65-5 Parcel: _____ Lot: _____ Subdivision: _____

4. Name: Lewis Eliza A

Mailing Address: 819 high School RD Buckingham VA 23921

Physical Address: _____

Tax Map Section: 65-8 Parcel: _____ Lot: _____ Subdivision: _____

6. Name: Jones Wilhelmina Loretta

Mailing Address: 17 Warner PL Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 65-10 Parcel: _____ Lot: _____ Subdivision: _____

7. Name: Chambers Joe N Jr. & Katie L

Mailing Address: 2816 Ranson Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 65-11, & 65-12 Lot: _____ Subdivision: _____

8. Name: Bingman Craig

Mailing Address: 2833 Corso Dr Powhatan VA 23139

Physical Address: _____

Tax Map Section: 65-14 Parcel: _____ Lot: _____ Subdivision: _____

9. Name: Green Gwenda Faye Patterson c/o Micheal Darryl Nixon

Mailing Address: 2017 Sahde Hunter Ln Maidens VA 23102

Physical Address: _____

Tax Map Section: 65-15 Parcel: _____ Lot: _____ Subdivision: _____

10. Name: Raglands Cherry Lane Estate LLC

Mailing Address: 6509 S Constitution Rte Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 65-17 Parcel: _____ Lot: _____ Subdivision: _____

11. Name: Jones Emma & Molly Perkins Heirs, c/o Caruso Brown

Mailing Address: 218 Barnsdale RD Charlottesville VA 22911

Physical Address: _____

Tax Map Section: 65-21 Parcel: _____ Lot: _____ Subdivision: _____

6. Name: Gough Joseph L & Katie

Mailing Address: 2554 Spencer RD Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 64-34 Parcel: _____ Lot: _____ Subdivision: _____

7. Name: Dibble Neal Jr & Nannil J

Mailing Address: 2460 Spencer RD Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 64-1-1 Parcel: _____ Lot: _____ Subdivision: _____

8. Name: Davis Edna T & Tyrone

Mailing Address: 4635 Harwich Dr Waldorf MD 20601

Physical Address: _____

Tax Map Section: 64-1-2 Parcel: _____ Lot: _____ Subdivision: _____

9. Name: Breneman Derek M

Mailing Address: 2398 Spencer RD Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 64-1-3 Parcel: _____ Lot: _____ Subdivision: _____

10. Name: Sprangler Samuel G III

Mailing Address: P.O. Box 310 Scottsville VA 24590

Physical Address: _____

Tax Map Section: 64-1-4 Parcel: _____ Lot: _____ Subdivision: _____

11. Name: Johnson Shawn D

Mailing Address: 208 Bedford Rd Waynesboro VA 22980

Physical Address: _____

Tax Map Section: 64-1-5 Parcel: _____ Lot: _____ Subdivision: _____

6. Name: Churchill Sarah A

Mailing Address: 1334 High View DR Charlottesville VA 22901

Physical Address: _____

Tax Map Section: 64-2-12 Parcel: _____ Lot: _____ Subdivision: _____

7. Name: Maxey Robert S Jr

Mailing Address: 822 Well Water Rd Scottsville VA 24590

Physical Address: _____

Tax Map Section: 80-4 Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 20th day of March, year 2022,

I John E. Yoder hereby ~~make~~ ^{Affirm} oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

John E. Yoder

(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

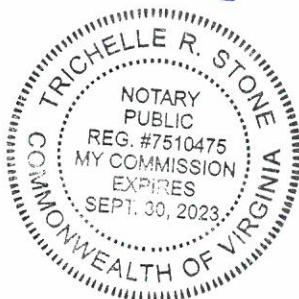
COUNTY OF Buckingham

STATE OF Virginia

Subscribed and sworn to me on the 28 day of March,

of the year 2022. My Commission expires on Sept. 30, 2023.

Notary Public Signature: Trichelle R Stone
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 28TH day of MARCH, of the year 2022,

I John E Yoder (printed name of owner)
hereby ~~make oath~~ ^{AFFIRM} that no member of the Buckingham County Board of Supervisors nor the Buckingham County Planning Commission has interest in such property either individually, or by ownership of stock in a corporation owning such land, or by partnership, or as a holder of ten percent (10%) or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

John E Yoder

NOTARY PUBLIC

COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 28 day of march,

of the year 2022. My commission expires 9/30/23.

Notary Public Signature: Trichelle R Stone

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

6 Year old Pine trees with approximately
30 Acres cleared, As of March 2022 A
House is being Built for the residence of The Applicant

County Records Check (describe the history of this property):

Has been in possession of Timber Companies
Since 1983

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No X

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No X

If yes, please explain any impact:

Owner/Applicant Signature: John E Yoder Date: 3-29-22

Printed Name: John E Yoder Title: Landowner

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: **John Yoder** _____

Location: **Ranson Road (Route 659), 1.7 miles west of Route 20** _____

Proposed Use: **Sawmill, single-family residences (5 maximum)** _____

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: _____

Printed Name: _____ Date: _____

Nicci Edmondston

From: Andy Klepac <aklepac@handp.com>
Sent: Tuesday, March 29, 2022 9:10 AM
To: Snell, Steve
Cc: Nicci Edmondston
Subject: RE: Yoder Sawmill
Attachments: VDOT Page from SUP Application.pdf

Hi Steve,

I spoke with Nicci, and she clarified the County process for me; I've attached the VDOT form from the SUP for VDOT to complete.

Thank you!

Andy Klepac, PE
Project Manager



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2524 Langhorne Road, Lynchburg, VA 24501
Cell: 434-221-2121
Email: aklepac@handp.com | Web: handp.com

From: Andy Klepac
Sent: Wednesday, March 23, 2022 1:28 PM
To: 'Snell, Steve' <steve.snell@vdot.virginia.gov>
Subject: Yoder Sawmill

Hi Steve,

We are helping John Yoder with an SUP application for a sawmill on Ranson Road, TM 65-13. The entrance has been designed to accommodate tractor trailers, and both intersection sight distance (with some minor grading) and stopping sight distance requirements can be met at the proposed entrance location (see attached). The entrance will primarily be used for the sawmill, though there may be a maximum of (5) house parcels on the 154 acre property in the future. If that development happens, the R/W to serve them will be private – not a public roadway – and will utilize the proposed entrance.

John intends to submit his packet in time for the April 26th Planning Commission. I noticed there was a VDOT form included in the SUP packet; I wasn't sure what coordination was required with you all ahead of time. If the SUP is approved, we will then of course prepare and send the full entrance design, calcs, etc.

Thanks!

Andy Klepac, PE
Project Manager

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: _____

Location: _____

Proposed Use: _____

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: _____

Printed Name: _____ Date: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC
County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

Project Narrative: Yoder Sawmill

1. **Land Use:** The proposed project includes construction of a sawmill on Parcel 65-13 on Ranson Road. The property is zoned A-1 and is owned by John Yoder. The anticipated hours of operation are 7 AM to 5 PM, Monday through Friday, though the operating days and hours may vary.
2. **Community Design:** Not applicable to this project.
3. **Cultural Resources:** No cultural resources were identified on the subject parcel.
4. **Economic Development:** Not applicable to this project.
5. **Environment:** A vegetative buffer will be maintained on the east and west side of the development to provide visual and sound buffering. Erosion control and stormwater management will be provided in accordance with State and local requirements.
6. **Fire and Rescue, Law Enforcement:** Fire and rescue vehicles will have adequate space to access and circulate within the proposed development.
7. **Housing:** There may potentially be (5) single-family houses on the 154 acre property in the future. If that development happens, the right-of-way to serve them will be private – not a public roadway – and will utilize the proposed entrance.
8. **Libraries:** Not applicable to this project.
9. **Parks and Open Spaces:** Not applicable to this project.
10. **Potable Water:** Any required potable water will be provided by onsite private wells.
11. **Sewage:** Any required sewage treatment will be provided by onsite septic systems.
12. **Schools:** Not applicable to this project.
13. **Telecommunications:** Not applicable to this project.
14. **Transportation:** The proposed entrance will be designed to accommodate tractor trailers, though anticipated truck volumes are low. Over 610' of intersection sight distance will be provided both left and right. Over 500' of stopping sight distance will be provided both left and right.
15. **Solid Waste:** Not applicable to this project.

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: John E. Gode
Date: 3-28-22

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

- | | |
|-------------|--|
| January 25 | Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22. |
| February 22 | Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. |
| March 8 | Case is introduced to Board of Supervisors. |
| April 12 | Board of Supervisors may approve / deny / table for more information. |

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

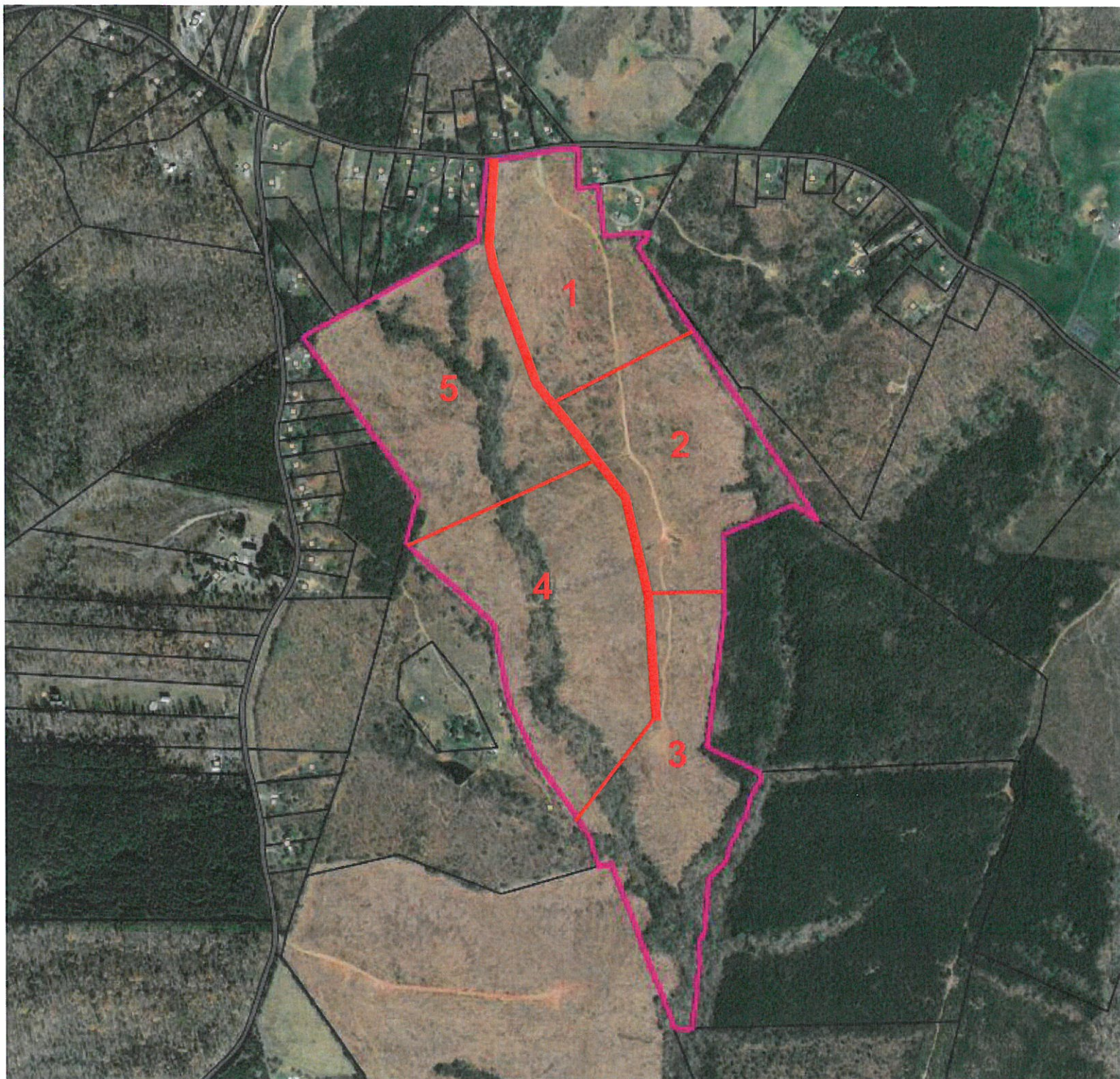
You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.



SURVEY NOTES

- THE TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT RESPONSIBILITY OF THE SURVEYOR, WHO WAS NOT PRESENT FOR THE SURVEY. THE SURVEY WAS SUPERVISED BY THE DATA WAS OBTAINED FEBRUARY 7, 2017, AND THIS PLAN MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
- VERTICAL CONTROL FOR THIS PROJECT WAS OBTAINED FROM RANDOM (GEOID 128). THE UTILITIES SHOWN HEREIN ARE BASED ON VISIBLE PHYSICAL EVIDENCE AND THE UTILITIES WITHIN THE PROJECT AREA ARE SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO HAVE UNDERGROUND UTILITIES MARKED PRIOR TO EXCAVATION AND DISTURBANCE OF ANY KIND.
- THIS SURVEY WAS PREPARED AT THE REQUEST OF JOHN YODER.





Nicci Edmondston

From: Andy Klepac <aklepac@handp.com>
Sent: Thursday, February 17, 2022 4:32 PM
To: Nicci Edmondston
Cc: Adam Bryant
Subject: RE: John Yoder Property - TM 65-13
Attachments: John Yoder Property.pdf

Good afternoon Nicci,

Thank you for the input! Just to double check, something along the lines of the attached would be acceptable? I'm not sure if the road and lots will be configured like this, but the general idea is to serve them off of the 50' private R/W. Each lot would have a minimum of 300' frontage on the private R/W.

Sorry to belabor the question...we are about to start the boundary work for the subdivision, and it would be very embarrassing for us if we did the work, got to the actual plat submittal, and the concept wasn't feasible.

Thank you!

Andy Klepac, PE
Project Manager



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2524 Langhorne Road, Lynchburg, VA 24501
Cell: 434-221-2121
Email: aklepac@handp.com | Web: handp.com

From: Nicci Edmondston <nedmondston@buckinghamcounty.virginia.gov>
Sent: Monday, January 31, 2022 8:39 AM
To: Andy Klepac <aklepac@handp.com>
Cc: Adam Bryant <abryant@handp.com>
Subject: RE: John Yoder Property - TM 65-13

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Andy,

Good morning!

Yes, I met with John Yoder and his plan is to apply for a Special Use Permit to operate a commercial sawmill. Any information pertaining to the subdivision would be found in the deed and this could be obtained from the Circuit Court Clerk's Office, 434.969.4734.

The proposed subdivision is allowable as long as the lots are between 20 and 39.9 acres with deeded 50' R/W to serve as access to the other four lots. Minimum road frontage is 300ft for any parcel seven acres and above.

Please reach out to me with any further questions or concerns.

Nicci

Nicci Edmondston

Zoning Administrator/Economic Development



Buckingham County Administration
P O Box 252
Buckingham VA 23921
434.969.4242 Phone
434.969.1638 Fax

From: Andy Klepac [<mailto:aklepac@handp.com>]
Sent: Wednesday, January 26, 2022 5:10 PM
To: Nicci Edmondston <nedmondston@buckinghamcounty.virginia.gov>
Cc: Adam Bryant <abryant@handp.com>
Subject: John Yoder Property - TM 65-13

Hi Nicci,

Hope you are doing well! We were contacted by John Yoder, who wants to do a 5-lot subdivision of TM 65-13 (154 acres). He also wants to build a sawmill, and we will be helping him with the SUP, VDOT documentation, and E&S/Stormwater – but we first wanted to make sure there weren't any issues with the subdivision. He said he met with you, so hopefully this all agrees with your discussion.

Adam Bryant (copied) will be doing the survey and plat. He and I reviewed the County's ordinance and the subdivision seems doable, but we wanted to confirm before we got into it too far.

The sawmill and John's house would be on one lot, and he wants to do a private R/W to serve the other 4 lots. As we understand 5-2-5 and 5-3-1, this would be allowable if the lots are at least 20 acres. Section 5-4 doesn't note a minimum frontage for A-1 – is there a minimum we would need fronting on the private street?

Please let us know if we misinterpreted anything, or if there are any particular concerns you have with what John intends to do.

Thanks!

Andy Klepac, PE
Project Manager



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2524 Langhorne Road, Lynchburg, VA 24501
Cell: 434-221-2121
Email: aklepac@handp.com | Web: handp.com

This email and any files transmitted with it may contain confidential information and is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the system manager. If you are not the named addressee, you should not disseminate, distribute or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system.

#2022-230

Record and return to: Tyler W. Hochstetler

PREPARED BY:

TERRI ATKINS WILSON, VSB #24985

Consideration: \$339,500.00

Assessed Value: \$212,900.00

TERRI ATKINS WILSON, P.C.

117 North Main Street
Farmville, VA 23901
434-392-1422

Title Insurance Company:
none

TM #65-13

THIS DEED made and dated this 9th day February, 2022,
by and between **ELAM F. ESH** and **RUTH E. ESH**, Husband and Wife,
hereinafter called Grantors, and **JOHN YODER, TRUSTEE OF, AND**
FOR THE YODER FAMILY REVOCABLE TRUST UNDER A TRUST AGREEMENT
DATED SEPTEMBER 22, 2021, hereinafter called Grantee, whose
address is 541 Allens Lake Road, Dillwyn, VA 23936.

W I T N E S S E T H:

THAT FOR AND IN CONSIDERATION of the sum of TEN DOLLARS
(\$10.00) and other good and valuable consideration, the receipt
of which is hereby acknowledged, the Grantors do hereby GRANT,
BARGAIN, SELL and CONVEY with GENERAL WARRANTY and ENGLISH
COVENANTS OF TITLE, unto the Grantee, all the following
described real estate, to-wit:

SEE SCHEDULE "A" ATTACHED

This conveyance is made subject to all recorded easements,
conditions, restrictions and reservations appearing of record
which affect the said property.

This conveyance is made to the said Trustee for the
uses and purposes set forth herein and in the Trust
Agreement dated September 22, 2021.

Full power and authority are hereby granted to the

to protect and conserve the

DATED SEPTEMBER 22, 2021, hereinafter called Grantee, whose address is 541 Allens Lake Road, Dillwyn, VA 23936.

W I T N E S S E T H:

THAT FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby GRANT, BARGAIN, SELL and CONVEY with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the Grantee, all the following described real estate, to-wit:

SEE SCHEDULE "A" ATTACHED

This conveyance is made subject to all recorded easements, conditions, restrictions and reservations appearing of record which affect the said property.

This conveyance is made to the said Trustee for the uses and purposes set forth herein and in the Trust Agreement dated September 22, 2021.

Full power and authority are hereby granted to the Trustee, and their successors, to protect and conserve the property; to sell, contract to sell and grant options to purchase the property, and any right, title, or interest therein on any terms; to exchange the property or any part thereof for any other real estate or personal property

upon any terms; the convey the property by deed to any grantees, with or without consideration; to mortgage, pledge or otherwise encumber the property or any part thereof; to lease, contract to lease, grant options to lease and review, extend, amend and otherwise modify leases on the property on any part thereof from time to time, for any period of time, for any rental and upon any other terms and conditions; and to release, convey or assign any other right, title, or interest whatsoever in the property or any part thereof.

No party dealing with the Trustee, or their successors, in relation to the property in any manner whatsoever, and (without limiting the foregoing), no party to whom the property or any part thereof or any interest therein shall be conveyed, contracted to be sold, leased, or mortgaged by the Trustees shall be obliged to:

- (a) See to the application of any purchase money, rent, or money borrowed or otherwise advanced on the property.
- (b) See that the terms of the Trust have been complied with;
- (c) Inquire into the authority, necessity, or expediency of any act of the Trustees; and
- (d) Be privileged to inquire into any of the terms of the Trust Agreement creating said Trust.

The Grantors covenant that they have the right to convey such lands to the Grantee; that they have done no act to encumber such lands; that the Grantee shall have quiet possession of such lands free from all encumbrances; and that they will execute such further assurances of such lands as may be requisite.

WITNESS the following signatures and seals:

Commonwealth of Virginia
 County of Buckingham
 Tax Map #65-13

SCHEDULE "A"

ALL THAT CERTAIN TRACT or parcel of land located in Slate River Magisterial District, of Buckingham County, Virginia, containing 154.41 acres, more or less, and being more particularly shown and delineated as Parcel 2 on that certain plat of survey prepared by Robert L. Lum, C.L.S., dated May 20, 1983, revised November 1, 1983, which is recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 130, page 577, which plat by this reference thereto is incorporated herein for a more particular and accurate description of said property. The description contained in said textually herein contained.

BEING the same property conveyed to Elam F. Esh and Ruth E. Esh, Husband and Wife, by Deed from Blue Ridge Timber, LLC, a Delaware limited liability company, dated August 12, 2021, and recorded August 13, 2021, in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 487, at page 203.

035 Rec Fee
 St. R. Tax
 Co. R. Tax
 Transfer
 Clerk
 Lib.(145)
 T.T.F.
 Grantor Tax
 036 Proc Fee
 Total \$

3.00
 848.75
 282.92
 1.00
 14.50
 3.00
 5.00
 339.50
 90.00
 1518.17

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY

The foregoing instrument with acknowledgement
 was admitted to record on Feb. 14 2022
 at 11:20 P M. in D.B. 493 Page(s) 410-413
 Instrument # 2022-236
 Teste: JUSTIN D. MIDKIFF, CLERK
 BY: J. Yachen, DEPUTY CLERK

Elam F. Esh (SEAL)
ELAM F. ESH

Ruth E. Esh (SEAL)
RUTH E. ESH

STATE OF PENNSYLVANIA

COUNTY OF LANCASTER, to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that ELAM F. ESH and RUTH E. ESH, whose names are signed to the foregoing instrument, have acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 9th day of February, 2022.

Commonwealth of Pennsylvania - Notary Seal
Brian F. Masterson, Notary Public
Lancaster County
My commission expires August 20, 2023
Commission number 1233858
Member, Pennsylvania Association of Notaries

Brian F. Masterson
Notary Public

My commission expires:
August 20, 2023

Sender: aklepac@handp.com
Sent Date/Time: Wed, 23 Mar 2022 20:53:48 +0000
Received Date/Time: 2022.03.23 13:54:00
Subject: Project Narrative
Attached files: Narrative.pdf

Hi John,

Please let me know if this project narrative looks good to you.

Thanks,

Andy Klepac, PE
Project Manager

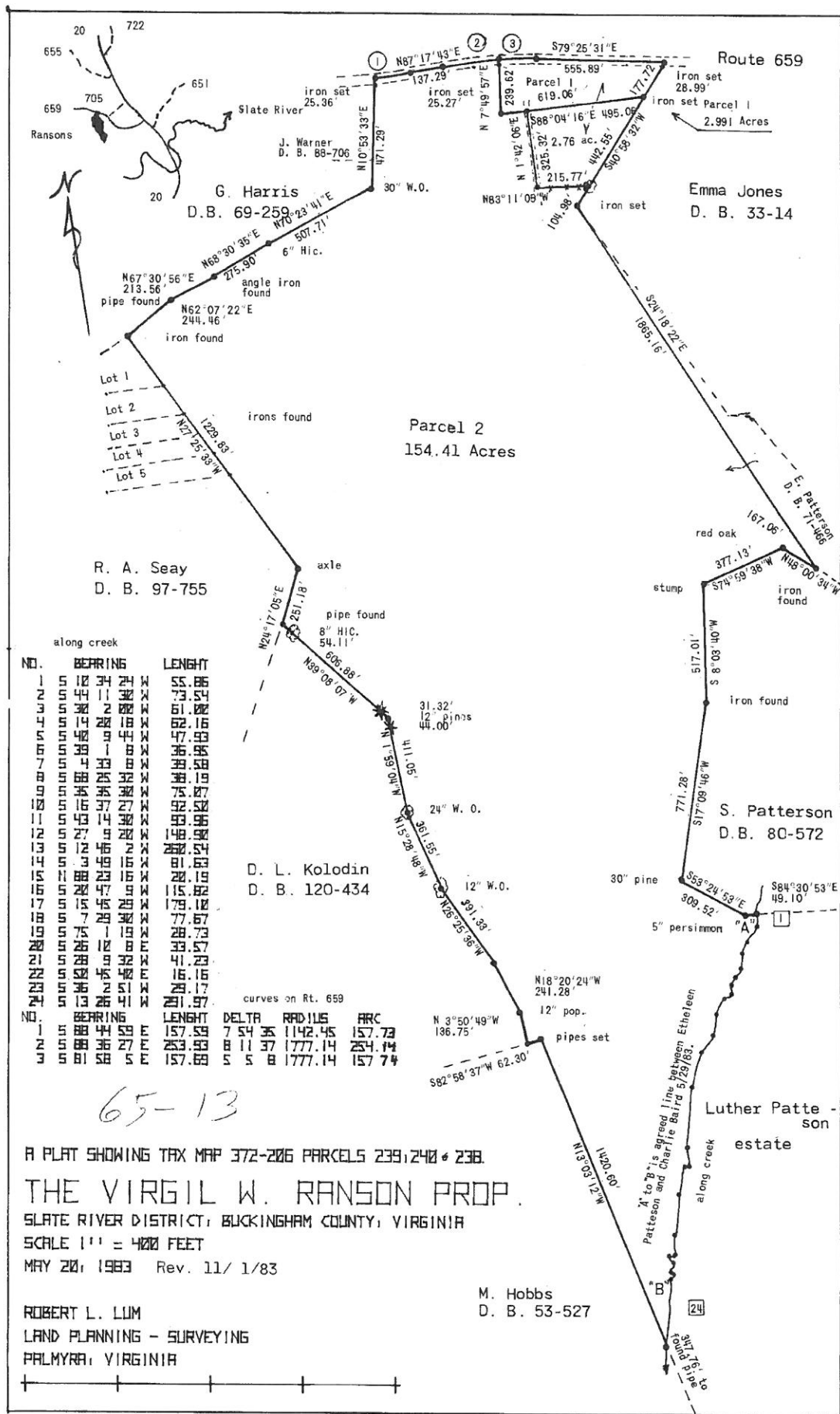


ENGINEERING & SURVEYING SINCE 1973
INSPIRED | RESPONSIVE | TRUSTED

2524 Langhorne Road, Lynchburg, VA 24501
Cell: 434-221-2121
Email: aklepac@handp.com | Web: handp.com

Looks Great!

John



TAX RECEIPT

BUCKINGHAM COUNTY
CHRISTY L CHRISTIAN
(434) 969-4744
POST OFFICE BOX 106
BUCKINGHAM VA 23921

SPECIAL USE PERMIT - ZONING
SPECIAL USE PERMIT
MAP: 65-13

YODER JOHN

Ticket #:00001420001 @@

Date : 3/29/2022
Register: RR1/RR1
Trans. #: 33258
Dept # : SPUSE
Acct# :

Previous	
Balance	\$.00
Principal Being Paid	\$ 200.00
Penalty	\$.00
Interest	\$.00
Amount Paid	\$ 200.00
*Balance Due	\$.00

Pd by YODER JOHN E & MARY A Check 200.00 # FIRSTBK 5127
BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 3/2022

Buckingham County Planning Commission

May 23, 2022

Administration Building

7:00 PM

Public Hearing Case 22-SUP305

Owner/Applicant: Landowner Jonas Fisher
1039 Banton Shop Road
Dillwyn VA 23936

Applicant Jonathan King
328 Johnson Station Road
Dillwyn VA 23936

Property Information: Tax Map 95, Parcel 39, Lot A containing approximately 108.15 acres, located near 1039 Banton Shop Road Dillwyn, VA 23936, Maysville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating a Private School, One Room School House.

Background/Zoning Information: This property is located near 1039 Banton Shop Road Dillwyn VA 23936, Maysville Magisterial District. The landowner is Jonas Fisher and the applicant is Jonathan King. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Private School as a Permitted by Right Use Agricultural A1 Zoning District. However, Within the A-1 Agricultural District, a Private School may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if the Special Use Permit is approved. The application and narrative are attached.

Below are conditions that you may consider attaching to the request if approved:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. Right of ways and roadway shoulders shall not be used for parking.
3. The property shall be kept neat and orderly.
4. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.

5. Construction for the School shall begin within two (2) years of the time that the approval by the Board of Supervisors becomes final and non-appealable or this Special Use Permit shall become null and void.

6. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.

7. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.

8. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.

9. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable

10. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.

11. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

Due to additional documentation needed and due June 3, 2022, I am asking for this Public Hearing to be cancelled and a Public Hearing held for this case on June 27, 2022 at 7pm.

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☒ NO

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: ☒ YES ☐ NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES ☐ NO
- B. Area of land proposed for consideration, in square feet or acres: ☒ YES ☐ NO
- C. Scale and north point: ☒ YES ☐ NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES ☐ NO

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners. ☒ YES

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: ☒ YES NO N/A
2. Owner and Project Name: ☒ YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
4. Property lines of existing and proposed zoning district lines: ☒ YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
6. Scale and north point: ☒ YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO N/A
8. Easements and encumbrances, if present on the property: YES NO ☒ N/A
9. Topography indicated by contour lines: YES ☒ NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES NO ☒ N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES NO ☒ N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": YES NO ☒ N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO ☒ N/A
14. General locations of major access points to existing streets: ☒ YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: ☒ YES NO N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO ☒ N/A
17. Location of existing and proposed utilities, above or underground: YES ☒ NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: ☒ YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES NO N/A
20. Location and design of screening and landscaping: YES NO ☒ N/A
21. Building architecture: ☒ YES NO N/A
22. Site lighting proposed: YES ☒ NO N/A
23. Area of land disturbance in square feet and acres: ☒ YES ☒ NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES NO ☒ N/A
25. Historical sites or gravesites on general site plan: YES NO ☒ N/A
26. Show impact of development of historical or gravesite areas: YES NO ☒ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES ☒ NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _____

Special Use Permit Request: operate a parochial Amish school

Purpose of Special Use Permit: one room parochial school

Zoning District: A-1 Number of Acres: 108.15

Tax Map Section: 95 Parcel: 39A Lot: 1.2 Subdivision: _____ Magisterial Dist.: Maysville

Street Address: Vacant

Directions from the County Administration Building to the Proposed Site: Rt 60 E. to 15 N
to Rt 20 west to Rt 649 (Slate River Mill Rd) 1st right Rt 617
(Banton Shop Rd) approx. 1mi. on right

Name of Applicant: Jonathan Z King Jr

Mailing Address: 328 Johnson Station Rd Dillwyn VA 23936

Daytime Phone: 434-390-8595 Cell Phone: _____

Email: _____ Fax: _____

Name of Property Owner: Jonas S Fisher

Mailing Address: 1039 Banton Shop Rd Dillwyn VA 23936

Daytime Phone: 434-414-8222 Cell Phone: _____

Email: _____ Fax: _____

Signature of Owner: Jonas S Fisher Date: 3-30-22

Signature of Applicant: Jonathan Z King Jr Date: 3-31-22

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Jonas Fisher

Mailing Address: 1039 Banton Shop Rd Dillwyn VA 23936

Physical Address: same

Tax Map Section: 95 Parcel: 3 Lot: _____ Subdivision: _____

2. Name: James Duncan

Mailing Address: 1602 West Hill Rd Richmond VA 23226

Physical Address: 703 Banton Shop Rd Dillwyn VA 23936

Tax Map Section: 95 Parcel: 6 Lot: _____ Subdivision: _____

3. Name: Pearl W Agee

Mailing Address: 1950 Well Water Rd Scottsville VA 24590

Physical Address: 533 Banton Shop Rd Dillwyn VA 23936

Tax Map Section: 95 Parcel: 7 Lot: _____ Subdivision: _____

4. Name: Brian Dickerson

Mailing Address: 10711 Qualla Rd Chesterfield VA 23832

Physical Address: vacant

Tax Map Section: 95 Parcel: 8 Lot: A Subdivision: _____

6. Name: Charles Welton

Mailing Address: 141 Bersch Ln. Arvonnia VA 23004

Physical Address: 403 Banton Shop Rd Dillwyn VA 23936

Tax Map Section: 95 Parcel: 2 Lot: 1 Subdivision: _____

7. Name: Thelma Nicholas

Mailing Address: 375 Banton Shop Rd Dillwyn VA 23936

Physical Address: 375 Banton Shop Rd Dillwyn VA 23936

Tax Map Section: 95 Parcel: 2 Lot: 2 Subdivision: _____

8. Name: Harry Moss

Mailing Address: 13745 North Gayton Rd Richmond VA 23233

Physical Address: vacant

Tax Map Section: 95 Parcel: 9A Lot: A Subdivision: _____

9. Name: Weyerhaeuser Company

Mailing Address: 100 Professional Center Brunswick GA 31525

Physical Address: vacant

Tax Map Section: 95 Parcel: 39 Lot: _____ Subdivision: _____

10. Name: Weyerhaeuser Comp.

Mailing Address: 100 Professional Center Brunswick GA 31525

Physical Address: vacant

Tax Map Section: 80 Parcel: 17 Lot: _____ Subdivision: _____

11. Name: Loren Orange

Mailing Address: 2334 Deer Run Rd Farmville VA 23901

Physical Address: ~~Banton Shop~~ vacant

Tax Map Section: 95 Parcel: 1 Lot: _____ Subdivision: _____

12 ~~X~~ Name: Adam Eason

Mailing Address: 1400 W. Third St Farmville VA 23901

Physical Address: 1105 Banton Shop Rd Dillwyn VA 23936

Tax Map Section: 95 Parcel: 2 Lot: _____ Subdivision: _____

7. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 30th day of March, year 2022,

I Jonathan King Jr. hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

Jonathan J King Jr
(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF Virginia

Subscribed and sworn to me on the 30th day of March,

of the year 2022. My Commission expires on 2/28/2023.

Notary Public Signature: Ellen McGarry

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 30th day of March, of the year 2022,

I Jonas Fisher (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Jonas J Fisher

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 30th day of March,

of the year 2022 My commission expires 2/28/2023.

Notary Public Signature: Ellen McGarry

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

raw land / crop fields / timber

County Records Check (describe the history of this property):

timber | farm use

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No X

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No X

If yes, please explain any impact:

Owner/Applicant Signature: Jonathan Z King Jr Date: 3-31-22

Printed Name: Jonathan Z King Jr Title: Applicant

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Jonathan Z King Jr

Location: Rt. 617 Banton Shop Rd

Proposed Use: Parochial School

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: _____

Printed Name: _____ Date: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

Written Narrative

1. One room Amish Parochial School
2. School size is 30 X 42 which includes a 8' x 20' porch
3. 3/4 acre fenced in playground area.
4. One teacher per school
5. Max students per school (35)
6. Our schools usually start around the last week of Aug and end 2nd or 3rd week of May
7. Ages of school children going to school is 5 yrs 10 month to 13 years
8. Hours of Operation 8:00 AM to 2:30 PM Mon-Fri
9. avg. of 3-4 vehicles per day

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

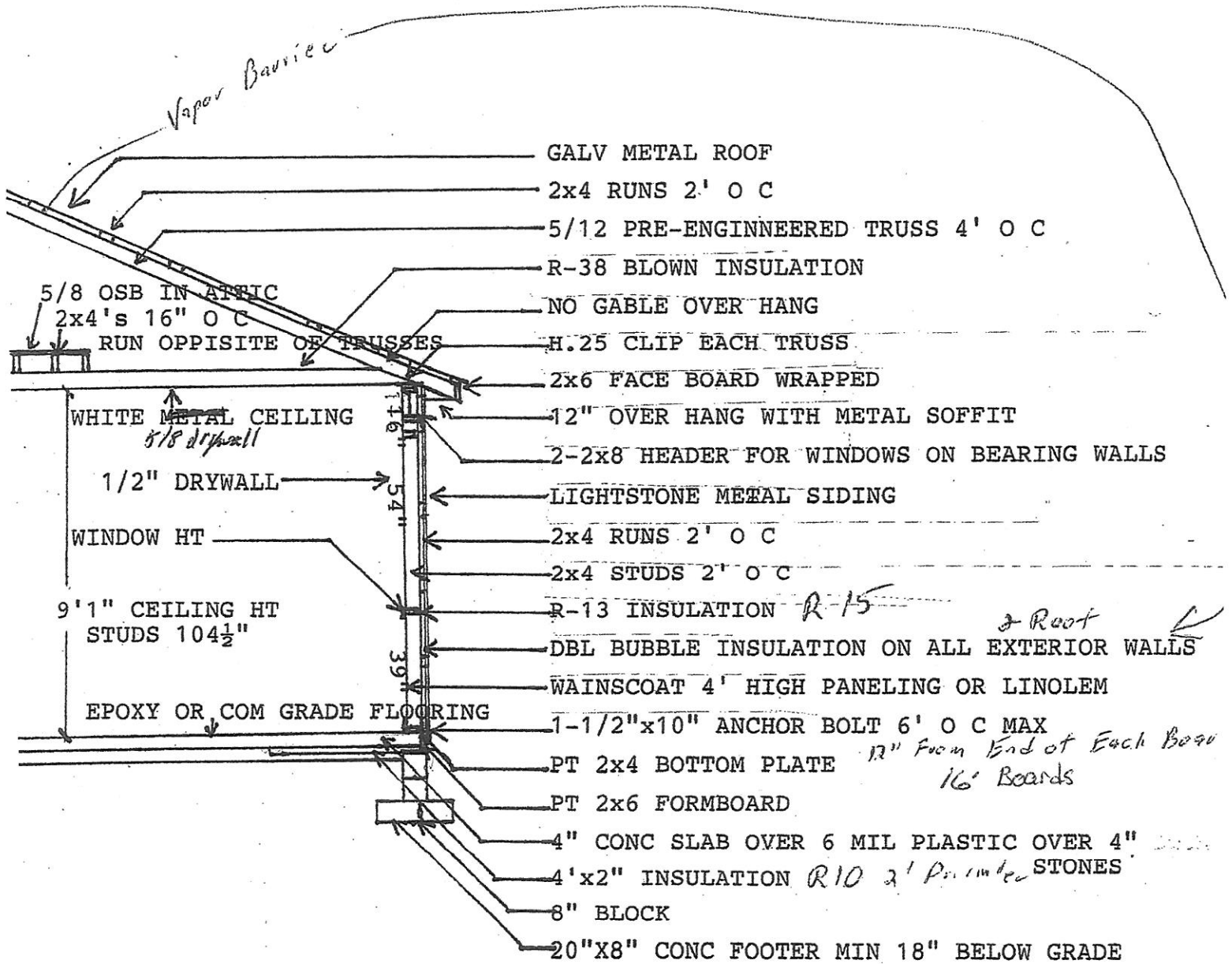
The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

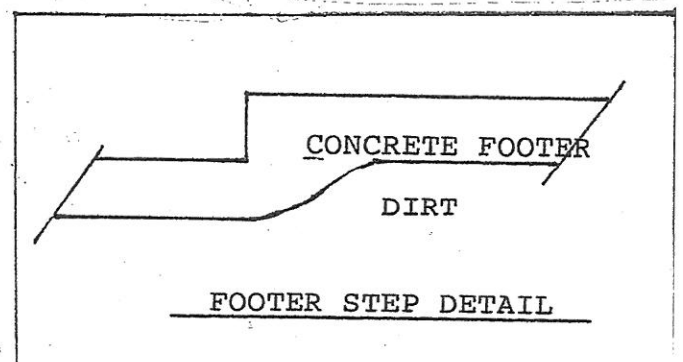
I have read, understand and agree to the above requirements.

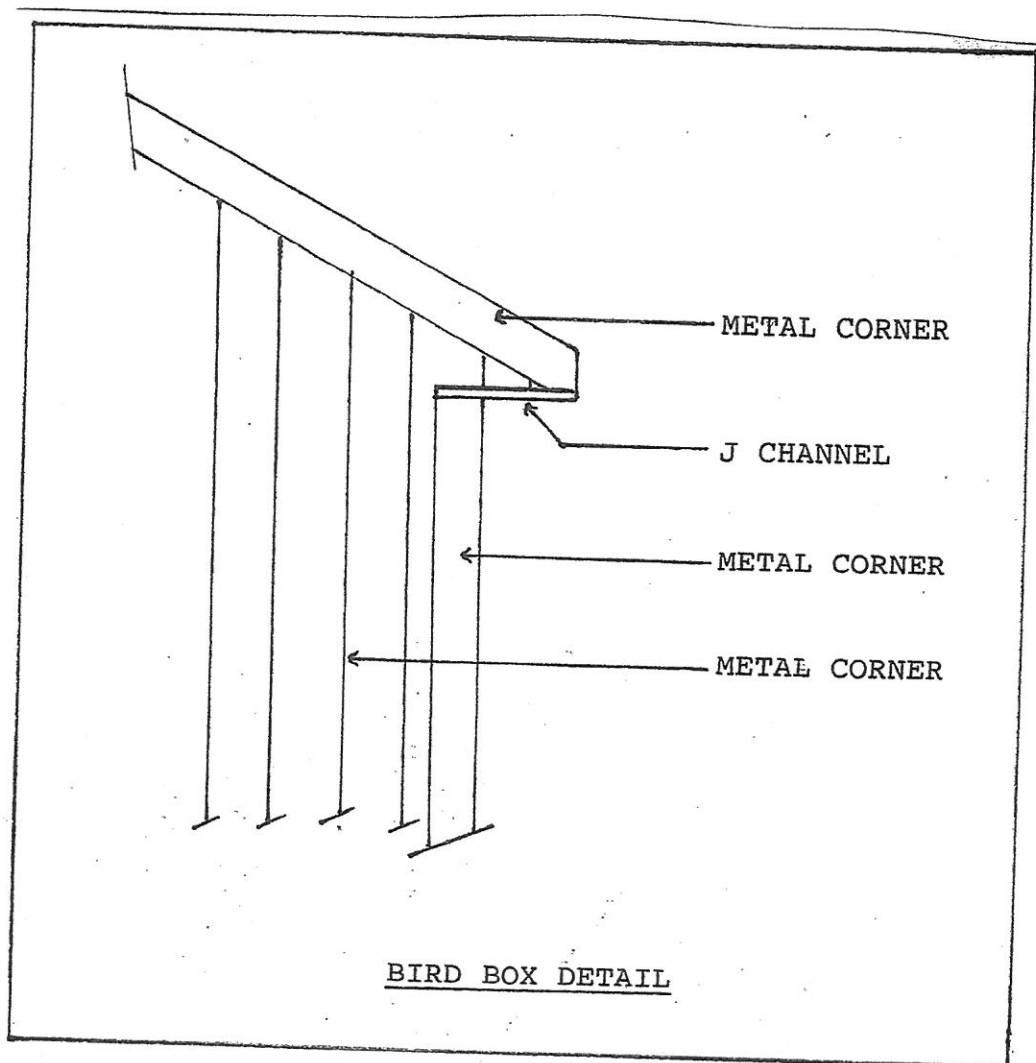
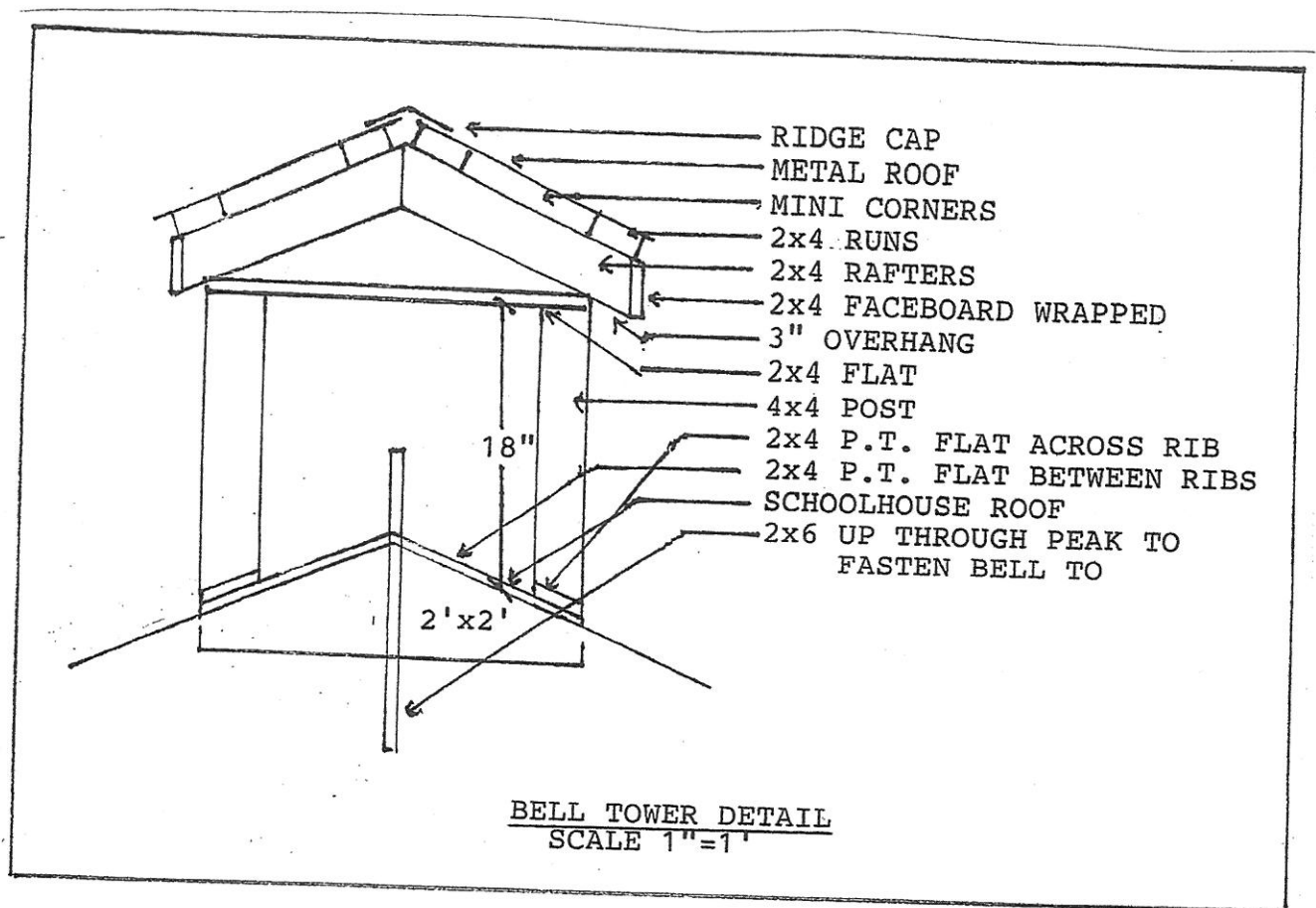
Applicant/Owner: Jonathan Z King Jr

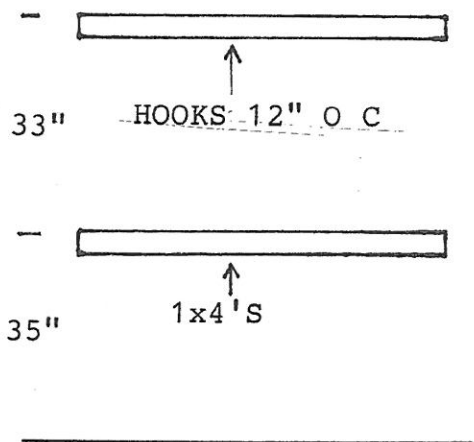
Date: 3-31-22



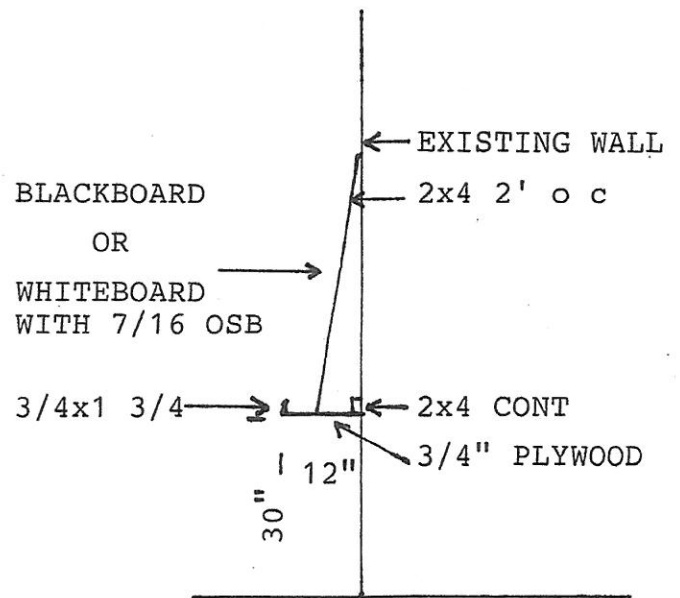
SCHOOL DETAIL



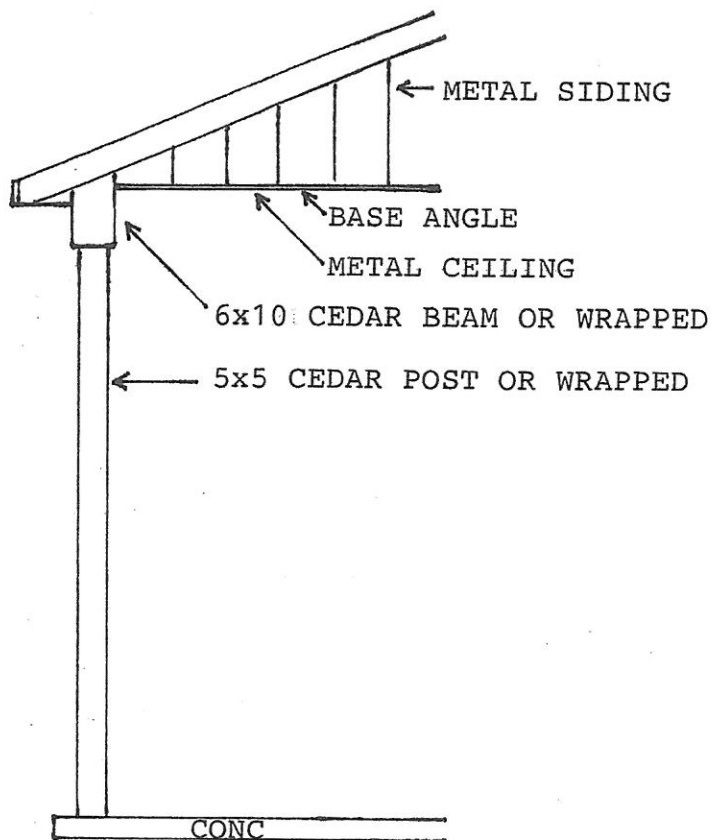




CLOTH HOOKS



BOARD DETAIL



PORCH DETAIL

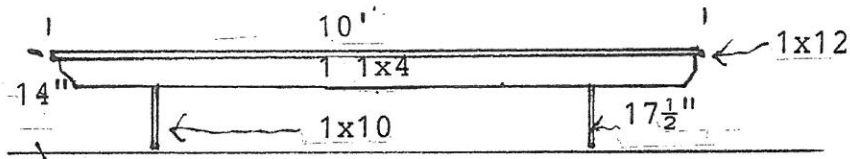
NOTES

EXTERIOR

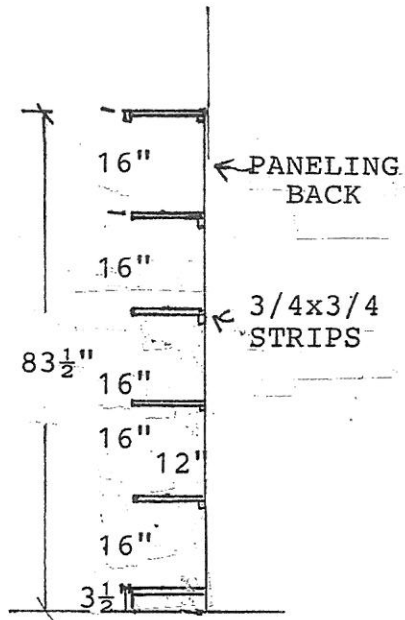
GALVANIZED ROOF
 LIGHTSTONE SIDES
 WHITE SOFFIT AND TRIM
 CEDAR POST AND HEADER IF
 AVAILABLE
 CEDAR SHIPPLIPPED PROVY DOORS

INTERIOR

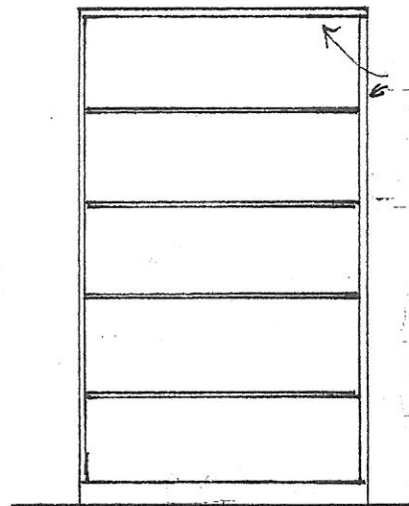
SIGNATURE GLOSS # HGSW4047
 WALLS AND SHELF
 DUNCAN CHESTNUT #HGSW2471
 TRIM
 GRAY EPOXY FLOOR WITH SPECKLES
 FROM KINGS OR SHERWIN
 OR COMMERCIAL GRADE VINYL
 LAMINATE
 LEVER LATCHES ON EXTERIOR
 DOORS



2-10' BENCHES

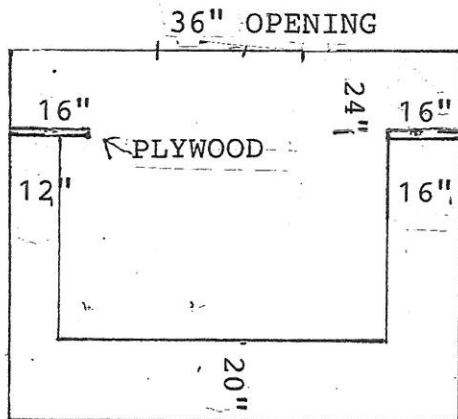


SIDE VIEW

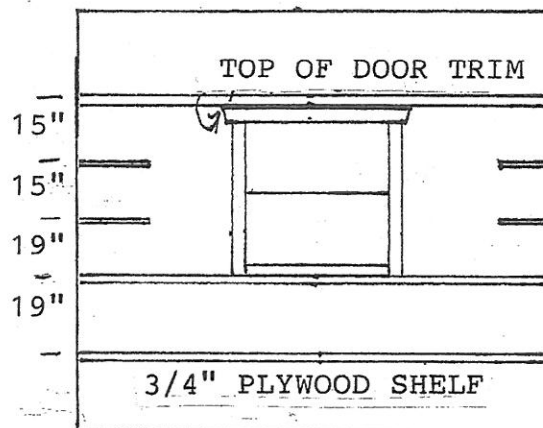


FRONT VIEW

SHELF IN CLASSROOM



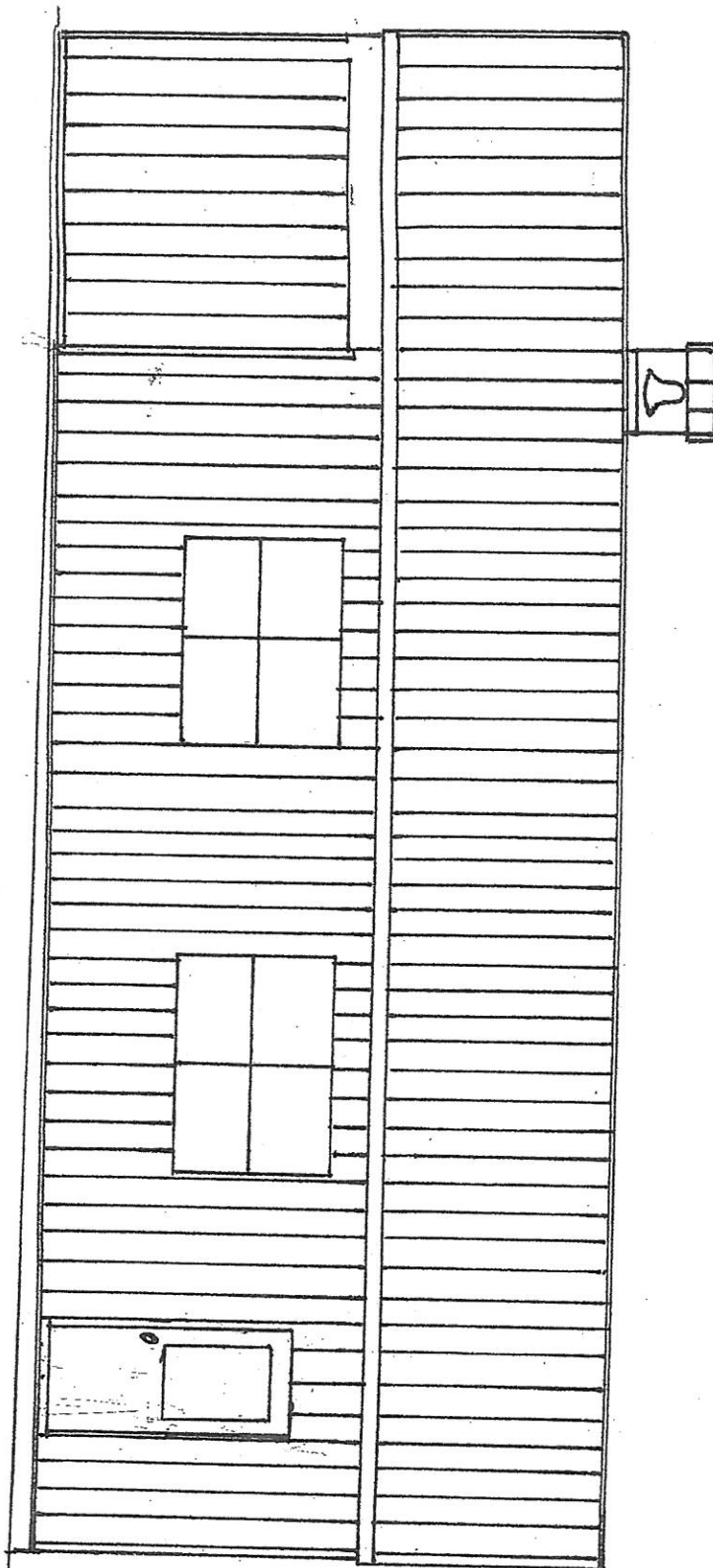
TOP VIEW

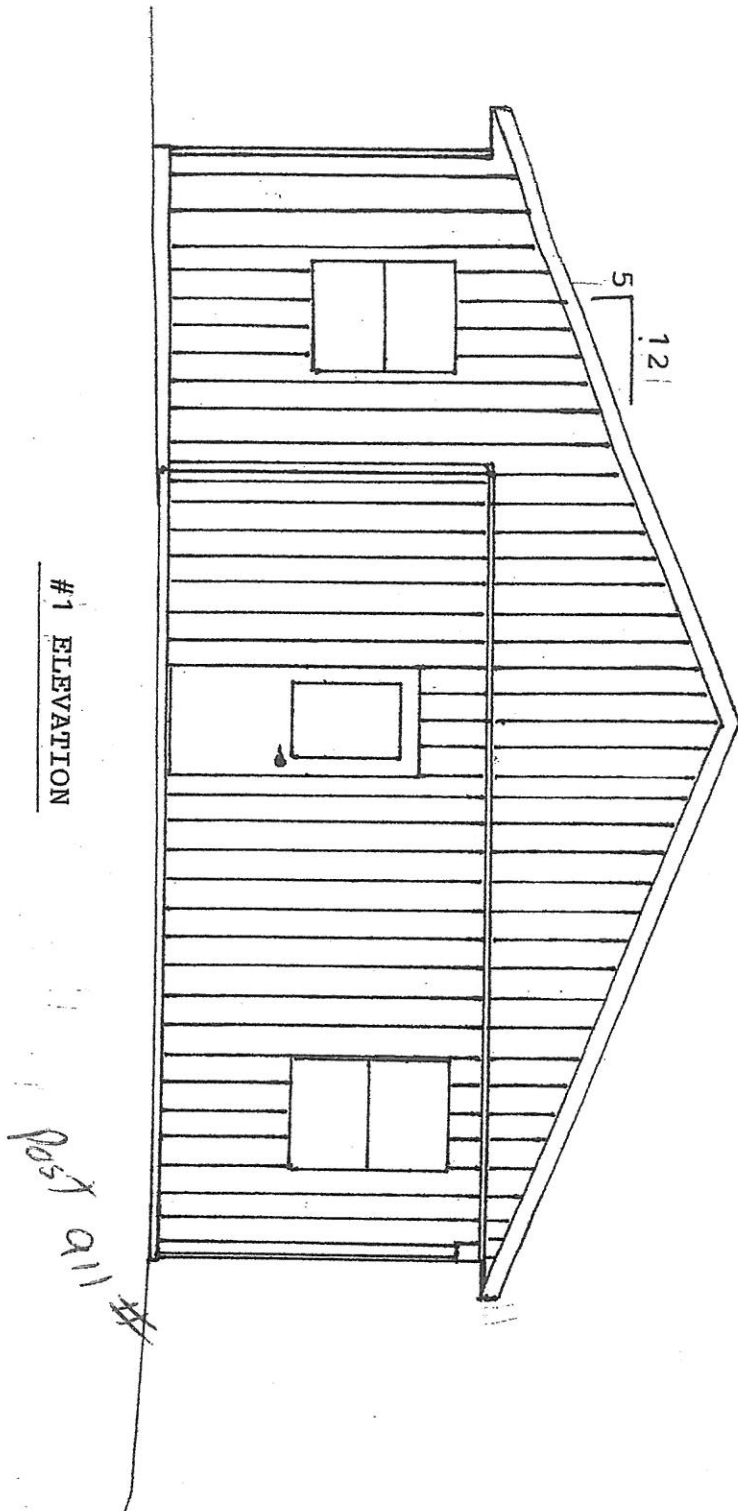


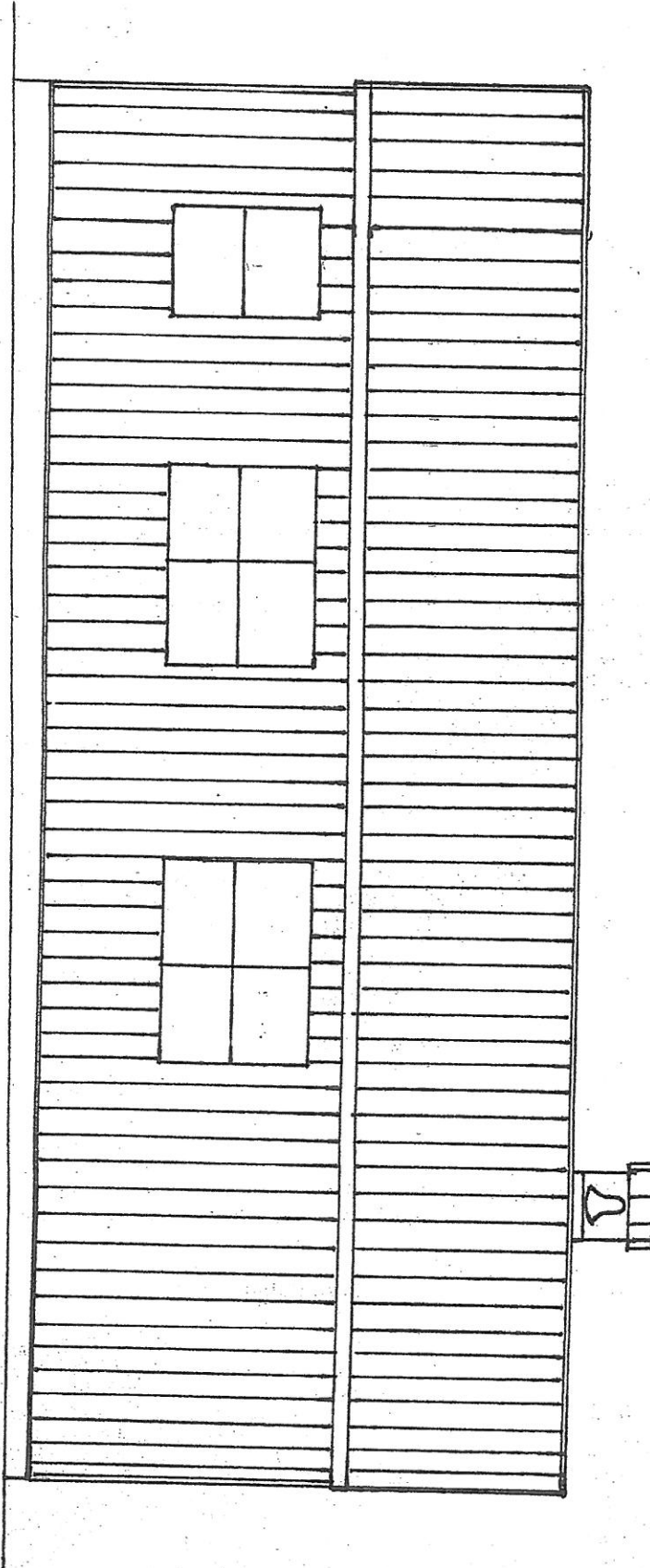
FRONT VIEW

SHELF IN STORAGE ROOM

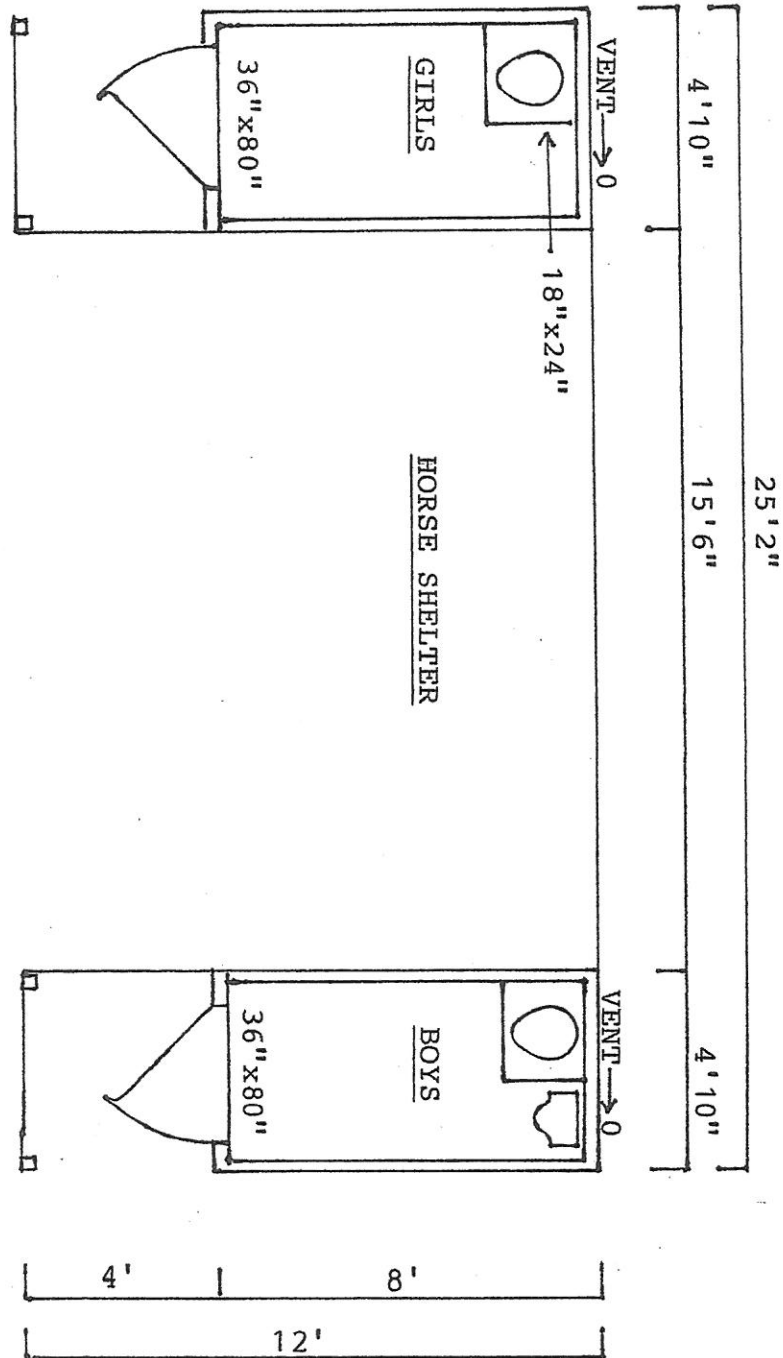
#2 ELEVATION





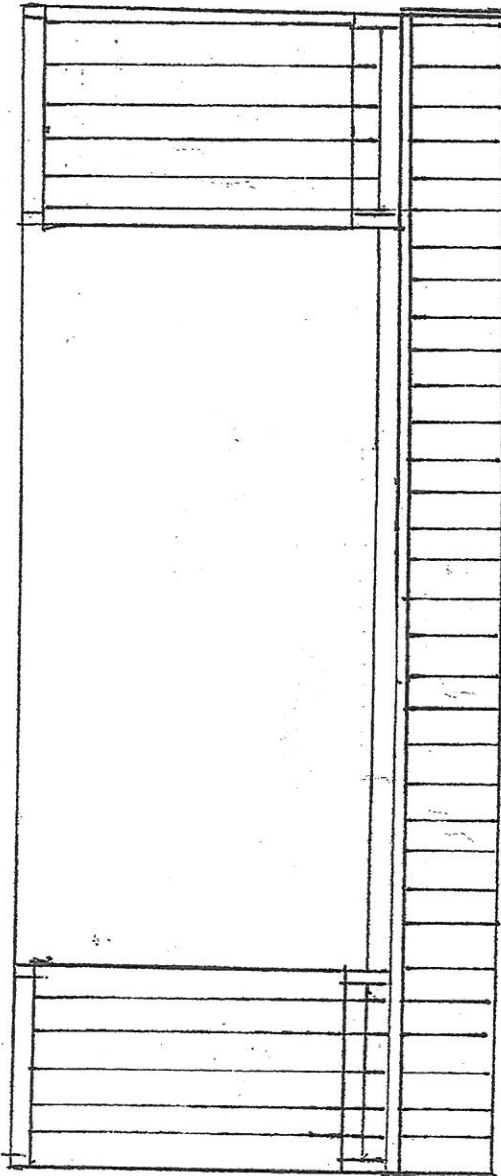


#4 ELEVATION



PRIVY FLOOR PLAN

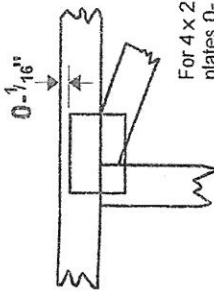
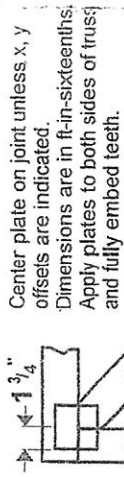
PRIVY HORSEBARN ELEVATION



12 of 23

Symbols

PLATE LOCATION AND ORIENTATION



For 4 x 2 orientation, locate plates 0-¹/₁₆" from outside edge of truss.

This symbol indicates the required direction of slots in connector plates.

* Plate location details available in MiTek 20/20 software or upon request.

PLATE SIZE

4 x 4

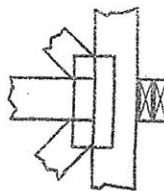
The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

LATERAL BRACING LOCATION



Indicated by symbol shown and/or by text in the bracing section of the output. Use T or L bracing if indicated.

BEARING



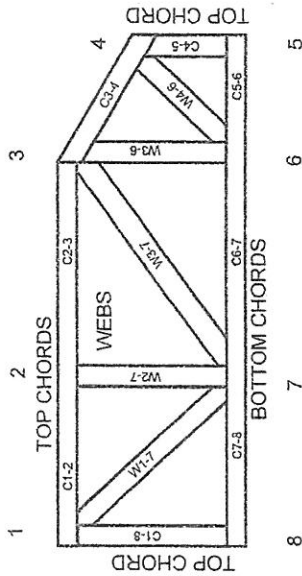
Indicates location where bearings (supports) occur. Icons vary by reaction section indicating joint number where bearings occur. Min size shown is for crushing only.

Industry Standards:

ANSI/TP1: National Design Specification for Metal Plate Connected Wood Truss Construction.
DSB-89: Design Standard for Bracing.
BCSI: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

Numbering System

6-4-8 dimensions shown in ft-in-sixteenths (Drawings not to scale)



JOINTS ARE GENERALLY NUMBERED/CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ESR1988
ER-3907, ESR-2362, ESR-1397, ESR-3282

Trusses are designed for wind loads in the plane of the truss unless otherwise shown.

Lumber design values are in accordance with ANSI/TP1 section 6.3 These truss designs rely on lumber values established by others.

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MiTek Engineering Reference Sheet: MII-7473 rev. 10/03/2015

General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

1. Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCSI.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual lateral braces themselves may require bracing, or alternative Tor 1 bracing should be considered.
3. Never exceed the design loading shown and never stack materials on inadequately braced trusses.
4. Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
5. Cut members to bear tightly against each other.
6. Place plates on each face of truss at each joint and embed fully. Kools and wane at joint locations are regulated by ANSI/TP1 1.
7. Design assumes trusses will be suitably protected from the environment in accord with ANSI/TP1 1.
8. Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
9. Unless expressly noted, this design is not applicable for use with fire retardant, preservative treated, or green lumber.
10. Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
11. Plate type, size, orientation and location dimensions indicated are minimum plating requirements.
12. Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
13. Top chords must be sheathed or purfins provided at spacing indicated on design.
14. Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed, unless otherwise noted.
15. Connections not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Install and load vertically unless indicated otherwise.
18. Use of green or treated lumber may pose an unacceptable environmental, health or performance risks. Consult with project engineer before use.
19. Review all portions of this design (front, back, words and pictures) before use. Reviewing pictures alone is not sufficient.
20. Design assumes manufacture in accordance with ANSI/TP1 1 Quality Criteria.

2020-159

This document prepared by:
Patricia A. Taylor, Esq. (VSB #21659)
Weyerhaeuser Company
220 Occidental Avenue South
Seattle, WA 98104

TAX ID# a portion of 95-39

Upon recordation return to:
Bridge Trust Title Group
2108 W. Laburnum Ave. Suite 110
Richmond, VA 23227

Title Company: _____

CONSIDERATION \$319,522.00

SPECIAL WARRANTY DEED

THIS DEED is made as of April ^{30th}, 2020 between **WEYERHAEUSER COMPANY**, a Washington corporation, whose address is 220 Occidental Avenue South, Seattle, Washington 98104 ("Grantor"), and **JONAS S. FISHER and BARBIE K. FISHER**, husband and wife, with an address of 62 Springville Road, Quarryville, Pennsylvania 17566 ("Grantee").

WITNESSETH:

In consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants and conveys with Special Warranty of Title unto Grantee the following described property (the "Real Property"):

SEE EXHIBIT A ATTACHED

This conveyance is made subject to the matters contained herein and those matters set forth on EXHIBIT B attached.

TOGETHER WITH, but without any warranty whatsoever, Grantor's right, title and interest in and to mineral rights appurtenant to the Real Property and all rights to explore for and extract such minerals not previously reserved or conveyed by Grantor's predecessors in title.

GRANTOR HEREBY EXPRESSLY DISCLAIMS AND NEGATES ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED, RELATING TO THE CONDITION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE REAL PROPERTY, INCLUDING WITHOUT LIMITATION ANY WARRANTY RELATING TO THE CONDITION OF THE REAL PROPERTY, ITS SUITABILITY FOR GRANTEE'S PURPOSES OR THE STATUS OF THE PROPERTY'S MAINTENANCE OR OPERATION. GRANTOR DOES NOT MAKE ANY REPRESENTATIONS OR WARRANTIES THAT THE REAL PROPERTY MAY BE USED FOR ANY PURPOSE WHATSOEVER.

It being the intention of GRANTOR and GRANTEE that the Real Property be conveyed "as is", in its present condition and state of repair and that GRANTEE has made or caused to be made such inspection as they deem appropriate. GRANTEE, for themselves and their successors, heirs and assigns, hereby waives and releases GRANTOR from any and all contractual, statutory, common law, and/or other liabilities, obligations, claims or causes of action, known or unknown, that GRANTEE or their heirs and assigns may be entitled to assert against GRANTOR arising in whole or in part of, or relating or connected in any way to, the condition of the Real Property including, but not limited to any such liabilities, obligations, claims or causes of action based in whole or in part upon any applicable federal, state or local environmental law, rule or regulation or the environmental condition of the Real Property.

Grantor hereby covenants and agrees with Grantee, their successors and assigns, that Grantor will warrant and defend the Real Property against the lawful claims (unless otherwise noted above) of all persons claiming, by, through, or under Grantor, but not further or otherwise.

[SIGNATURE APPEARS ON THE FOLLOWING PAGE]

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1

COMMENCING AT THE INTERSECTION OF STATE ROUTE NO. 649 (SLATE RIVER MILL ROAD) AND STATE ROUTE NO. 617 (BANTON SHOP ROAD) IN THE MAYSVILLE DISTRICT OF BUCKINGHAM COUNTY, VIRGINIA; THENCE, APPROXIMATELY 0.35 MILES, GENERALLY NORTH, ALONG STATE ROUTE NO. 617 TO THE BEGINNING AT A FOUND IRON (STATE PLANE COORDINATE N: 3740348.16 E: 11480432.82- GPS GRID NORTH VA SOUTH NAD 83 BASED ON NETWORK SURVEY WITH TOPCON HIPER_SR RECEIVER) ON THE EASTERN RIGHT-OF-WAY, BEING 25' OUT OF CENTERLINE OF SAID ROAD; THENCE, WITH SAID ROAD R/W ALONG A CURVE TO THE LEFT- RADIUS=1732.00' LENGTH=217.16' DELTA=7°11'02" CHORD=217.02' CHORD BEARING=N 00°36'32"E TO A POINT; THENCE, N 02°59'00"W 36.03' TO A POINT; THENCE, ALONG A CURVE TO THE RIGHT- RADIUS=987.25' LENGTH=242.91' DELTA=14°05'51" CHORD=242.30' CHORD BEARING=N 04°03'56"E TO A POINT; THENCE, N 11°06'51"E 335.39' TO A POINT; THENCE, ALONG A CURVE TO THE RIGHT- RADIUS=1342.75' LENGTH=185.20' DELTA=7°54'09" CHORD=185.05' CHORD BEARING=N 15°03'55"E TO A POINT; THENCE, N 19°01'00"E 171.28' TO A POINT; THENCE, ALONG A CURVE TO THE LEFT- RADIUS=598.70' LENGTH=311.79' DELTA=29°50'20" CHORD=308.28' CHORD BEARING=N 04°05'50"E TO A POINT; THENCE, N 10°49'20"W 238.91' TO A POINT; THENCE, ALONG A CURVE TO THE RIGHT- RADIUS=670.90' LENGTH=297.24' DELTA=25°23'04" CHORD=294.81' CHORD BEARING=N 01°52'12"E TO A POINT; THENCE, ALONG A CURVE TO THE LEFT- RADIUS=670.80' LENGTH=288.00' DELTA=24°35'57" CHORD=285.79' CHORD BEARING=N 02°15'46"E TO A POINT; THENCE, N 10°02'13"W 75.20' TO A POINT; THENCE, ALONG A CURVE TO THE RIGHT- RADIUS=1026.90' LENGTH=303.59' DELTA=16°56'20" CHORD=302.49' CHORD BEARING=N 01°34'03"W TO A POINT; THENCE, N 06°54'07"E 699.29' TO A POINT; THENCE, ALONG A CURVE TO THE LEFT- RADIUS=13370.70' LENGTH=327.89' DELTA=1°24'18" CHORD=327.88' CHORD BEARING=N 06°11'58"E TO A POINT; THENCE, N 05°29'49"E 348.75' TO A POINT; THENCE, ALONG A CURVE TO THE LEFT- RADIUS=233.50' LENGTH=66.72' DELTA=16°22'17" CHORD=66.49' CHORD BEARING=N 02°41'20"W TO A SET IRON REBAR ON THE RIGHT-OF-WAY, BEING 25' OUT OF CENTERLINE; THENCE, LEAVING SAID ROAD R/W N 55°59'51"E 382.14' TO A SET IRON REBAR; THENCE, N 65°12'58"E 175.00' TO A SET IRON REBAR; THENCE, N 45°00'00"E 101.28', CROSSING A WOODS ROAD, TO A FOUND PIPE; THENCE, S 69°50'30"E 1099.01', PASSING A SET IRON REBAR ON LINE AT 1074.59', TO A POINT "A" IN THE CENTER OF FLAT CREEK, FLOWING NORTHEASTERLY; THENCE, UP FLAT CREEK S 14°40'20"W 70.37', S 32°33'40"W 53.50', S 04°24'02"W 38.88', N 66°44'02"E 33.56', S 23°27'50"E 43.14', S 59°45'14"W 55.91', S 29°23'54"W 154.05', S 15°21'45"E 39.00', S 44°45'50"W 70.52', S 43°21'34"E 33.74', S 26°42'39"W 75.51', S 62°05'54"W 49.71', S 23°21'19"E 37.23', S 64°46'55"W 34.33', S 23°43'35"W 167.64', S 88°45'56"W 34.85', S 27°47'33"W 228.24', N 78°43'34"W 39.89', S 35°11'40"W 18.94', S 31°07'27"E 42.57', S 33°50'52"W 143.96', S 05°50'57"E 39.26', S 35°22'40"W 50.16', S 30°28'53"E 40.34', S 51°07'12"W 67.70', S 23°07'02"E 91.70', S 04°32'41"W 82.77', S 03°19'07"W 57.91', S 09°56'44"W 286.81', S 21°12'44"W 340.70', S 15°39'53"W 82.85', S 25°19'11"W 184.36', S 24°08'52"W 254.77', S 18°45'00"W 93.91', S 51°19'23"W 39.51', S 03°43'10"W 91.54', S 30°22'22"W 110.39', S 13°19'21"E 159.27', S 10°54'11"E 356.91', S 24°41'30"E 76.52', S 47°37'37"E 188.76', S 23°01'32"E 62.44', S 39°11'14"E 52.75', S 85°45'56"E 45.00', S 20°38'07"E 57.86' TO A POINT "B" IN THE CENTER OF FLAT CREEK; THENCE, S 73°59'56"W 1253.80', PASSING A SET IRON REBAR ON LINE AT 9.06', PASSING A FOUND IRON ON LINE AT 257.50' AND CROSSING A BRANCH TO THE FOUND IRON AT THE

BEGINNING ON THE EASTERN RIGHT-OF-WAY OF STATE ROUTE NO. 617, CONTAINING 102.918 ACRES, BEING PART OF TAX MAP NO. 95-39;

PARCEL 2

THENCE, COMMENCING AT THE SAME FOUND IRON, A TIE LINE N 08°15'49"W 348.65' TO THE BEGINNING AT A FOUND BENT IRON ON THE WESTERN RIGHT-OF-WAY, BEING 25' OUT OF CENTERLINE OF STATE ROUTE NO. 617; THENCE, N 44°00'12"W 93.61' TO A FOUND IRON IN OLD ROAD; THENCE, ALONG OLD ROAD N 01°09'15"W 224.63' TO A SET IRON REBAR; THENCE, ALONG OLD ROAD N 08°32'07"E 323.09' TO A SET IRON REBAR; THENCE, ALONG OLD ROAD N 05°45'51"E 372.26', CROSSING AN OUTLET ROAD, TO A SET IRON REBAR IN POPLAR STUMPHOLE; THENCE, ALONG OLD ROAD N 08°03'51"E 223.39' TO A SET IRON REBAR; THENCE, ALONG OLD ROAD N 06°44'45"E 128.09' TO A SET IRON REBAR; THENCE, ALONG OLD ROAD N 05°47'56"E 57.00' TO A 24" BLACK OAK; THENCE, ALONG OLD ROAD N 09°17'27"E 176.50', CROSSING AN OUTLET ROAD, TO A SET IRON REBAR; THENCE, ALONG OLD ROAD N 06°36'58"E 481.55' TO A POINT; THENCE, ALONG OLD ROAD N 06°36'58"E 64.85' TO A SET IRON REBAR ON THE WESTERN RIGHT-OF-WAY, BEING 25' OUT OF CENTERLINE OF SAID ROAD; THENCE, WITH SAID ROAD RIGHT-OF-WAY ALONG A CURVE TO THE LEFT- RADIUS=1076.90' LENGTH=97.62' DELTA=5°11'37" CHORD=97.58' CHORD BEARING=S 07°26'24"E TO A POINT; THENCE, S 10°02'13"E 75.20' TO A POINT; THENCE, ALONG A CURVE TO THE RIGHT- RADIUS=620.80' LENGTH=266.53' DELTA=24°35'57" CHORD=264.49' CHORD BEARING=S 02°15'46"W TO A POINT; THENCE, ALONG A CURVE TO THE LEFT- RADIUS=720.90' LENGTH=319.39' DELTA=25°23'04" CHORD=316.78' CHORD BEARING=S 01°52'12"W TO A POINT; THENCE, S 10°49'20"E 238.91' TO A POINT; THENCE, ALONG A CURVE TO THE RIGHT- RADIUS=548.70' LENGTH=285.76' DELTA=29°50'20" CHORD=282.54' CHORD BEARING=S 04°05'50"W TO A POINT; THENCE, S 19°01'00"W 171.28' TO A POINT; THENCE, ALONG A CURVE TO THE LEFT- RADIUS=1392.75' LENGTH=192.09' DELTA=7°54'09" CHORD=191.94' CHORD BEARING=S 15°03'55"W TO A POINT; THENCE, S 11°06'51"W 335.39' TO A POINT; THENCE, ALONG A CURVE TO THE LEFT- RADIUS=1037.25' LENGTH=160.54' DELTA=8°52'05" CHORD=160.38' CHORD BEARING=S 06°40'48"W TO THE FOUND BENT IRON AT THE BEGINNING ON THE WESTERN RIGHT-OF-WAY OF STATE ROUTE NO. 617, CONTAINING 5.232 ACRES, BEING PART OF TAX MAP NO. 95-39. THE TWO ABOVE PARCELS, PARCEL 1 (102.918 Ac.) AND PARCEL 2 (5.232 Ac.), TOTALLING 108.150 ACRES, OWNED BY WEYERHAEUSER COMPANY BY MERGER DEED RECORDED IN D.B.438 P.226 IN BUCKINGHAM COUNTY CIRCUIT COURT CLERK'S OFFICE, AS SHOWN ON PLAT BY DICKERSON SURVEYING LLC, SURVEYED BY MICHAEL RAY GOIN, LAND SURVEYOR, DATED MARCH 12, 2020.

EXHIBIT B

PERMITTED EXCEPTIONS:

1. Liens for taxes, assessments and other governmental charges which are not yet due and payable as of the effective date hereof.
2. All land use (including environmental and wetlands), building and zoning laws, regulations, codes and ordinances affecting the Real Property.
3. Any rights of the United States of America, the State of Virginia or others in the use and continuous flow of any brooks, streams, rivers or other natural water courses or water bodies within, crossing or abutting the Real Property, or title to submerged lands including, without limitation, riparian rights and navigational servitudes.
4. Title to that portion of the Real Property, if any, lying below the mean high water mark (as such mean high water mark may change from time to time) of abutting tidal waters.
5. All easements, rights-of-way, licenses and other encumbrances or matters of record affecting the Real Property.
6. All encroachments, overlaps, boundary line disputes, shortages in area, cemeteries and burial grounds and other matters not of record (including easements, rights-of-way and licenses) which would be disclosed by a current and accurate survey or inspection of the Real Property.
7. All existing public and private roads and streets and railroad and utility lines, pipelines, services lines and facilities on the Real Property.
8. Prior reservations or conveyances of mineral rights or mineral leases of every kind and character.
9. Any loss or claim due to lack of access to any portion of the Real Property.
10. Any loss or claim due to any indefiniteness or uncertainty in the legal description of the Real Property.

see plat Cab A Sides 284 D & E

035 Rec Fee	<u>3.00</u>	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	<u>749.00</u>	
Co. R. Tax	<u>264.34</u>	The foregoing instrument with acknowledgement
Transfer	<u>1.00</u>	was admitted to record on <u>5-4</u> <u>20 20</u>
Clerk	<u>41.50</u>	at <u>11:30 A M.</u> in D.B. <u>470</u> Page(s) <u>842-847</u>
Lib.(145)	<u>4.50</u>	
T.T.F.	<u>15.00</u>	Teste: JUSTIN D. MIDKIFF, CLERK
Grantor Tax	<u>320.00</u>	
036 Proc. Fee	<u>20.00</u>	BY: <u>Justin J. Jaman</u> , DEPUTY CLERK
Total \$	<u>1470.33</u>	

D.B. 141 P. 528
T.M. NO. 95-1

SEE NOTE 7



N 08°18'18"E
366.46'±

STATE ROUTE NO. 617
BANTON SHOP ROAD

50 ft. R/W
D.B. 371 P. 720 &
S.H.R. 26 P. 28-P. 31

JONAS S. &
BARBIE K. FISHER
D.B. 458 P. 808
PLAT D.B. 389 P. 652
T.M. NO. 95-3

1
102.918 Ac.
PART OF
T.M. NO. 95-39

MEYERHAEUSER COMPANY
D.B. 438 P. 226
SEE D.B. 412 P. 924-
PARCEL 15:
1 OF 2 PARCELS
HOLMAN 40444
PLAT D.B. 161 P. 637
T.M. NO. 95-39
RESIDUE OF 209.412 Ac.
BY TAX RECORD

RUTH F. DUNCAN &
JAMES GREGORY DUNCAN
D.B. 303 P. 850
PLAT D.B. 303 P. 852
T.M. NO. 95-6

2
5.232 Ac.
PART OF
T.M. NO. 95-39

PEARL W. AGEE
D.B. 137 P. 552
T.M. NO. 95-7

DICKERSON
D.B. 108 P. 210
-8

N 08°15'49"W
348.65'±

0.35 mi. to
Rt. 617
State After
New Road

STATE PLANE
COORDINATE-
IN SOUTH
N: 3740348.16
E: 11480432.82

MOSS FAMILY TRUST
D.B. 251 P. 853
PLAT D.B. 206 P. 85
T.M. NO. 95-94

GEORGE CHAMBERS
D.B. 53 P. 02
T.M. NO. 95-38



SHEET 1 OF 2
SINGLE LOT DIVISION &
BOUNDARY LINE ADJUSTMENT

SCALE: 1 IN. = 300 FT.
108.150 ACRES
PARCELS 1 & 2
SURVEYED FOR: JONAS FISHER

SOURCE OF TITLE: MEYERHAEUSER COMPANY
D.B. 438 P. 226

MAYSVILLE DISTRICT BUCKINGHAM COUNTY
VIRGINIA

MARCH 12, 2020



GRAPHIC SCALE - FEET

WAM COUNTY

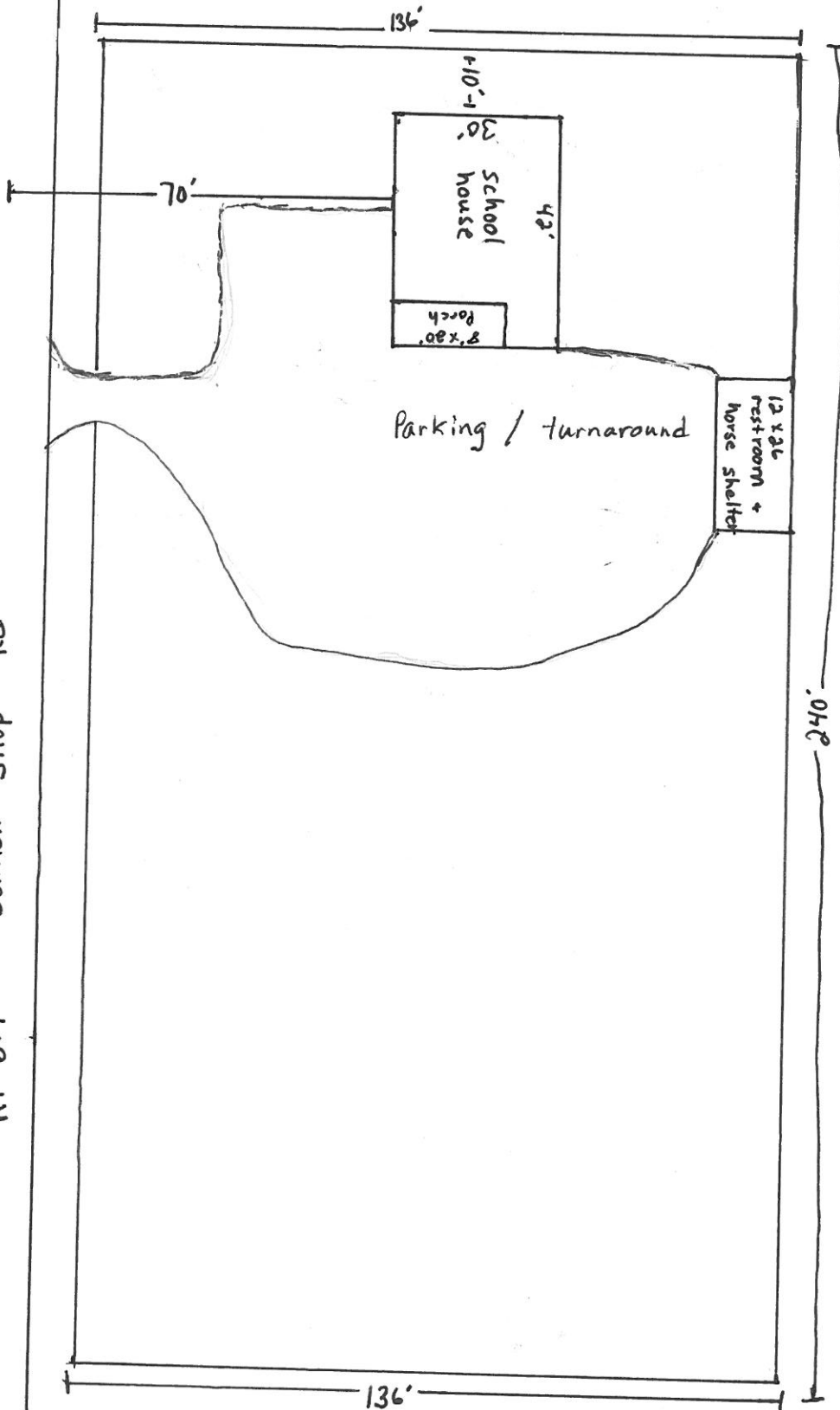
School on Banton Shop Rd

N ↑

scale 1" = 30'

total Area 36'640 sq ft
approx. $\frac{3}{4}$ ac.

Rt 617 Banton Shop Rd



3 board wood fence around lot

T A X R E C E I P T

BUCKINGHAM COUNTY
CHRISTY L CHRISTIAN
(434) 969-4744
POST OFFICE BOX 106
BUCKINGHAM VA 23921

SPECIAL USE PERMIT - ZONING
95 39A

KING JONATHON

Ticket #:00001430001 @@

Date : 4/01/2022
Register: TC4/TC1
Trans. #: 10048
Dept # : SPUSE
Acct# :

Previous Balance	\$.00
Principal Being Paid	\$	200.00
Penalty	\$.00
Interest	\$.00
Amount Paid	\$	200.00
*Balance Due	\$.00

Pd by OLDER ORDER AMISH SETTLEMENT PRO Check 200.00 # BNCHMRK 3278
BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 4/2022

*This does
NOT
have VDOT
Told him it will
likely be considered
incomplete*

Buckingham County Planning Commission

May 23, 2022

Administration Building

7:00 PM

Public Hearing Case 22-SUP306

Owner/Applicant: Landowner Laurens and Anne-Marie Prinsloo
781 Bransford Road
Arvonias VA 23004

Applicant Laurens and Anne-Marie Prinsloo
781 Bransford Road
Arvonias VA 23004

Property Information: Tax Map 41, Parcel 11, containing approximately 235.62 and located at 781 Bransford Road Arvonias VA 23004, Marshall Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating an AirBnB Bed and Breakfast, Campsites, and Event Center (Events to include, but not limited to weddings, reunions, business functions with up to 1,500 attendees).

Background/Zoning Information: This property is located at 781 Bransford Road Arvonias VA 23004, Marshall Magisterial District. The landowners and applicants are Laurens and Anne-Marie Prinsloo. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit an AirBnB Bed and Breakfast, Campsites, and Event Center as Permitted by Right Uses in an Agricultural A1 Zoning District. The Zoning Ordinance requires that an AirBnB Bed and Breakfast and/or Campground/Campsite and Event Center obtain a Special Use Permit. The submitted application and narrative are attached.

Below are conditions that you may consider attaching to the request if approved:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to, including but not limited to 12 VAC 5-450-VDH Rules and Regulations Governing Campgrounds.
2. The facility shall meet all safety requirements of all applicable building codes
3. That commencement of the facility shall begin within two years of the approval by the Board of Supervisors or this special use permit shall be null and void.

3. Right of ways and roadway shoulders shall not be used for parking. Ample parking for occupants shall be supplied on premises.
4. Only trailers classified as Recreational Vehicles or self-contained camping unit and with current registration shall be allowed.
5. No campground structure shall be erected within 50' if adjoining properties without adjacent landowners written permission.
6. The Sheriff's Office shall be notified three weeks prior to any event inviting or expecting 300 or more persons.
7. The property shall be kept neat and orderly.
8. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
9. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
10. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
11. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
12. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable
13. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
14. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

Due to additional documentation needed and due June 3, 2022, I am asking for this Public Hearing to be cancelled and a Public Hearing held for this case on June 27, 2022 at 7pm.

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☒ NO *NOT applicable*

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: YES ☐ NO ☐

Deed: YES ☐ NO ☐

☒ **Plat** (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: YES ☐ NO ☐
- B. Area of land proposed for consideration, in square feet or acres: YES ☐ NO ☐
- C. Scale and north point: YES ☐ NO ☐
- D. Names of boundary roads or streets and widths of existing right-of-ways: YES ☐ NO ☐

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

☒ 03/31/2022 - Spoke with NACCT. 15 Copies not needed.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: YES NO N/A
2. Owner and Project Name: YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: YES NO N/A
4. Property lines of existing and proposed zoning district lines: YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: YES NO N/A
6. Scale and north point: YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: YES NO N/A
8. Easements and encumbrances, if present on the property: YES NO N/A
9. Topography indicated by contour lines: YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of “no areas having slopes of 15% to 25% or greater”): YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of “not in floodplain”): YES NO N/A
12. Delineation of existing mature tree lines or written indication of “no mature tree lines”: YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO N/A
14. General locations of major access points to existing streets: YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO N/A
17. Location of existing and proposed utilities, above or underground: YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: YES NO N/A
20. Location and design of screening and landscaping: YES NO N/A
21. Building architecture: YES NO N/A
22. Site lighting proposed: YES NO N/A
23. Area of land disturbance in square feet and acres: YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES NO N/A
25. Historical sites or gravesites on general site plan: YES NO N/A
26. Show impact of development of historical or gravesite areas: YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _____

Special Use Permit Request: Rental of barn as event
space

Purpose of Special Use Permit: To operate an event venue

Zoning District: A-1 Number of Acres: 235.62

Tax Map Section: Part of; Parcel: 41-11 Lot: _____ Subdivision: _____ Magisterial Dist.: _____

Street Address: (E911) 781 Bransford Rd + 497 Bransford Rd.

Directions from the County Administration Building to the Proposed Site: _____

RT 677, 4 miles west of Arvonia

Name of Applicant: Laurens Prinsloo and Anne-mare Prinsloo

Mailing Address: 497 Bransford Rd, Arvonia, VA, 23004

Daytime Phone: _____ Cell Phone: 919-803-9200

Email: bransfordhill@gmail.com Fax: _____

Name of Property Owner: same

Mailing Address: _____

Daytime Phone: 919-803-9200 Cell Phone: 919-803-9200

Email: _____ Fax: _____

Signature of Owner: [Signature] Date: 4/1/2022

Signature of Applicant: [Signature] Date: 4/1/2022

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: BTG Pactual OEF Properties 2 LP

Mailing Address: C/O Property Tax Admin PO BOX 3349

Physical Address: Albany GA 31706

Tax Map Section: _____ Parcel: _____ Lot: 40-28 Subdivision: _____

2. Name: SAME AS ABOVE

Mailing Address: "

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: 40-29 Subdivision: _____

3. Name: SAME AS ABOVE

Mailing Address: "

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: 53-6 Subdivision: _____

4. Name: Chambers Waverly

Mailing Address: C/O Gail Bordeaux 47 Dalamere St

Physical Address: Huntington, NY 11743

Tax Map Section: _____ Parcel: _____ Lot: 41-12 Subdivision: _____

6. Name: Lewis, Michelle J

Mailing Address: C/O Michelle Jones-Lewis 2507 Tonoka Rd

Physical Address: Richmond, VA, 23223

Tax Map Section: _____ Parcel: _____ Lot: 41-5 Subdivision: _____

7. Name: Johnson, Lesa Marie + Tiadonna

Mailing Address: PO Box 41, Arvania, VA, 23004

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: 41-6 Subdivision: _____

8. Name: Randolph, Lottie B. Isaac P

Mailing Address: 1025 Bransford Rd, Arvania, VA, 23004

Physical Address: Same

Tax Map Section: _____ Parcel: _____ Lot: 41-7 Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 1st day of APRIL, year 2022

I CHRISTIAN L. P. PENSIO hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

[Signature] [Signature]

(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

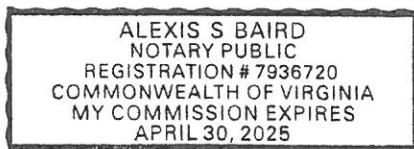
STATE OF Virginia

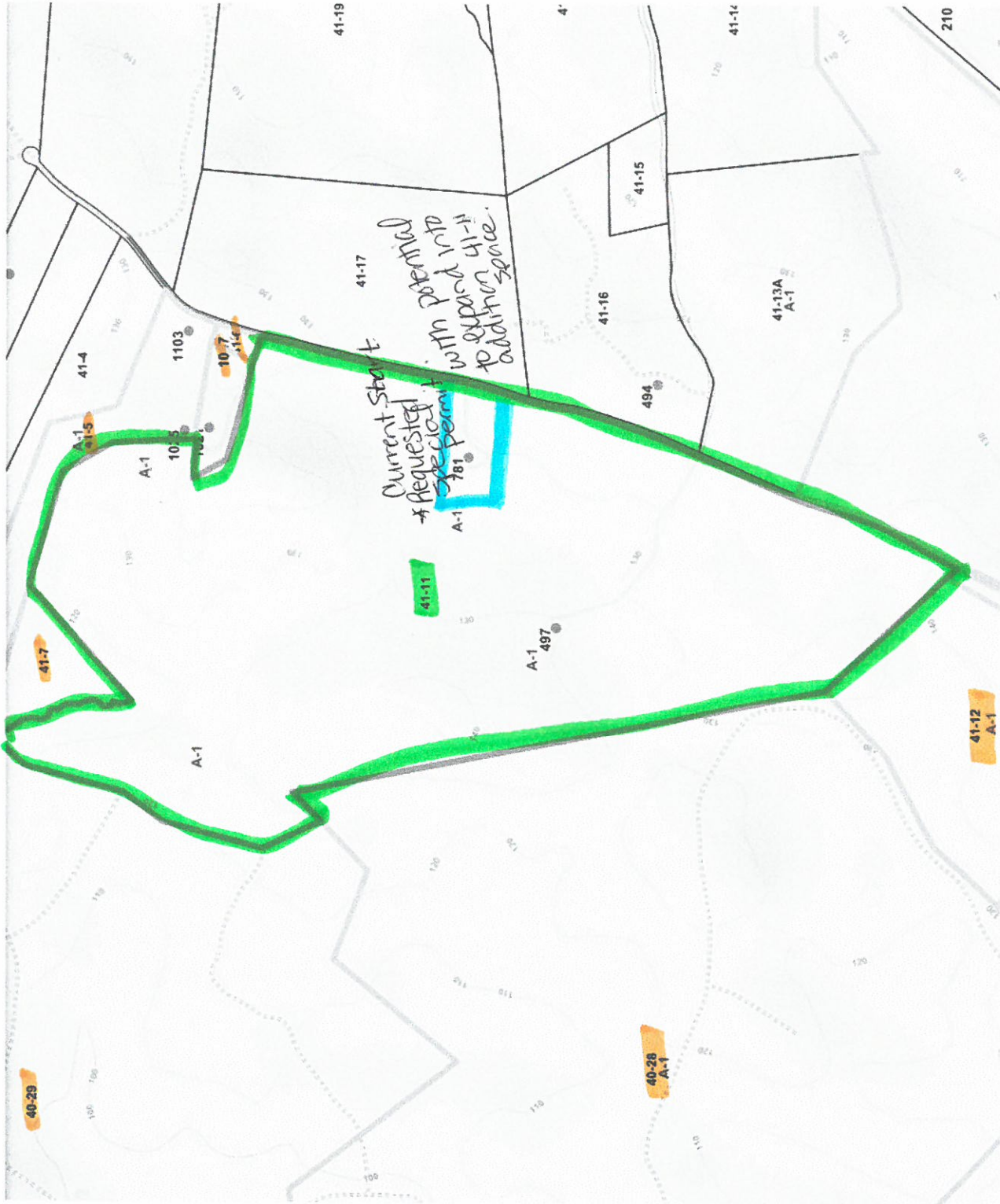
Subscribed and sworn to me on the 1 day of April

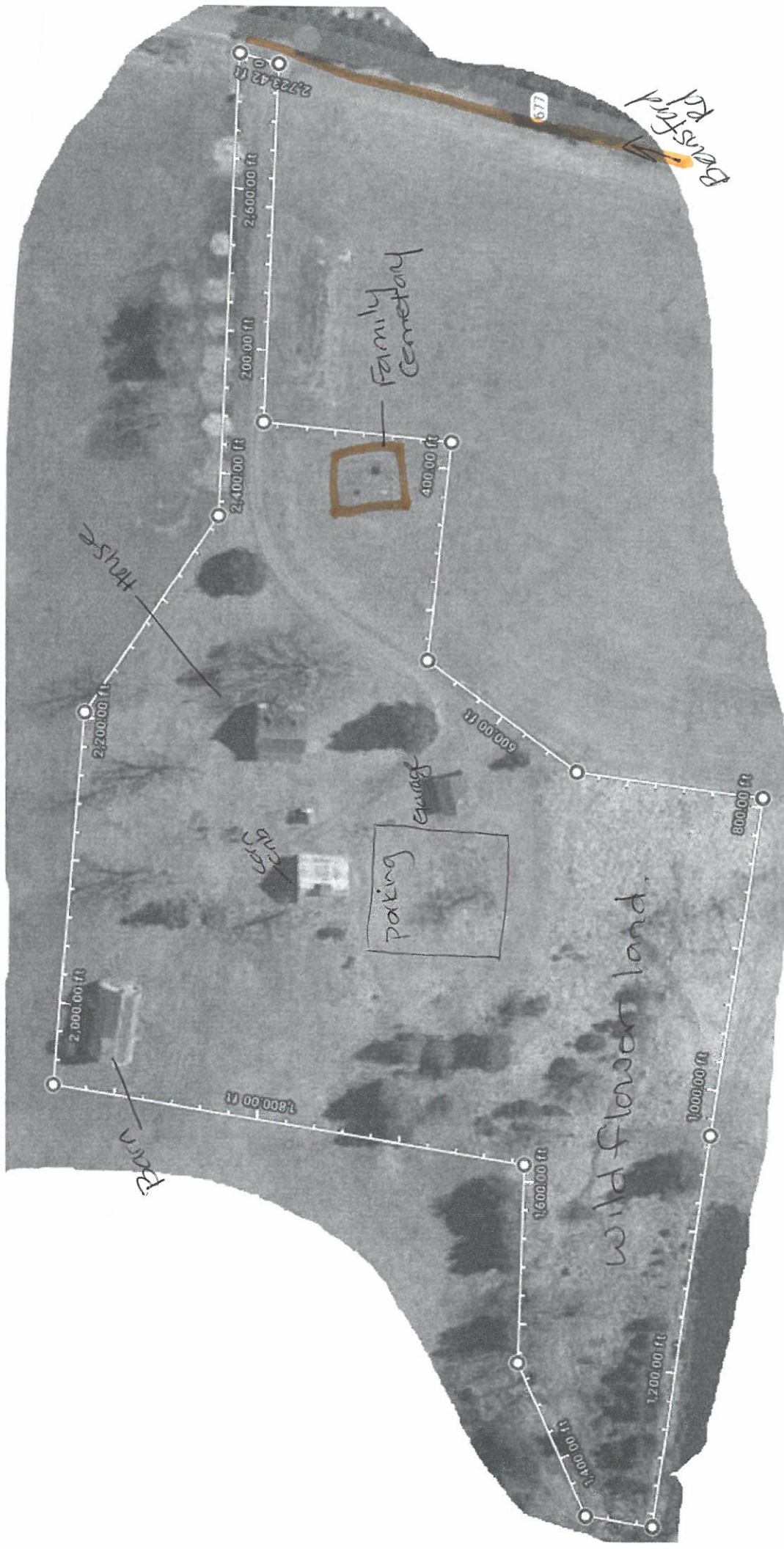
of the year 2022. My Commission expires on April 30 2025

Notary Public Signature: Alexis S. Baird

Stamp:







* Note: Based on additional space needed would expand into other areas of 41-11 parcel. *

- NOTE: 1. THIS IS A BOUNDARY SURVEY. ALL
EASEMENTS, ENCROACHMENTS, AND/OR
IMPROVEMENTS MAY NOT BE SHOWN.
2. THIS PLAT HAS BEEN INSTRUMENTED WITHOUT
BENEFIT OF A TITLE REPORT.
3. THIS PLAT IS BASED ON A CURRENT
FIELD SURVEY MARKED ON THE GROUND
WITH THE PHYSICAL MEASUREMENTS INDICATED.
4. T.M. NOS. 41-10, 10, 11, & 12
5. INTERESTED PARTIES: BUD & JOE P. SUE
T.M. NO. 41-10, 11 & 12, 13 & 14
6. NO PLATS COULD BE FOUND FOR LOTTE
RANGELAND T.M. NO. 41-10, 11 & 12, 13 & 14
BY ADDRESS, PLAT IN D.B. 100 P. 100 &
DIRECTION OF LOTTE RANGELAND.

DICKERSON SURVEYING LLC

500 Court Street P.O. Box 112

Appomattox, Virginia 24522

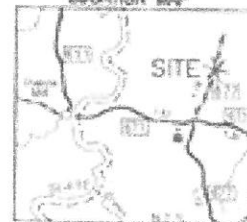
434-352-8040

Michael R. Dickerson

Land Surveyor



LOCATION MAP



Curve	Radius	Length	Chord	Chord Angle
C1	26.36.68	233.02	14.94.82	113.01°
C2	1508.12	308.23	14.94.82	113.01°
C3	1508.12	308.23	14.94.82	113.01°
C4	1508.12	308.23	14.94.82	113.01°
C5	1508.12	308.23	14.94.82	113.01°
C6	1508.12	308.23	14.94.82	113.01°
C7	1508.12	308.23	14.94.82	113.01°
C8	1508.12	308.23	14.94.82	113.01°
C9	1508.12	308.23	14.94.82	113.01°

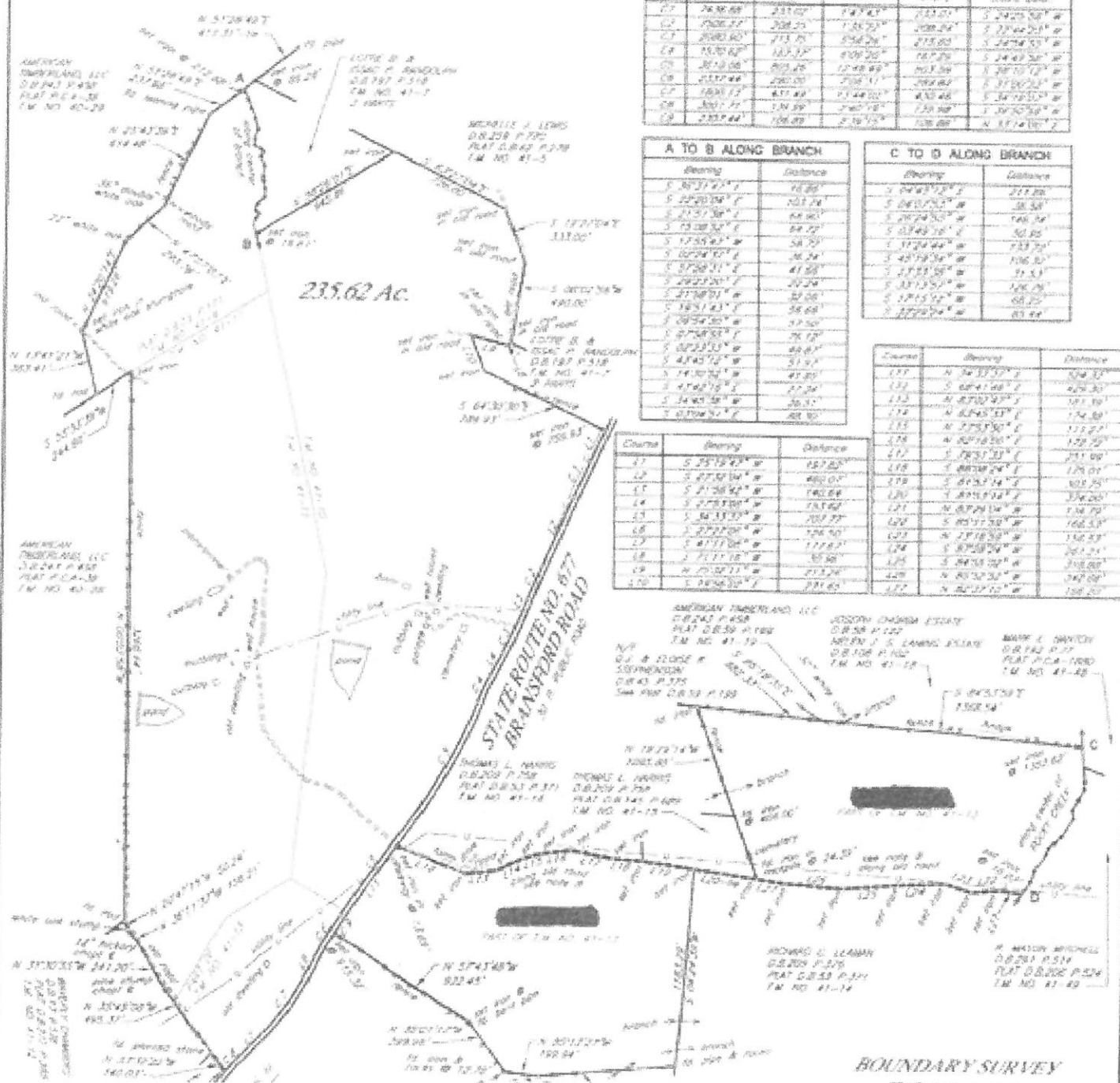
A TO B ALONG BRANCH

Bearing	Distance
S 81°31'42" E	18.88
S 82°00'00" E	103.74
S 81°51'36" E	68.90
S 79°08'36" E	64.72
S 75°55'42" E	58.72
S 69°04'00" E	36.74
S 67°08'00" E	41.55
S 69°23'00" E	20.24
S 67°08'00" E	32.06
S 68°14'42" E	38.68
S 69°54'00" E	37.50
S 67°08'00" E	76.12
S 69°23'00" E	46.84
S 67°08'00" E	51.94
S 67°08'00" E	47.80
S 67°08'00" E	27.24
S 67°08'00" E	20.31
S 67°08'00" E	48.90

C TO D ALONG BRANCH

Bearing	Distance
S 74°43'00" E	211.88
S 64°07'00" E	38.58
S 67°08'00" E	148.74
S 67°08'00" E	50.88
S 67°08'00" E	133.70
S 67°08'00" E	116.80
S 67°08'00" E	31.51
S 67°08'00" E	126.75
S 67°08'00" E	68.72
S 67°08'00" E	83.44

Course	Bearing	Distance
101	N 34°33'52" E	104.31
102	S 68°41'00" E	429.30
103	N 87°02'45" E	101.10
104	N 67°45'33" E	174.50
105	N 77°55'50" E	113.21
106	N 80°16'00" E	128.72
107	S 78°51'33" E	231.00
108	S 88°38'04" E	125.01
109	S 87°51'34" E	103.75
110	S 87°11'04" E	334.20
111	N 87°24'04" E	134.70
112	S 85°17'30" E	166.53
113	N 77°16'58" E	150.23
114	S 87°08'04" E	261.21
115	S 84°03'00" E	218.88
116	N 80°32'30" E	247.08
117	N 82°37'12" E	188.22



BOUNDARY SURVEY

SCALE: 1" = 400' (1")

INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 1st day of April, of the year 2022,

I CHRISTIAN L. P. PRINCE (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

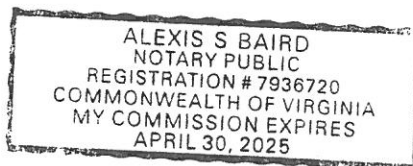
Signature of Owner: (to be signed in front of notary public)

[Signature] [Signature]

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 1 day of April,
of the year 2022. My commission expires April 30 2025.

Notary Public Signature: Alexis S. Baird
Stamp:



Case Number / File Name: _____

Good frontage is mostly pasture for active cattle on premise, standing house, barn and corn crib and Bransford cemetery

historically family owned farm land

Family burial plots

Owner/Applicant Signature: [Signature] Date: 4/1/2022

Printed Name: CHRISTIAN L. LARSEN ANNE-MARE PERSSON
Title: OWNER OWNER

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Laurens + Anne-mare Pinnslow

Location: 781 Bransford Rd, Arvonia, VA 23064

Proposed Use: Event Space Rental

For VDOT use only:

☐ A Traffic Impact Statement is required per 24 VAC 30-155-60.

☒ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

☐ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?
Yes ☒ No ☐ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Although the entrance currently is adequate for the proposed use, it is recommended to the owner to extend the culvert approx. 20' to the south to allow greater turning radius for bus turn implements.

Signature of VDOT Resident Engineer: C.D. Edwards

Printed Name: Charles D. Edwards

Date: 3/24/22

NOT Required

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

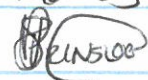
If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

At the location listed as 781 Bransford Rd we have a family owned farm which current is not utilizing its potential. Due to the renovations on The Barn and additional improvements forth coming we are looking to host and rent out the barn and adjacent house/corn crib as event space for business functions, weddings and other such events. Due to minimal event space in the area we believe this will increase economic development in the area as well as support new business such as the bakery and hotel/motel locations near by.

We anticipate operational hours to be limited during the week with primary focus Thursdays - Sundays.

With minimal residential locations around the farm we believe its a great location to invite out of town guest with little to no disruptions to our city.

Property on 41-11 parcel has expansion possibility for Air B+B, dry camp siting, glamping, RV facilitating, and guest accommodations as the like

Owner: J.L. Lewis Christy L.P. P. 2000  Anne-Marie Lewis

Date: 04/01/22

04/01/22.

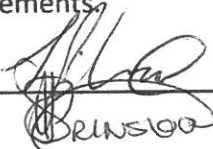
SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: CHRISTIAN L. P. PRINSLOO 
ANNE - MAEE PRINSLOO

Date: 04/01/2022

Buckingham County Planning Commission

May 23, 2022

Administration Building

7:00 PM

Public Hearing Case 22-ZMA307

Owner/Applicant: Landowner Elam Stoltzfus, Emma Stoltzfus,
Eli Stoltzfus, and Jacob Stoltzfus
25766 N James Madison Hwy
New Canton VA 23123

Applicant Piedmont Companies
2671 E Main St
Lincolnton NC 28092

Property Information: Part of Tax Map 69 Parcel 49, containing approximately 96.25 acres (Piedmont Companies to purchase two acres from Stoltzfus landowners), located at 25766 N James Madison Hwy New Canton VA 23123, Marshall Magisterial District.

Zoning District: Agricultural District (A-1)

Request: Zoning Map Amendment-Piedmont Companies is Requesting Rezoning from Agricultural A1 to Business B1 for the Purpose of Building and Operating a Family Dollar Tree

Background/Zoning Information: This property is located at 25766 N James Madison Highway New Canton, VA 23123. This property is currently zoned Agricultural A1, the landowners are Elam Stoltzfus, Emma Stoltzfus, Eli Stoltzfus, and Jacob Stoltzfus and the applicant is Piedmont Companies. Piedmont Companies seeks to build and operate a Family Dollar Tree on two acres, to be purchased. This proposal is located within the Gold Hill Village Center area which is characterized by a medical clinic, several small automotive-related business, convenience stores, a low-to- moderate income apartment complex, and several churches. The area is currently not served by public water and sewer. A larger residential component could greatly accentuate the nucleus of businesses that are beginning to form in this "Village Center." As in other Village Centers, land-use policies that "cluster" residential and the neighborhood-serving commercial uses within this Village Center should be considered, provided that adequate water and sewer is available.

Due to additional documentation needed and due June 3, 2022, I am asking for this Public Hearing to be cancelled and a Public Hearing held for this case on June 27, 2022 at 7pm.

REZONING APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a rezoning application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 5, 6 & 7 attached). This list can be obtained from the Clerk of Courts Office: YES NO

Completed application for rezoning (pages 3 & 4 attached). If not signed by the owner, a Power of Attorney must accompany the application: YES NO

Interest Disclosure Affidavit (page 8 attached). Must be signed by the owner: YES NO

Power of Attorney (page 11 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES NO

Written Narrative (page 12 guidance in preparing the Written Narrative): YES NO

Fees: YES NO

Deed: YES NO

Plat (15 copies). The plat information may be incorporated into the Rezoning General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: YES NO
- B. Area of land proposed for consideration, in square feet or acres: YES NO
- C. Scale and north point: YES NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: YES NO

Rezoning General Site Plan (15 copies) The General Site Plan must contain the following:

- 1. Vicinity Map – Please show scale: YES NO N/A
- 2. Owner and Project Name: YES NO N/A
- 3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: YES NO N/A
- 4. Property lines of existing and proposed zoning district lines: YES NO N/A
- 5. Area of land proposed for consideration, in square feet or acres: YES NO N/A
- 6. Scale and north point: YES NO N/A
- 7. Names of boundary roads or streets and widths of existing right-of-ways: YES NO N/A

8. Easements and encumbrances, if present on the property: YES NO N/A
9. Topography indicated by contour lines: YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES NO N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO N/A
14. General locations of major access points to existing streets: YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO N/A
17. Location of existing and proposed utilities, above or underground: YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: YES NO N/A
20. Location and design of screening and landscaping: YES NO N/A
21. Building architecture: YES NO N/A
22. Site lighting proposed: YES NO N/A
23. Area of land disturbance in square feet and acres: YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES NO N/A
25. Historical sites or gravesites on general site plan: YES NO N/A
26. Show impact of development of historical or gravesite areas: YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES NO N/A

APPLICATION FOR A ZONING MAP AMENDMENT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _____

Zoning Map Amendment: ~~From Agricultural to Commercial.~~

Purpose of Zoning Map Amendment: Build a Commercial Building

Zoning District: _____ Number of Acres: 2 (Must be subdivided)

Tax Map Section: _____ Parcel: 19-40 Lot: _____ Subdivision: _____ Magisterial Dist.: _____

Street Address: 25766 N James Madison Hwy, New Canton, VA 23123
Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Fredmont Companies.
Mailing Address: 2671 East Main St., Lincoln, NC 28092

Daytime Phone: 704.736.4338 Cell Phone: 336.918.0489

Email: larbearden@bellsouth.net Fax: _____

Name of Property Owner: Flam Stoltzfus, Emma Stoltzfus, Eli Stoltzfus, Jacob Stoltzfus
Mailing Address:

Mailing Address: 25766 N. James Madison Hwy, New Canton, VA 23123

Daytime Phone: _____ Cell Phone: 434.569.5917

Email: n/a Fax: _____

Signature of Owner: _____ Date: _____

Signature of Applicant: _____ Date: _____

Please indicate to whom correspondence should be sent:

____ Owner of Property ____ Contractor Purchaser / Lessee ____ Authorized Agent ____ Engineer
____ Applicant

APPLICATION FOR A ZONING TEXT AMENDMENT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _____

~~Zoning Text Amendment: _____~~

Purpose of Zoning Text Amendment: _____

Permitted Use List: Yes: _____ No: _____ Special Use Permit List: Yes: _____ No: _____

Zoning District: _____ Number of Acres: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: _____

Street Address: 25766 N James Madison Hwy, New Canton, VA 23023

Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: _____

Mailing Address: _____

Daytime Phone: _____ Cell Phone: _____

Email: _____ Fax: _____

Name of Property Owner: Elam Stoltzfus, Emma Stoltzfus, Eli Stoltzfus, Jacob Stoltzfus

Mailing Address: _____

25766 N James Madison Hwy, New Canton, VA 23023

Daytime Phone: _____ Cell Phone: 434.569.5917

Email: N/A Fax: _____

Signature of Owner: _____ Date: _____

Signature of Applicant: _____ Date: _____

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer ☐ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Central VA Community Health

Mailing Address: 25892 N James Madison Hwy, New Canton, VA 23123

Physical Address: 25892 N James Madison Hwy, New Canton, VA 23123

Tax Map Section: _____ Parcel: #6944 Lot: _____ Subdivision: _____

2. Name: Central Virginia Health Service

Mailing Address: PO Box 220, New Canton, VA 23123

Physical Address: PO Box 220, New Canton, VA 23123

Tax Map Section: _____ Parcel: #69-45 Lot: _____ Subdivision: _____

3. Name: Elam G. Stoltzfus, Emma Stoltzfus, Jacob R. Stoltzfus

Mailing Address: 22 Fire Trail Rd, New Canton, VA 23123

Physical Address: 22 Fire Trail Rd, New Canton, VA 23123

Tax Map Section: _____ Parcel: #69-50 Lot: _____ Subdivision: _____

4. Name: Elam G. Stoltzfus, Emma Stoltzfus, Jacob R. Stoltzfus

Mailing Address: 22 Fire Trail Rd, New Canton, VA 23123

Physical Address: 22 Fire Trail Rd, New Canton, VA 23123

Tax Map Section: _____ Parcel: #84-2 Lot: _____ Subdivision: _____

6. Name: Larry B Wood

Mailing Address: 1790 Melita Rd, Arvonia, VA 23064

Physical Address: _____

Tax Map Section: _____ Parcel: #84-1 Lot: _____ Subdivision: _____

7. Name: W Curtis Wood & Courtney K-Co-TR of

Mailing Address: 24502 N James Madison Hwy, New Canton, VA 23123

Physical Address: 24502 N James Madison Hwy, New Canton, VA 23123

Tax Map Section: _____ Parcel: #84-3 Lot: _____ Subdivision: _____

8. Name: Lotha Shumater, Davis L Et Als, Jay Hampton

Mailing Address: 25446 N James Madison Hwy, New Canton, VA 23123

Physical Address: 25446 N James Madison Hwy, New Canton, VA 23123

Tax Map Section: _____ Parcel: #68-41 Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 21st day of February, year 2022

I Albert Esquivel hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

[Signature]
(owner/contract purchaser / authorized agent – please circle one)

NOTARY:

~~COMMONWEALTH OF VIRGINIA~~ North Carolina

COUNTY OF Lincoln

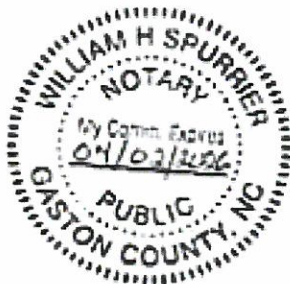
STATE OF North Carolina

Subscribed and sworn to me on the 22nd day of February

of the year 2022. My Commission expires on 04/02/2026.

Notary Public Signature: [Signature]

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 25th day of March, of the year 2022

I Ellen L. Stoltzfus (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Ellen L. Stoltzfus

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 25th day of March

of the year 2022. My commission expires 2/28/2023

Notary Public Signature: Ellen L. Stoltzfus

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 25th day of March, of the year 2022

I Emma S. Stoltz (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Emma S. Stoltz

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 25th day of March

of the year 2022 My commission expires 2/28/2023

Notary Public Signature: [Signature]

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 24th day of March, of the year 2022

I El. B. Stoltz III (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

El. B. Stoltz III

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 24th day of March
of the year 2022. My commission expires 2/28/2023

Notary Public Signature: Ellen McHenry
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 18th day of March, of the year 2022

I Jacob R. Skiffzhus (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Jacob R. Skiffzhus

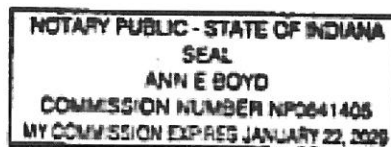
NOTARY PUBLIC
COUNTY OF LAGLANDE STATE OF INDIANA

Subscribed and sworn to me on this 18th day of MARCH

of the year 2022. My commission expires January 22, 2029

Notary Public Signature: Ann E. Boyd

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Vacant Land

County Records Check (describe the history of this property):

Farm Land

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No _____
If yes, please explain any impact:

Owner/Applicant Signature: Edna L. Stofus Date: Mar 25, 2022

Printed Name: Edna L. Stofus Title: Owner

**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Vacant Land

County Records Check (describe the history of this property):

Farm Land

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No /
if yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No _____
if yes, please explain any impact:

Owner/Applicant Signature: Emma S. Statler Date: 3-25-2022

Printed Name: Emma S. Statler Title: _____

**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Vacant Land

County Records Check (describe the history of this property):

Farm Land

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No _____
If yes, please explain any impact:

Owner/Applicant Signature: Eli B. Stoltzfus III Date: Mar 24, 2022

Printed Name: Eli B Stoltzfus III Title: Owner

**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Vacant land.

County Records Check (describe the history of this property):

Farm land.

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No ☒ _____
If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No ☒ _____
If yes, please explain any impact: N/A

Owner/Applicant Signature: [Signature] Date: 3-19-21

Printed Name: Joel R. Saldana Title: Owner

**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Vacant land

County Records Check (describe the history of this property):

Farm land

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No ☒ _____

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No _____

If yes, please explain any impact: N/A

Owner/Applicant Signature: _____ Date: _____

Printed Name: _____ Title: _____

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: _____

Location: _____

Proposed Use: _____

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: _____

Printed Name: _____ Date: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

2/2

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances



February 21, 2022

Attn: Nicci Edmonston

Re: Written Narrative for proposed project

Patti:

Piedmont Companies is pleased to submit this written narrative regarding our proposed used for 25766 N James Madison Hwy, New Canton, VA 23123. Our objective is to build a Family Dollar/Dollar Tree on above mentioned making land use commercial. We look forward to meeting with Zoning Planing to applease with the Community Design and bring economic development to your county. Creating jobs and an increase in tax revenue through our clients sales. Environmentally speaking, we will meet all codes and standards put forward by both state and county regulations. Fire and Rescue, and Law Enforcement to be provided by county and VFD. Our source of water at the establishment will be well and our sewage will be septic. Schools that will benefit from our store would be Gold Hill Elementary. AT&T will provide the store with Telecommunications. Solid waste will be paper and dumpster waste. Lastly, we would like to thank you for your consideration and assistance during this rezoning process.

Kindly,

Albert Esquivel

2671 East Main Street, Lincolnton, North Carolina 28092

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: *E. B. Self*

Date: *Mar 25, 2022*

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

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I have read, understand and agree to the above requirements.

Applicant/Owner: James B. Sanders

Date: 3-25-2022

SIGNAGE AT PROPERTY

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I have read, understand and agree to the above requirements.

Applicant/Owner: Wesley B. Sledge III

Date: March 24th 2022

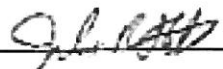
SIGNAGE AT PROPERTY

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I have read, understand and agree to the above requirements.

Applicant/Owner: 

Date: 3-18-22

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

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I have read, understand and agree to the above requirements.

Applicant/Owner: _____

Date: _____

TENTATIVE SCHEDULE FOR A REZONING AMENDMENT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

- | | |
|-------------|--|
| January 25 | Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22. |
| February 22 | Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. |
| March 8 | Case is introduced to Board of Supervisors. |
| April 12 | Board of Supervisors may approve / deny / table for more information. |

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.



SCALE 1" = 10'-0"

NEW CANYON VA
NORTH JAMES MADISON HWY

ELEVATION

SITE DATA SUMMARY

EXISTING ZONING: A-1

AREA SUMMARY:

PROPERTY: 1.00 AC

PARKING SUMMARY:

REQUIRED: 55 SPACES
(1 / 100 FLOOR AREA)

PROVIDED: 54 SPACES
(61 ST. MAX)

BUILDING SETBACKS:

FRONT: 30'

SIDE: 15'

REAR: 15'

TRAFFIC: 3600 VPD (200)

DATE PREPARED: 1/24/73

DESIGN BY:

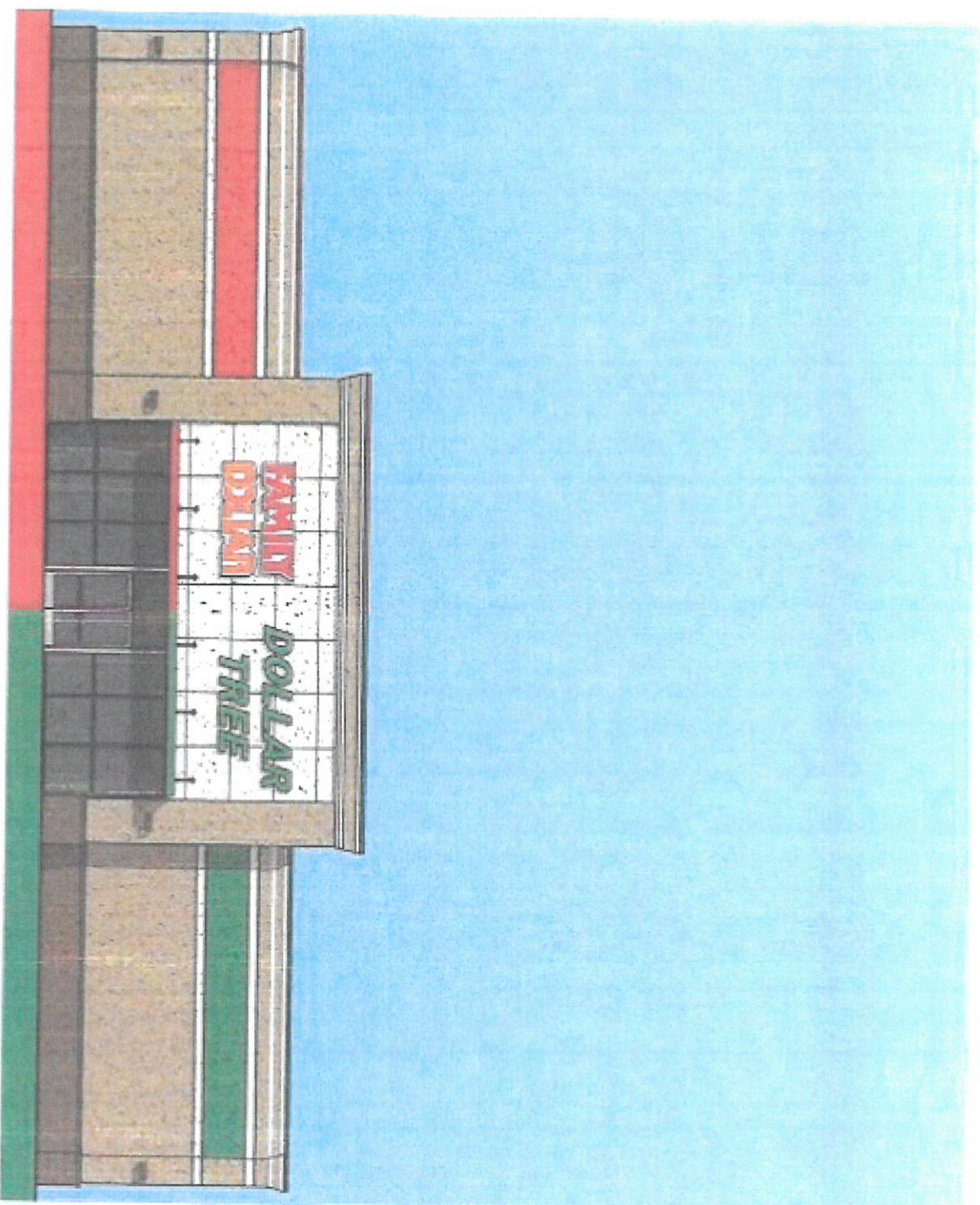
PREPARED FOR:

NAME:

FAMILY DOLLAR TREE
PIEDMONT
COMPANIES, INC.

1471 EAST MAIN STREET
LINCOLTON, NC 28025

PHONE: (706) 794-4291
FAX: (706) 794-4295





SCALE: 1" = 10'-0"

NEW CANTON VA
NORTH JAMES MADISON HWY

FLOOR PLAN

SITE DATA SUMMARY

EXISTING ZONING: A-1

AREA SUMMARY:

PROPERTY: 100 AC

PARKING SUMMARY:

REQUIRED: 59 SPACES
(1 / 100 FLOOR AREA)

PROVIDED: 54 SPACES
(41 SF MIN)

BUILDING SETBACKS:

FRONT: 25'

SIDE: 25'

REAR: 25'

TRAFFIC: 3000 VPD (200)

DATE PREPARED: 5/04/92 DRAWN BY: [signature]

PREPARED FOR:

[signature]

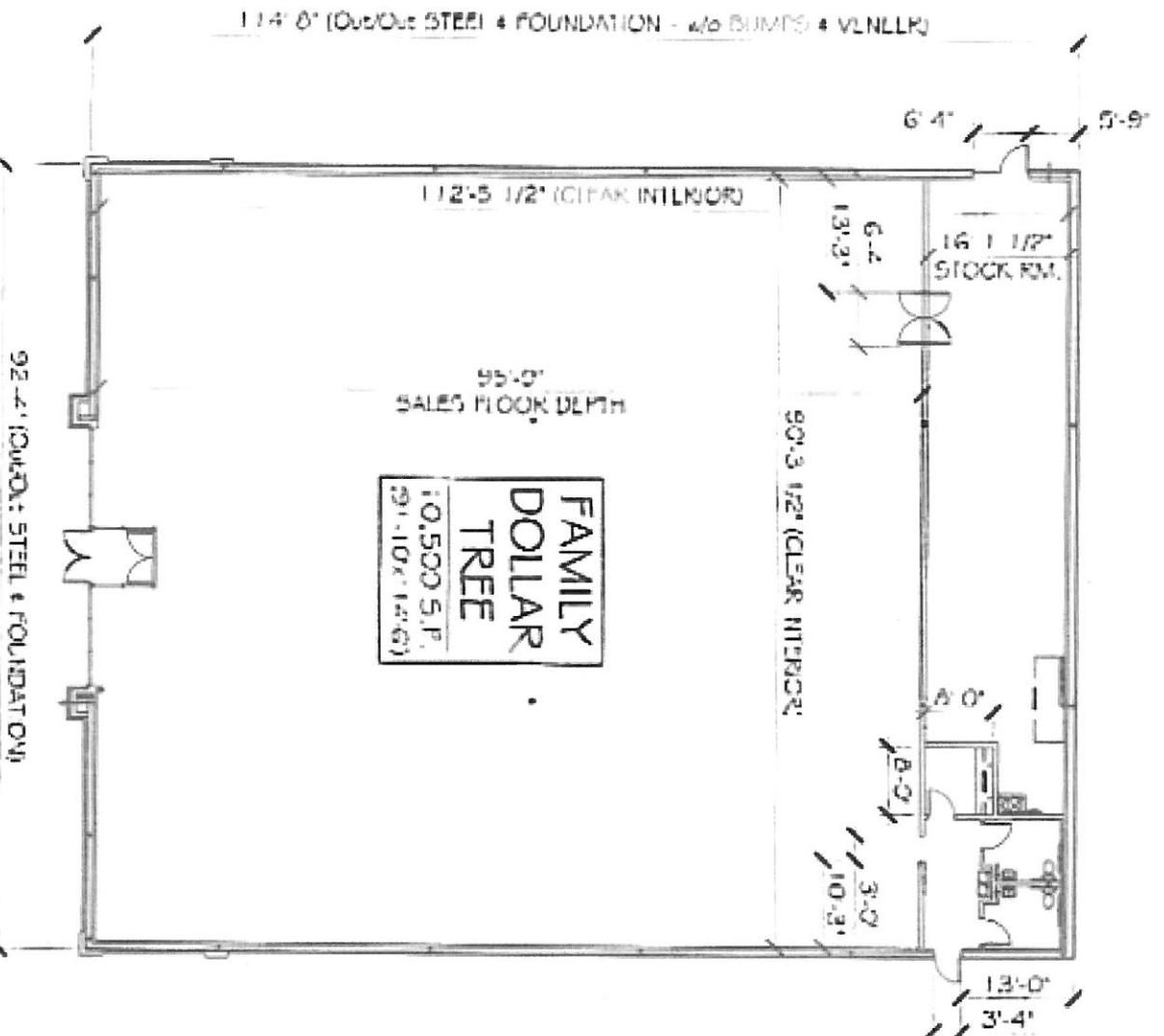
FAMILY DOLLAR TREE

PIEDMONT

COMPANIES, INC.

145 EAST MAIN STREET
LITTLETON, CO 80120

PHONE: (303) 796-4939
FAX: (303) 796-4935





SITE PLAN

3.7E DATA SUMMARY

POSTAGE WILL BE PAID BY ADDRESSEE

FREE QUARRY

PROPERTY: 200 AC

DRINKING WATER

REQUIRED: 55 CPMES
(1 / 200 FLOOR AREA)

PROOFED BY SPACES
(400 57 1111)

BUILDING SETBACKS

FRONT 25

Hick
2007

TABLE: 3000 USD (2015)

DATE PREPARED: 2/24/23

PREPARED FOR:

FAMILY DOLLAR TREE

**PIEDMONT
COMPANIES, INC.**

3411 EAST 4000 STREET
MILWAUKEE, WIS 53209

FILE: 72-4-291
PAGE: 196-4295



SCALE: 1" = 20'-0"

NEW CANTON, VA
NORTH JAMES MADISON HWY

SITE PLAN

SITE DATA SUMMARY

EXISTING ZONING: A-1

AREA SQUARY:

PROPERTY: 2.00 AC

PARKING SUMMARY:

REQUIRED: 95 SPACES
(1 / 200 FLOOR AREA)

PROPOSED: 55 SPACES
(ONE (1) MIN)

BUILDING SETBACKS:

FRONT: 95'

SIDE: 15'

REAR: 25'

TRAFFIC: 3400 VPD (2025)

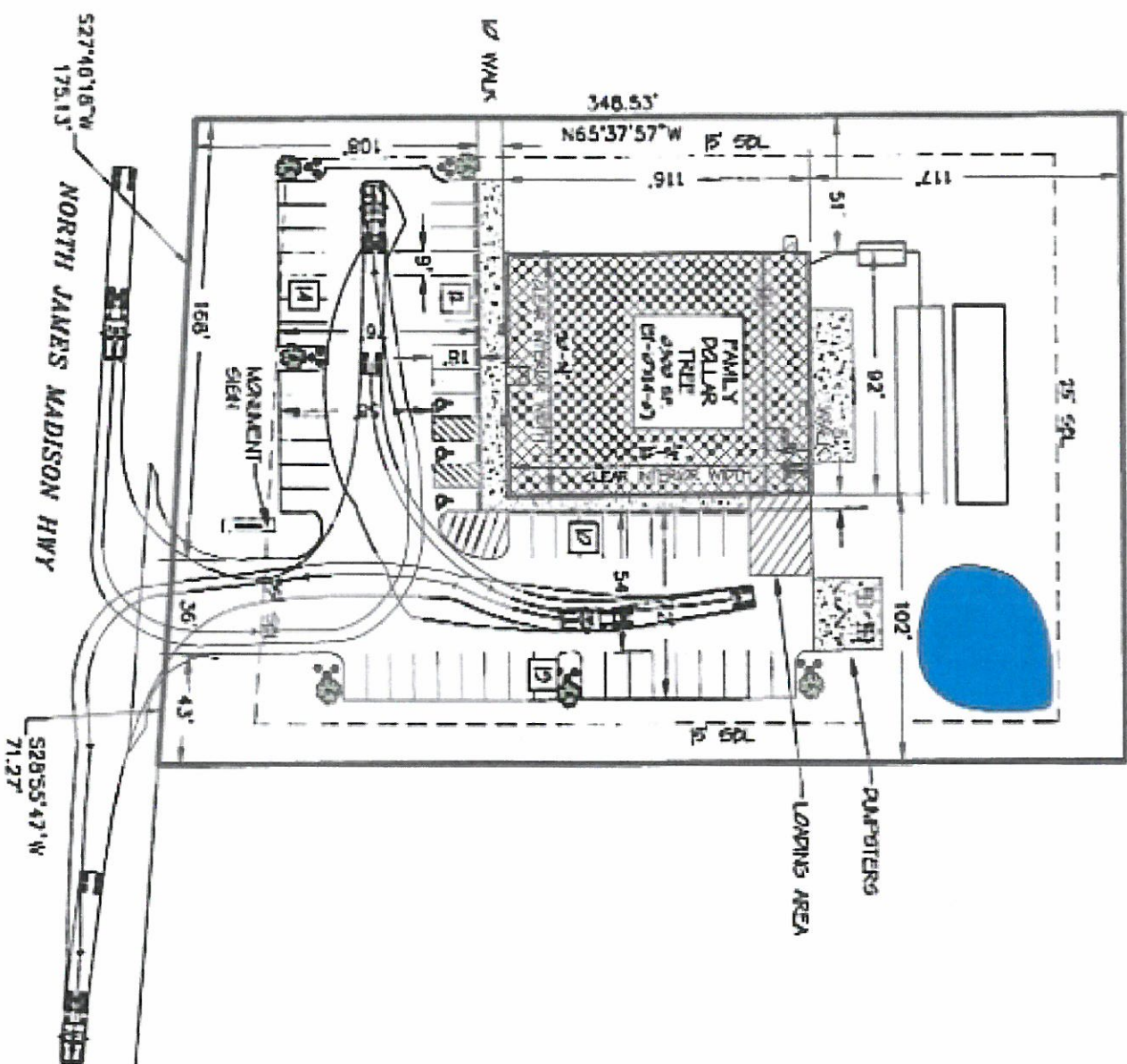
DATE PREPARED: 2/04/22 DRAWN BY: MARY

PREPARED FOR:

PIEDMONT
COMPANIES, INC.

1011 EAST MAIN STREET
LEICESTER, NC 28693

PHONE: (704) 794-0777
FAX: (704) 794-0765





SCALE: 1" = 20'-0"

NEW CANTON, VA
NORTH JAMES MADISON HWY

TRUCK IN

SITE DATA SUMMARY

EXISTING ZONING: A-1

AREA: QUARRY

PROPERTY: 120 AC

PARKING SUMMARY:

REQUIRED: 59 SPACES
(1 / 100 FLOOR AREA)

PROVIDED: 59 SPACES
(62 5' x 10'1")

BUILDING SETBACKS:

FRONT: 25'

SIDE: 15'

REAR: 25'

TRAFFIC: 3000 VPD (2012)

DATE PREPARED: 5/04/22

PREPARED "OR"

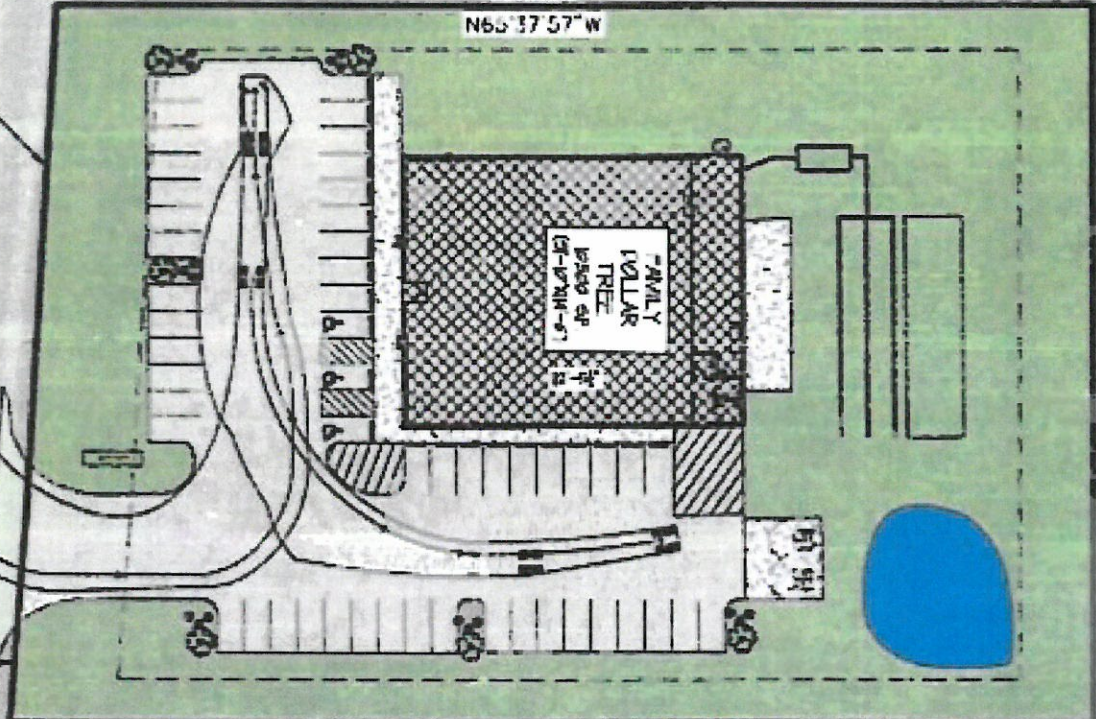
FAMILY DOLLAR TREE

PIEDMONT

COMPANIES, INC.

120 EAST MAIN STREET
LEEDS, NC 28024

PHONE: (704) 794-4391
FAX: (704) 794-4391



52°46'10" W
175°13'

NORTH JAMES MADISON HWY

52°35'47" W
71°27'



SCALE: 1" = 20'-0"

NEW CANTON, VA
NORTH JAMES MADISON HWY

TRUCK OUT

SITE DATA SUMMARY

EXISTING ZONING: A-1

AREA SUMMARY:

PROPERTY: 2.00 AC

PARKING SUMMARY:

REQUIRED: 55 SPACES
(1 / 200 FLOOR AREA)

PROVIDED: 55 SPACES
(641 SF MIN)

BUILDING SETTINGS

FRONT: 95

SIDE: 15

REAR: 25

TOTAL: 1400 SQD (2019)

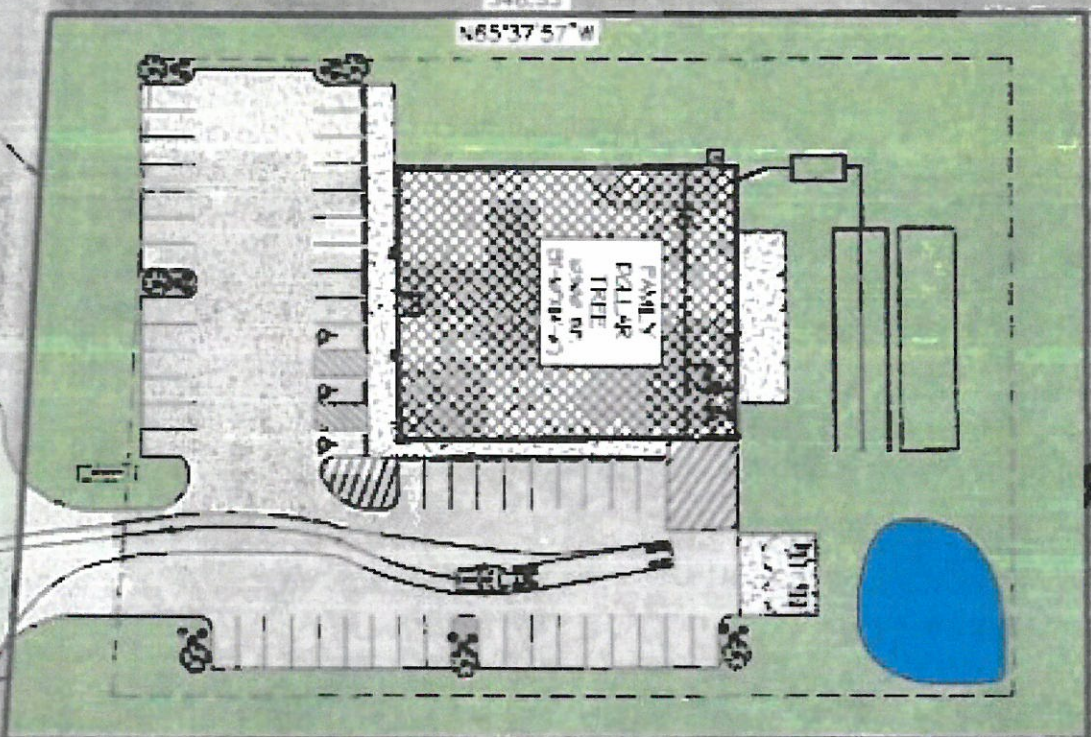
DATE PREPARED: 3/24/23

MMW

PREPARED FOR:

PIEDMONT
COMPANIES, INC.

443 EAST MAIN STREET
Lynchburg, VA 24501
PHONE: (804) 794-4591
FAX: (804) 794-4595



NORTH JAMES MADISON HWY

527°46'18\"/>

525°55'47\"/>



SCALE: 1" = 100'-0"

NEW CANTON, VA
NORTH JAMES MADISON HWY

OVERLAY PLAN

SITE DATA SUMMARY

EXISTING ZONING: A-1

AREA: SQUARE

PROPERTY: 200 AC

PARKING SUMMARY:

REQUIRED: 59 SPACES
(1 / 100 FLOOR AREA)

PROVIDED: 59 SPACES
(0.61 SF MIN)

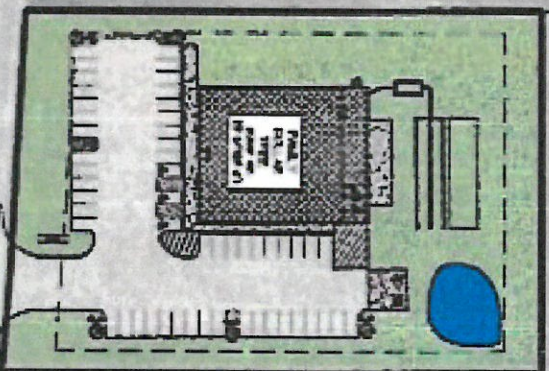
BUILDING SETBACKS:

FRONT: 35'

SIDE: 15'

REAR: 15'

TRAFFIC: 3600 VPD (2015)



NORTH JAMES MADISON HWY

DATE PREPARED: 3/04/22 FROM: DKS

PREPARED FOR:

MAY

FAMILY DOLLAR TREE

PIEDMONT

COMPANIES, INC.

100 EAST MAIN STREET
LEICESTER, NC 28058

PHONE: (704) 794-4394
FAX: (704) 794-4395

New Canton VA

View of Site from East

Gold Hill Village

Virginia Health Care and Physicians

Site

Legend

Henrietta School

Google Earth

500 ft

41



STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

CONTRACT OF SALE
OFFER AND ACCEPTANCE

PURCHASER: Piedmont Companies, Inc.
ADDRESS: 2671 East Main St Lincolnton, NC 28092

SELLER: Elam Stoltzfus, Emma S Stoltzfus, Eli B Stoltzfus, and Jacob R Stoltzfus
ADDRESS: 25766 N James Madison Hwy, New Canton, VA 23123

1. Purchaser hereby agrees to purchase, and Seller hereby agrees to sell all that lot or parcel or tract of land, with all improvements thereon, and any interest appurtenant thereto, situated in Buckingham County, Virginia and being further described as follows:

That tract or parcel of land consisting of approximately 2+/- acres located at 25766 N James Madison Hwy, New Canton, VA 23123 fully described as Buckingham County. Legal Description

Beginning at a point located on the Eastern Margin of the right of way of Highway 15, then following the right of way N 28°55'47" E – 71.27' to a point, thence continuing with the right of way N 27°46'18" E – 175.13' to a point, thence continuing and leaving the right of way of Highway 15 S 65°37'57" E – 348.53' to a point, thence continuing S 24°22'03" W – 245.86' to a point, thence continuing N 65°37'57" W – 364.60' to the point of beginning containing 2.00 AC±

Hereinafter this parcel will be referred to as "The Property".

2. The total Purchase Price for the Property is [REDACTED] and is to be paid by Purchaser at closing as follows:
Earnest Money to be deposited within 5 days of acceptance [REDACTED]
Balance in certified funds due at Closing [REDACTED]
3. Purchaser is granted an unconditional period of Due Diligence, ("Investigation Period") of [REDACTED] During said Period, Purchaser may and shall perform all the following:
 - a. Within ten (10) days of mutual execution of this contract, Seller to provide final survey of the property, if available, and any information in Seller's possession pertinent to Purchaser's completion of its due diligence including any agreements between Seller with any governmental or quasi-governmental agencies that may affect Purchaser's ability to develop property for its intended use. Subject to review of Phase I and Phase II environmental reports.



- b. The Purchaser will examine title and let Seller know of any objections. In the event Seller is unable to deliver marketable title, all earnest deposits shall be returned to Purchaser and the contract terminated.
 - c. Purchaser, its agents, and representatives, at Purchaser's expense and always before Closing, shall have the right to enter upon the Property for the purpose of inspecting, examining, boring, testing, and surveying the Property. Purchaser assumes all responsibility for the acts of its agents and representatives in exercise of the rights granted by this paragraph.
4. If Purchaser determines that the Property for any reason, including economic viability of Buyer's intended use of the property, is not satisfactory, then Purchaser may void this Agreement by written notice to Seller prior to the end of the Due Diligence Period. Upon such occurrence neither Purchaser nor Seller shall have any further obligations hereunder and Earnest Money will be promptly refunded to Purchaser. At the end of the Due Diligence Period, provided Purchaser has not elected to void this Agreement, then the Earnest Money shall be deemed nonrefundable, except as otherwise provided, and shall apply toward the purchase price.
5. The closing of this Contract shall take place at the office of Purchaser's attorney in Virginia or other offices stipulated by Purchaser unless otherwise provided herein, closing shall take place within 60 days of the expiration of the Due Diligence Period. Seller shall deliver possession of the Property to Purchaser at Closing.
6. All money deposited by Purchaser hereunder shall be applied toward the Purchase Price at Closing. If Purchaser fails to fully perform his obligations hereunder, Purchaser and Seller agree and acknowledge that the true amount of Seller's damages would be difficult to accurately determine. Therefore, in such event, all sums deposited hereunder shall be retained by Seller as liquidated damages for Seller's loss of bargain and not as a penalty. If Seller fails to fully perform his obligations hereunder, the Purchaser shall have available to him all remedies provided at law or in equity.
- The Purchaser hereby acknowledges that the initial earnest money in the amount of [REDACTED] herewith shall be held in escrow by: Piedmont Realty Associates, 2671 E. Main St. Lincolnton, N.C.28092
7. Purchaser and Seller shall prorate and apportion, as of the Closing Date, all items customarily prorated, apportioned and adjusted in connection with the closing of real estate similar to the Subject Property, including all taxes, assessments, charges, and other income or charges, as the case may be, assessed against or derived from the Subject Property. Any such proration based on an estimate may, at the request of either Purchaser or Seller, be subsequently readjusted upon receipt of adequate evidence to establish the correctness of the amount so estimated on condition that a



statement to that effect is in the closing statement. The cost of recording the deed shall be paid by Purchaser. The Seller shall pay for any excise or transfer taxes due.

8. Purchaser has retained the services of Piedmont Realty Associates as their representatives in this transaction. Seller will pay a 0% commission to Piedmont Realty Associates.
9. Seller shall convey the Property to Purchaser in fee simple by special/limited warranty deed in recordable form and subject to normal utility easements, governmental regulations, and assessments. Title to be conveyed to Purchaser hereunder shall be marketable title. If an owner's title binder can be issued by an ALTA title insurance company at standard rates with standard exceptions title shall be deemed to be marketable.
10. Purchaser has the right to assign its' right, title, and interest in this Contract of Sale to another person, partnership, or other entity with written notification to the Seller.
11. In the event a legal dispute arises between the parties hereto resulting in either court, administrative or arbitration proceedings or actions, the prevailing party shall be entitled to recoup all reasonable expenses for attorney's fees and costs.
12. The invalidity or un-enforceability of any provision of this Contract shall not affect the other provisions hereof and this Contract shall be construed in all respects as if such invalid or unenforceable provisions were omitted. This Contract shall be governed and construed in accordance with the laws of the State of Virginia. No failure of a party to exercise any power or right granted hereunder or to insist upon strict compliance with any obligation specified herein, and no practice at variance with the terms hereof, shall constitute a waiver of said power or right unless expressly authorized in writing by the affected party.
13. This offer expires 5:00 PM, 12/1/2021. Time is of the essence.

This contract shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal representatives, successors, and assigns. This Contract constitutes the entire agreement between the parties hereto and may be modified only in writing.



WITNESS:

PURCHASER:

A handwritten signature in black ink, appearing to read 'William L. Heafner', written over a horizontal line.

Piedmont Companies, Inc. / William L. Heafner

Date: 11-18-2021

WITNESS:

SELLER:

A handwritten signature in black ink, appearing to read 'Elam Stoltzfus', written over a horizontal line.

Elam Stoltzfus

Date: 12-1-2021



WITNESS:

SELLER:

Emma S. Stoltzfus
Emma S Stoltzfus

Date: 12-1-2021

WITNESS:

SELLER:

Ell B. Stoltzfus
Ell B. Stoltzfus

Date: 12-1-2021

WITNESS:

SELLER:

Jacob R. Stoltzfus
Jacob R Stoltzfus

Date: 12-1-2021



10187499



Fidelity National Title

Insurance Company

Fidelity National Title Insurance Company
5540 Centerview Drive
Suite 403
Raleigh, NC 27606
Attn: TitleWave Processing
Phone: 877-249-0005
Fax:
Email: Virginia@TitleWaveRES.com

Date: 2/4/2022
Invoice No: 10187499
Unit #: 03000.580899
Customer Ref #:

TO: Patrick Henry Agency, Inc.
Order A
4 Moss Street, P.O. Box 1001
Martinsville, VA 24114

RE: Buyer: William L. Heather Piedmont Companies Inc.
Property: 25786 North James Madison
Highway,
New Canton, VA 231232431
County/Parcel: 69-49

Seller: Elam Stoltzfus Emma S. Stoltzfus Eli B. Stoltzfus Jacob R. Stoltzfus
Notes:

Date	Code	Product Description	Liability	Charge Amount
2/4/2022	5500	Search and Exam VA	\$0.00	\$389.50
			Invoice Total:	\$389.50

Remittance Advice - DUE UPON RECEIPT

Please send along with remittance to:

Fidelity National Title Insurance Company
5540 Centerview Drive
Suite 403
Raleigh, NC 27606
Attn: TitleWave Processing

Date: 2/4/2022
Invoice No: 10187499
Unit #: 03000.580899
Contact: Patrick Henry Agency, Inc.
Check #

Amount Enclosed

9 February 2022
Approved for
New Canton VA
Title Sender
Page 1 of 1

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

PATRICK HENRY AGENCY, INC.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☒ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) **P**
Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is a foreign LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) **P**

4 Address (number, street, and apt. or suite no.) See instructions.

P. O. Box 1001

5 City, state, and ZIP code

Martinsville, VA 24114

6 List account number(s) here (optional)

4 Exemptions (check only if you are exempt from FATCA reporting. See instructions on page 2).

Exempt payee code (if any)

Exemption from FATCA reporting code (if any)

Provide a correct return with the LLC

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

OR

Employer identification number

5 4 - 1 1 7 8 3 8 3

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person **P**

Date **12-1-2021**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-DIV (dividend income or loss)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1099 (home mortgage interest, 1099-E (student loan interest), 1099-T (taxation))
- Form 1099-C (cancelled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

#16-1779

THIS DEED, made this 30th day of November, 2016, by and between H. CURTIS PEARSON, JR. and JEFFERSON M. CATLETT, parties of the first part (grantors), and ELAM G. STOLTZFUS, EMMA S. STOLTZFUS, JACOB R. STOLTZFUS and ELI B. STOLTZFUS, III, parties of the second part (grantees).

WITNESSETH, that for and in consideration of the sum of \$20.00 and other valuable consideration paid by the parties of the second part to the parties of the first part, the receipt of which is hereby acknowledged, the parties of the first part do hereby bargain, sell, grant and convey, with General Warranty and, except as hereinafter set forth, English Covenants of Title, unto the parties of the second part, as joint tenants with the right of survivorship as at common law and NOT as tenants in common, all the following described real estate, to-wit:

PARCEL A: All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District of Buckingham County, Virginia, containing Ninety-Nine and six/tenths (99.6) acres, more or less, being bounded on the west by U. S. Route #15 (N. James Madison Hwy.) on the north by lands now or formerly of Charles Moseley, on the east by PARCEL B hereinafter described, and on the south by lands now or formerly of Doc Moseley, now or formerly of Edmonia Smith and possibly lands of others. Said lands are more particularly described as to metes and bounds by a survey thereof prepared by Edward S. Cole, C.E., dated February and March, 1938, which description is incorporated in a deed conveying said lands from Clarendon Company, Incorporated to F. H. Boatwright dated April 8, 1946 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Deed Book 45, at page 460 et seq., to which metes and bounds description reference is hereby made for a more complete and accurate description of said lands.

Consideration: \$925,000.00

TM #s 69-49 & 50
and 84-2

Assessed Value: \$532,600.00

Title Ins. Fidelity
National

Return to: J. Robert Snoddy, III

PARCEL B: All those two certain tracts or parcels of land, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District of Buckingham County, Virginia, containing in aggregate Two Hundred Thirty-Nine (239) acres, more or less, said lands being more particularly described as the aggregate of two parcels containing "12 acres" and "227 acres", respectively, depicted by a plat of survey prepared by Edward S. Cole, C. E., dated March 6, 1924 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Deed Book 31, at page 335, to which plat reference is hereby made for a more complete and accurate description of said lands. LESS AND EXCEPT a cemetery lot 17' 8" by 19' 8" for the Perkins family cemetery which was conveyed to W. W. Perkins by deed dated April 29, 1940 and recorded in the aforesaid Clerk's Office in Deed Book 40, at page 370 et seq.

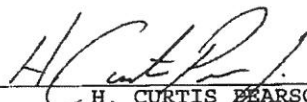
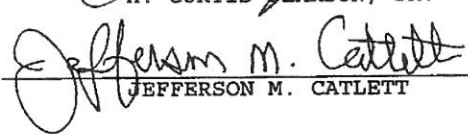
PARCELS A & B are also conveyed LESS AND EXCEPT that portion of said lands, said to contain 0.59 of an acre (see Highway Plat Book 3, at pages 244 through 247), taken by the Commonwealth of Virginia for improvement of the aforesaid Route #15 by certificate of take dated September 12, 1977 and recorded in the aforesaid Clerk's Office in Deed Book 106, at page 184 et seq.

PARCEL C: All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District of Buckingham County, Virginia, containing Thirty-Seven and eighty-nine/hundredths (37.89) acres, more or less, said lands being more particularly described by a plat of survey prepared by Michael Ray Goin, L.S. dated August 30, 2016 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Plat Cabinet A, at slide 256F, to which plat reference is hereby made for a more complete and accurate description of said lands.

PARCELS A, B & C being the same lands conveyed unto H. Curtis Pearson, Jr. and Jefferson M. Catlett, as tenants in common in equal shares, from Robert O. Turner et al by deed dated November 2, 2016 and recorded in the aforesaid Clerk's Office in Deed Book 437, at page 213 et seq.

This conveyance is made expressly subject to any and all easements, restrictions, conditions and reservations which are: contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the property hereby conveyed that have not expired by limitation of time contained therein or have not otherwise become ineffective; or, apparent upon inspection of the premises.

WITNESS the following signatures and seals.

 (SEAL)
H. CURTIS PEARSON, JR.
 (SEAL)
JEFFERSON M. CATLETT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

I, Linda H Meador, a notary public in and for the county aforesaid, State of Virginia, do hereby certify that H. CURTIS PEARSON, JR. and JEFFERSON M. CATLETT, whose names are signed to the writing above, have acknowledged the same before me in my county aforesaid.

Given under my hand this 5th day of December, 2016.

My commission expires 8-31-2018.

Notary registration # 110434.


NOTARY PUBLIC

035 Rec Fee	<u>1.00</u>	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	<u>2312.50</u>	
Co. R. Tax	<u>470.93</u>	The foregoing instrument with acknowledgement
Transfer	<u>1.00</u>	was admitted to record on <u>12-5</u> <u>2016</u>
Clerk	<u>14.50</u>	at <u>3:40P</u> M. in D.B. <u>437</u> Page(s) <u>221-223</u>
Lib.(145)	<u>1.50</u>	Teste: MALCOLM BOOKER, JR., CLERK
T.T.F.	<u>5.00</u>	BY: <u>Diane J. Jernigan</u> , DEPUTY CLERK
Grantor Tax	<u>935.00</u>	
036 Proc. Fee	<u>25.00</u>	
Total \$	<u>4071.33</u>	

- 3 -

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: PIEDMONT COMPANIES INC.

Location: ~~2671 EAST MAIN STREET~~, 25766 N. JAMES MADISON
HWY

Proposed Use: FREE STANDING DOLLAR TREE/FAMILY DOLLAR
STORE

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

X A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No X If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

THERE ARE NO ISSUES WITH THE PROPOSED

SITE THAT CANNOT BE ADDRESSED DURING

FINAL SITE PLAN SUBMITTAL.

Signature of VDOT Resident Engineer: Steve Snell

Printed Name: STEVE SNELL Date: 3-31-22

Confirmation Number: 9087401

Virginia

Buckingham County

Payments



Transaction Details

Buckingham Payment

MISC

Account/Map/Bill Number

Rezoning Fee

Name

Piedmont Companies/Elam Stoltzfus

Credit Card Payment Address Information

Order Number	9087401
Customer Name	William Heafner
Email Address	donitaf@piedcorp.com
Address	PO Box 1732 Lincolnton, NC 28093
Phone Number	(704) 736-4330
Credit Card Number	5XXX XXXX XXXX 5249
Credit Card Type	MasterCard
Expiration Date	0925
Operator Name	
Transaction Time	4/1/2022 10:08:06 AM
Authorization Code	00642J
Convenience Fee Authorization Code	06309J
Transaction ID	2034113799
Purchase Type	sale
Agency Total	550.00
Convenience Fee	\$13.75
Total Amount Charged to Card	563.75

ONE OR BOTH CHARGES WILL APPEAR AS PAYGOV.US ON YOUR CARD STATEMENT.

For questions about this payment, please call (866) 480-8552.

PayGov, LLC

5144 E. Stop 11 Rd. Indianapolis, IN 46237

<http://paygov.us>

Disputing a charge with your credit card company may result in an additional \$40.00 charge.

Buckingham County Planning Commission

May 23, 2022

Administration Building

7:00 PM

Request to Unsuspend Consideration Case 21-SUP298

Owner/Applicant: Landowner Ike Y Yoder
Rebecca H Yoder
7041 Crumpton Road
Farmville, VA 23901

Applicant Ike Y Yoder
7041 Crumpton Road
Farmville, VA 23901

Property Information: Tax Map 194, Parcel 15, containing approximately 122.58 acres, located at 7041 Crumpton Road Farmville, VA 23901, Curdsville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating a Sawmill.

Background/Zoning Information: This property is located at 7041 Crumpton Road Farmville, VA 23901 in the Curdsville Magisterial District. The landowners are Ike and Rebecca Yoder and applicant is Ike Y Yoder. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Commercial Sawmill as a Permitted by Right Use Agricultural A1 Zoning District. However, Within the A-1 Agricultural District, a Commercial Sawmill may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if the Special Use Permit is approved. This case came to the attention of the Zoning Administrator by way of a complaint. After investigation and meeting with the landowner, it was discovered that a large area of land had been disturbed and DEQ approval and permitting, and Erosion and Sediment Control/Land Disturbance Permit would be necessary. DEQ and County Officials conducted a site visit on September 24, 2021, and the communication is included in this packet. Mr. Yoder has contacted a civil engineer and is working to mitigate issues immediately. Mr. Yoder wishes to stay in compliance with all federal, state, and local permitting.

Below are conditions that you may consider attaching to the request if approved:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. Right of ways and roadway shoulders shall not be used for parking.
3. The property shall be kept neat and orderly.
4. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
5. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
6. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
7. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
8. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.
9. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
10. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

This case was introduced to the Planning Commission on November 22, 2021 and the Planning Commission held a Public Hearing for this case on December 27, 2021. At this time, the Planning Commission requested more information from Mr. Yoder regarding; additional traffic impacts, DEQ Notice of Violation and necessary actions moving forward, traffic safety, and noise. A written request was received from Mr. Yoder to suspend consideration of this application until further notice. A letter of request and a formal response detailing the requested additional information was received May 2, 2022. Mr. Yoder is requesting to unsuspend Case 21-SUP298 and continue consideration.

Ike Yoder
7041 Crumpton Road
Farmville, Va 23901

May 2, 2022

County of Buckingham
Zoning and Planning Department
Attn: Nicci Edmondston
3380 West James Anderson Hwy.
Buckingham, VA 23921

RE: Case 21-SUP298

Dear Mrs. Edmondston:

My engineer has compiled the attached "Additional Information" for my case per the request of the Planning Commission. Therefore, I am requesting that my application (Case 21-SUP298) be unsuspended and that my case be added to the Agenda for the May 2022 Buckingham County Planning Commission Meeting with the attachment added to their meeting packet.

I appreciate your consideration in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ike Yoder", written in dark ink.

Ike Yoder
Attachment

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☐ NO ☒ N/A

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: ☒ YES ☐ NO

No **Plat** (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: YES ☐ NO ☐
- B. Area of land proposed for consideration, in square feet or acres: YES ☐ NO ☐
- C. Scale and north point: YES ☐ NO ☐
- D. Names of boundary roads or streets and widths of existing right-of-ways: YES ☐ NO ☐

yes **Tax Map** (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: ☒ YES NO N/A
2. Owner and Project Name: ☒ YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
4. Property lines of existing and proposed zoning district lines: ☒ YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
6. Scale and north point: ☒ YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO N/A
8. Easements and encumbrances, if present on the property: YES NO ☒ N/A
9. Topography indicated by contour lines: YES NO ☒ N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES ☒ NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES ☒ NO N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": ☒ YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: ☒ YES NO N/A
14. General locations of major access points to existing streets: ☒ YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: ☒ YES NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES ☒ NO N/A
17. Location of existing and proposed utilities, above or underground: YES ☒ NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: ☒ YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES NO N/A
20. Location and design of screening and landscaping: YES ☒ NO N/A
21. Building architecture: YES ☒ NO N/A
22. Site lighting proposed: YES ☒ NO N/A
23. Area of land disturbance in square feet and acres: ☒ YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES ☒ NO N/A
25. Historical sites or gravesites on general site plan: ☒ YES NO N/A
26. Show impact of development of historical or gravesite areas: ☒ YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☒ YES NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 11-5-21

Special Use Permit Request: To operate sawmill

Purpose of Special Use Permit: Construct sawmill

Zoning District: A-1 Number of Acres: 122.58

Tax Map Section: 194-15 Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: Francisco

Street Address: 7041 Crumpton Rd.
Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Ike Y. Yoder

Mailing Address: 7041 Crumpton Rd, Farmville, VA 23901

Daytime Phone: 434-547-2618 Cell Phone: _____

Email: _____ Fax: _____

Name of Property Owner: Ike Y. Yoder and Rebecca H. Yoder

Mailing Address: 7041 Crumpton Rd, Farmville, VA 23901

Daytime Phone: 434-547-2618 Cell Phone: _____

Email: _____ Fax: _____

Signature of Owner: Ike Y. Yoder Date: 10-29-21

Signature of Applicant: Ike Y. Yoder Date: 10-29-21

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Blue Rock Resources LLC

Mailing Address: P.O. Box 256, Dillwyn, VA 23936

Physical Address: _____

Tax Map Section: 194-14 Parcel: _____ Lot: _____ Subdivision: _____

2. Name: John m. Woods

Mailing Address: 5 Cottage PL, Nanuet, NY 10954

Physical Address: _____

Tax Map Section: 194-10 Parcel: _____ Lot: _____ Subdivision: _____

3. Name: Robb T. Koether and Cynthia H. Koether

Mailing Address: 664 Old Ridge Rd, Farmville, VA 23901

Physical Address: _____

Tax Map Section: 193-13 Parcel: 193-12 Lot: 193-11 Subdivision: _____

4. Name: Hilda E. Banks and Cassandra Banks

Mailing Address: c/o Lee Banks, 4105 Stillbrook Ln, High Point, NC 27265

Physical Address: _____

Tax Map Section: 194-16 Parcel: _____ Lot: _____ Subdivision: _____

6. Name: Lee R. Banks

Mailing Address: 900 Timberlake Dr, Virginia Beach, VA

Physical Address: _____

Tax Map Section: 194-16A Parcel: _____ Lot: _____ Subdivision: _____

7. Name: Roman Coleman

Mailing Address: 40 Darlene Harrington, 555 Elizabeth Ave, Apt 36, Newark, NJ

Physical Address: _____

07112

Tax Map Section: 194-12 Parcel: _____ Lot: _____ Subdivision: _____

8. Name: James Pankey

Mailing Address: 40 Vandora Pankey Roberts, 1017 E. 216th St, Bronx, NY

Physical Address: _____

10469

Tax Map Section: 194-13 Parcel: _____ Lot: _____ Subdivision: _____

9. Name: Carlotta Morgan

Mailing Address: 196 Rochaway Pkwy Apt 38, Brooklyn, NY 11212

Physical Address: _____

Tax Map Section: 194-1-4 Parcel: _____ Lot: _____ Subdivision: _____

10. Name: Pearl Biglow

Mailing Address: 40 Theresa Jones, 2000 Valentine Ave, Apt 304, Bronx, NY

Physical Address: _____

10457

Tax Map Section: 194-1-5 Parcel: _____ Lot: _____ Subdivision: _____

11. Name: John Coleman

Mailing Address: 40 Troy Coleman, 11205 Francisco Rd, Farmville, VA 23901

Physical Address: _____

Tax Map Section: 194-1-6 Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 29th day of October, year 2021

I Ike Y. Yoder hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

Ike Y. Yoder
(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Charlotte

STATE OF Virginia

Subscribed and sworn to me on the 29th day of October

of the year 2021. My Commission expires on 8/31/23

Notary Public Signature: Linda H. Perkinson

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 29th day of October, of the year 2021,

I Mike Y. Yoder (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

N/A

Signature of Owner: (to be signed in front of notary public)

Mike Y. Yoder

NOTARY PUBLIC

COUNTY OF

Charlotte STATE OF Virginia

Subscribed and sworn to me on this 29th day of October

of the year 2021. My commission expires 8/31/23.

Notary Public Signature: Linda H. Perkinson

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

122 acre parcel. Proposed sawmill to be built
on approx 10 acres

County Records Check (describe the history of this property):

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes ☒ No ☐

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Located on the 122 acre tract but will not be
near the proposed sawmill site

Will this proposal have any impact on the historical site or gravesite? Yes ☐ No ☒
If yes, please explain any impact:

Owner/Applicant Signature: Ike Y. Yoder Date: 10-29-21

Printed Name: Ike Y. Yoder Title: Owner

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Ike y. Yoder

Location: Crumptown Rd, Farmville, VA 23901

Proposed Use: _____

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: _____

Printed Name: _____ Date: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC
County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____
Stamp: _____

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: *John M. Nader*

Date: 11-5-21

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

- | | |
|-------------|--|
| January 25 | Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22. |
| February 22 | Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. |
| March 8 | Case is introduced to Board of Supervisors. |
| April 12 | Board of Supervisors may approve / deny / table for more information. |

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

Ladies and Gentlemen,

My name is Ike Yoder and I am the owner of the property that I am requesting a Special Use Permit to change from agricultural farm land to a sawmill. The current business, Y&F Lumber will be relocating from Charlotte County to this location. In the future, the business name may change when the sawmill is operational. I live on the property that consists of one parcel tax ID #194-15 and it is financed with the bank of Charlotte County. There is a stick-built house with a barn located on the left side of the parcel farthest from the road. In addition, there is a grave site to the right of the home. I have a map attached showing the parcel, and drawings of where I would like the structures on the property.

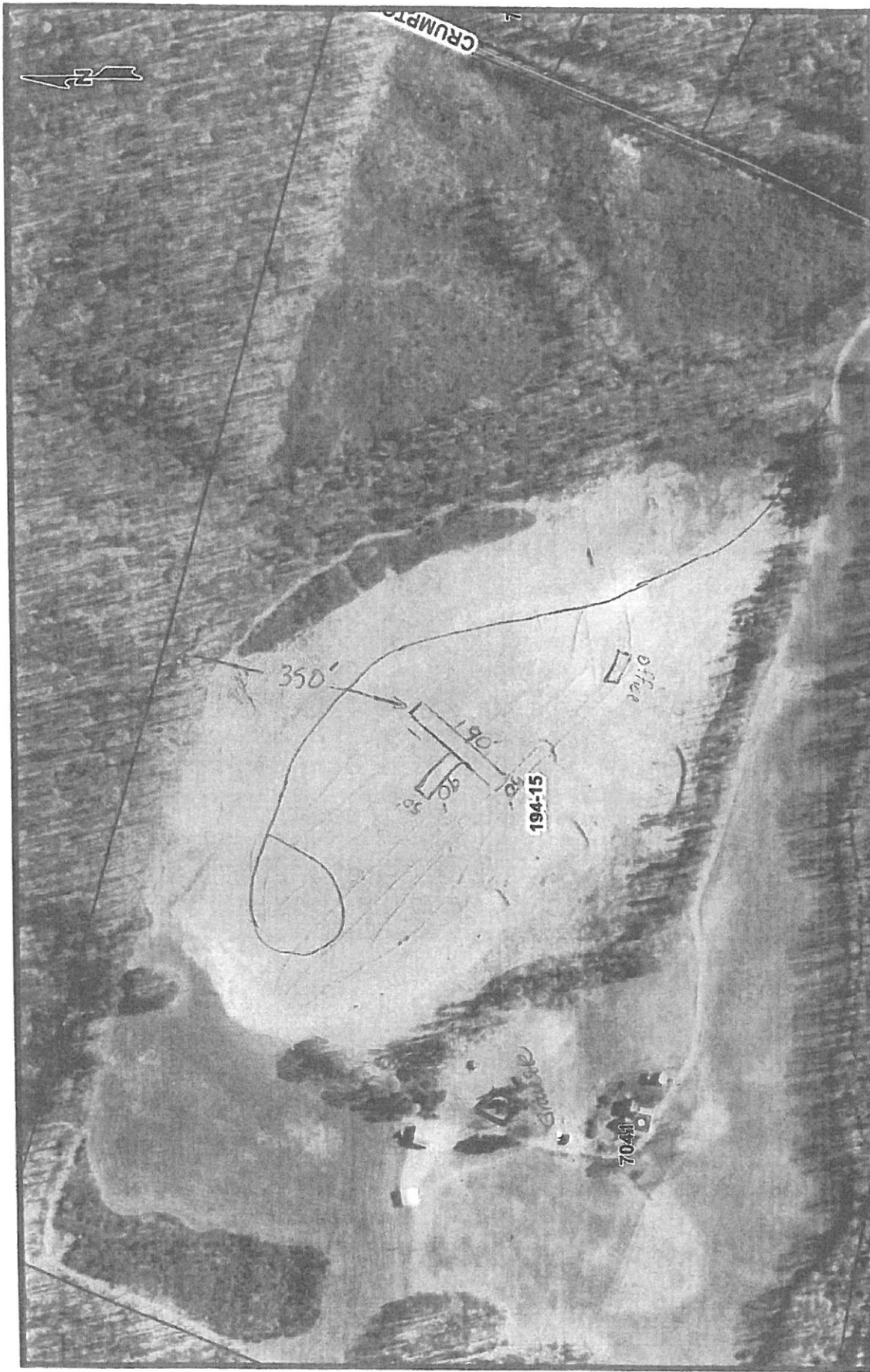
This property has been a farm for many years and will continue to raise horses and cattle in the pastures behind the home. The proposed 15 acres area for the business was cut, that I cleared off and it will be located to the right of the driveway and north side of the property. Approximately, 80% of proposed site will be material storage, lumber/logs, mats, and sawmill by-products. I originally purchased this property to live on, but rather have the location of the sawmill at my residence. I have contacted and hired Chip Coleman an engineer from Maxey & Associates, P.C. for site preparation. I plan to put a 12ft x 24ft shed on the property for an office building. The sawmill building will be 50ft x 190ft with an attached building 50ft x 90ft that makes the building into t-shape. We will be assembling mats in this building, if market conditions permit. Within a few years, as I hope the business grows, I plan to build a 60ft x 80ft shop building for parts/tool storage. In the future, I would like to add an 24ft x 24ft office building. These buildings will not have electric or septic. There is an existing well on the property located by the home and will use this as a water source. There will be portable toilets and sawmill equipment will be powered by a diesel hydraulic power unit. I will have a 40-yard commercial roll off dumpster to dispose of all trash, so nothing will be dumped on the property. The open areas in between the driveway and the buildings will be there to allow trucks to deliver timber and pick up matts/lumber for delivery. There will be an average of 15 to 20 vehicles a day, come in and out with hopes of expansion that will increase.

My plan is to saw lumber and assemble crane mats that have been ordered through different companies that I have contracts with. I will have timber delivered from local suppliers by tractor trailers. The products of the sawmill such as, mats, lumber, and by-products will be delivered by tractor trailer. I have young children that I hope will take an interest and hopefully work within the business someday. I have grown up in the logging and sawmill industry, I have had Y&F lumber for 6 years now. I estimate this business will begin with 3 to 4 million annual sales in the first few years. The business will start with 5-10 employees and if the business grows employment could increase up to 15 employees depending on market conditions. The average work day will be 8 hours long, however may fluctuate depending on market conditions and there will be no operations on Sundays. I want to apologize for any inconveniences I have caused Buckingham County, for my actions of not following the proper measures according to the county's guidelines. We are in the process of taking action to fix the mistakes that have been brought to my attention.

Sincerely,

Ike Yoder





BUCKINGHAM COUNTY



www.interactivegis.com

Printed 11/05/2021

193-12

Sources Esri, DigitalGlobe, Earthstar Geographics, CNES/Airbus DS, GeoEye, USDA FSA, USGS, AeroGRID, IGN, IGP, and the GIS User Community



OFFICIAL RECEIPT
COUNTY OF BUCKINGHAM CIRCUIT COURT
DEED RECEIPT

DATE : 05/29/2019 TIME : 11:41:43 CASE # : 029CLR190000705
RECEIPT # : 19000002293 TRANSACTION # : 19052900006
CASHIER : KQK REGISTER # : D729 FILING TYPE : DOT PAYMENT : FULL PAYMENT
INSTRUMENT : 190000705 BOOK : 460 RECORDED : 05/29/2019 AT : 11:30
GRANTOR : YODER, IKE Y, ET UX EX : N LOC : CO
GRANTEE : WAKINS III, DAVID C, TR ET AL EX : N PCT : 100%
RECEIVED OF : ELDER & WATKINS
ADDRESS : PO BOX 55 CHARLOTTE COURT HOUSE, VA 23923
DATE OF DEED : 05/29/2019
MULTI : \$1,288.67 CHECK/MO NUMBER : 2886
DESCRIPTION 1 : 122.58 AC FRANCISCO
NAMES : 0
CONSIDERATION : \$374,000.00 AVAL : \$0.00 PAGES : 010 OP : 0
MAP : 194-15 PIN :

ACCOUNT CODE	DESCRIPTION	PAID
035	VOF FEE	\$1.00
036	DEED PROCESSING FEE	\$20.00
039	DEEDS AND CONTRACTS	\$935.00
106	(TTF) TECHNOLOGY TRUST FUND FEE (CIRCUIT COURT)	\$5.00

ACCOUNT CODE	DESCRIPTION	PAID
145	VSLF	\$1.50
213	COUNTY GRANTEE TAX	\$311.67
301	DEEDS	\$14.50

TENDERED : \$ 1,288.67
AMOUNT PAID : \$ 1,288.67

#19-704

BOOK 460 PAGE 967

Deed Prepared By:

Real Property ID Map Number:
194-15FC

N. Garrison Elder VSB# 79590
Elder & Watkins, P.C.
P. O. Box E
113B East Second Street
Farmville, VA 23901
(434)392-6647

Title Insurance Underwriter:
Investors Title Insurance Company

Consideration: \$440,000.00
Assessment: \$ 445,000.00

THIS DEED, made this 23rd day of May, 2019, by and between JUDITH M. VAN HOFF, hereinafter referred to as the GRANTOR, and IKE Y. YODER and REBECCA H. YODER, Husband and Wife, hereinafter referred to as the GRANTEES, whose address is 7041 CUMPTOWN ROAD FARMVILLE, VA 23901

WITNESSETH:

THAT for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the GRANTOR hereby grants and conveys in fee simple absolute with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the GRANTEES as Tenants by the Entirety, not as Tenants in Common, with the right of survivorship as at Common Law, the following described real estate, to-wit:

ALL THAT CERTAIN TRACT or parcel of land, lying and being in the Francisco Magisterial District, Buckingham County, Virginia, containing 122.58 acres, more or less, and more particularly described on a plat of survey recorded in Deed Book 72, at page 39, in the Clerk's Office of the Circuit Court of Buckingham County, Virginia.

IT BEING IDENTICAL to that property conveyed to Judith M Van Hoff by Deed of Gift from Leslie Michelle Dyer and Jeffery Richard Dyer, and Rebekah Marie Dyer, recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 458, at page 966.

This conveyance is expressly made subject to all unexpired conditions, restrictions, reservations and easements of record to the extent that they may lawfully apply to the property hereby conveyed.

DER & WATKINS
FARMVILLE, VA 23901

BOOK 460 PAGE 968

WITNESS the following signature and seal:

Judith M. Van Hoff (SEAL)
JUDITH M. VAN HOFF

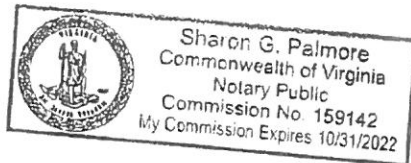
STATE OF VIRGINIA,

CITY/COUNTY of Prince Edward, to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, whose commission expires 10/31/22, do hereby certify that JUDITH M. VAN HOFF, whose name is signed to the foregoing Deed bearing the date of May 23, 2019, has acknowledged the same before me in my jurisdiction aforesaid, this 23rd day of May, 2019.

Sharon G. Palmore
Notary Public

ID #: 159142



035 Rec Fee
St. R. Tax
Co. R. Tax
Transfer
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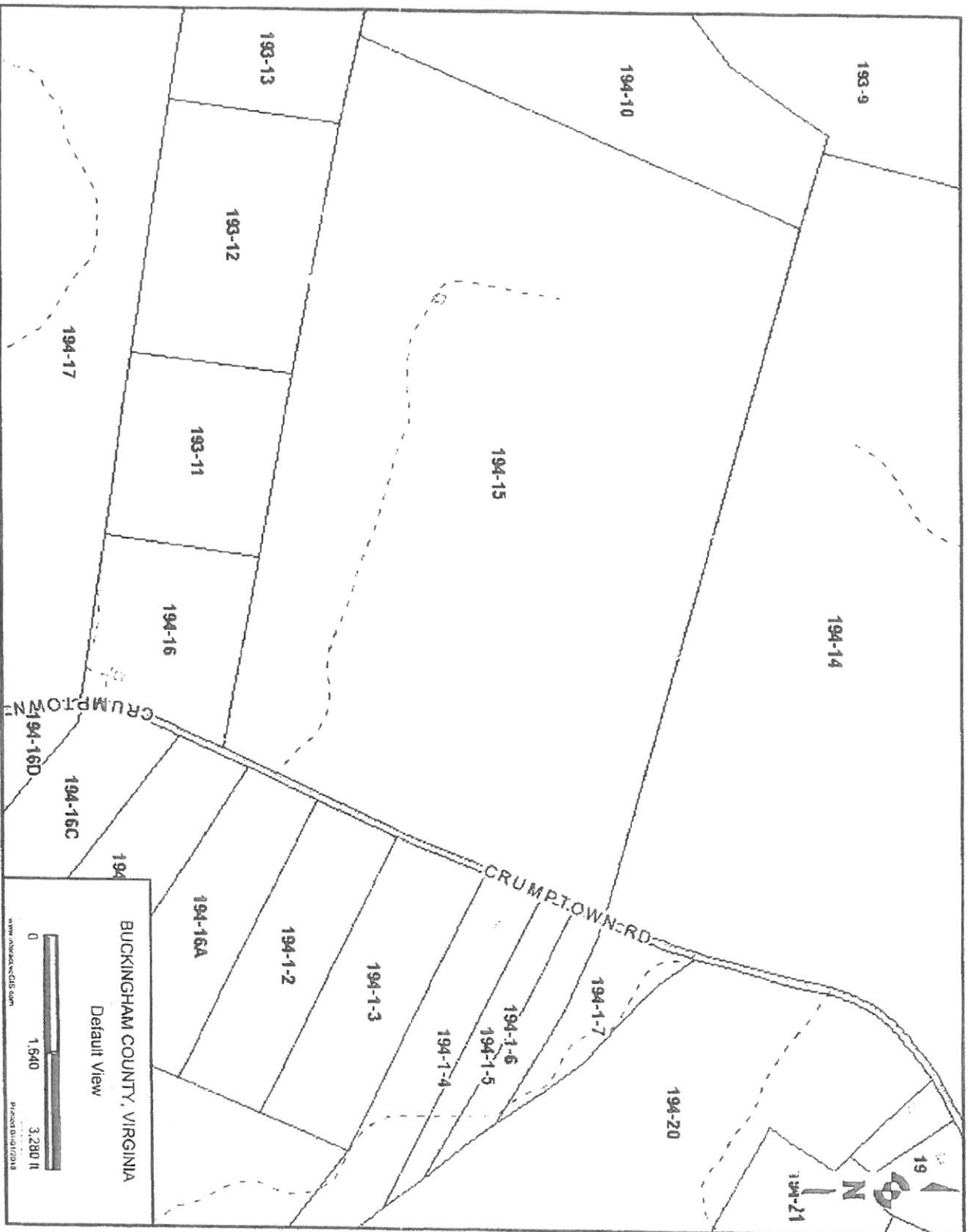
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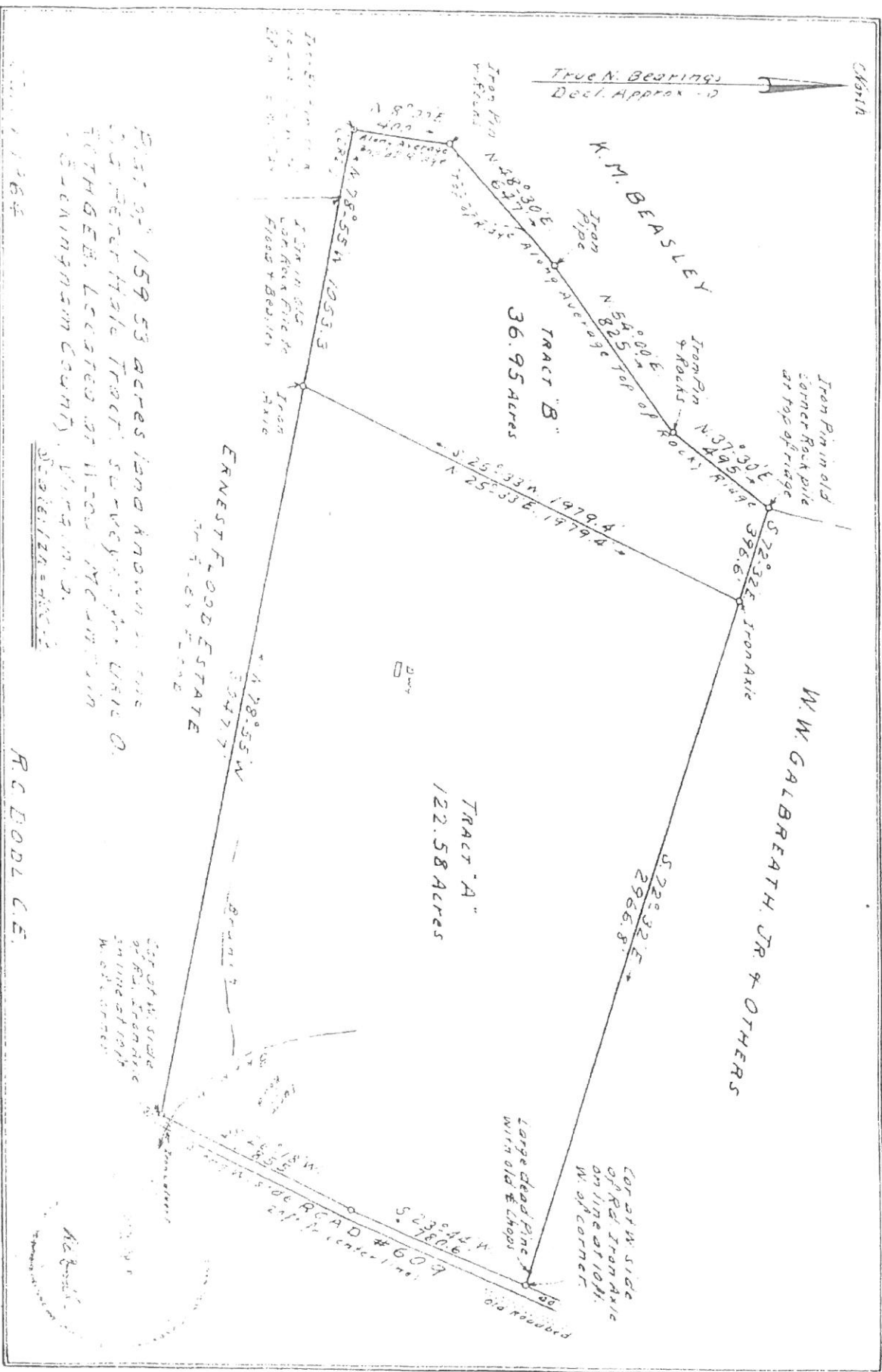
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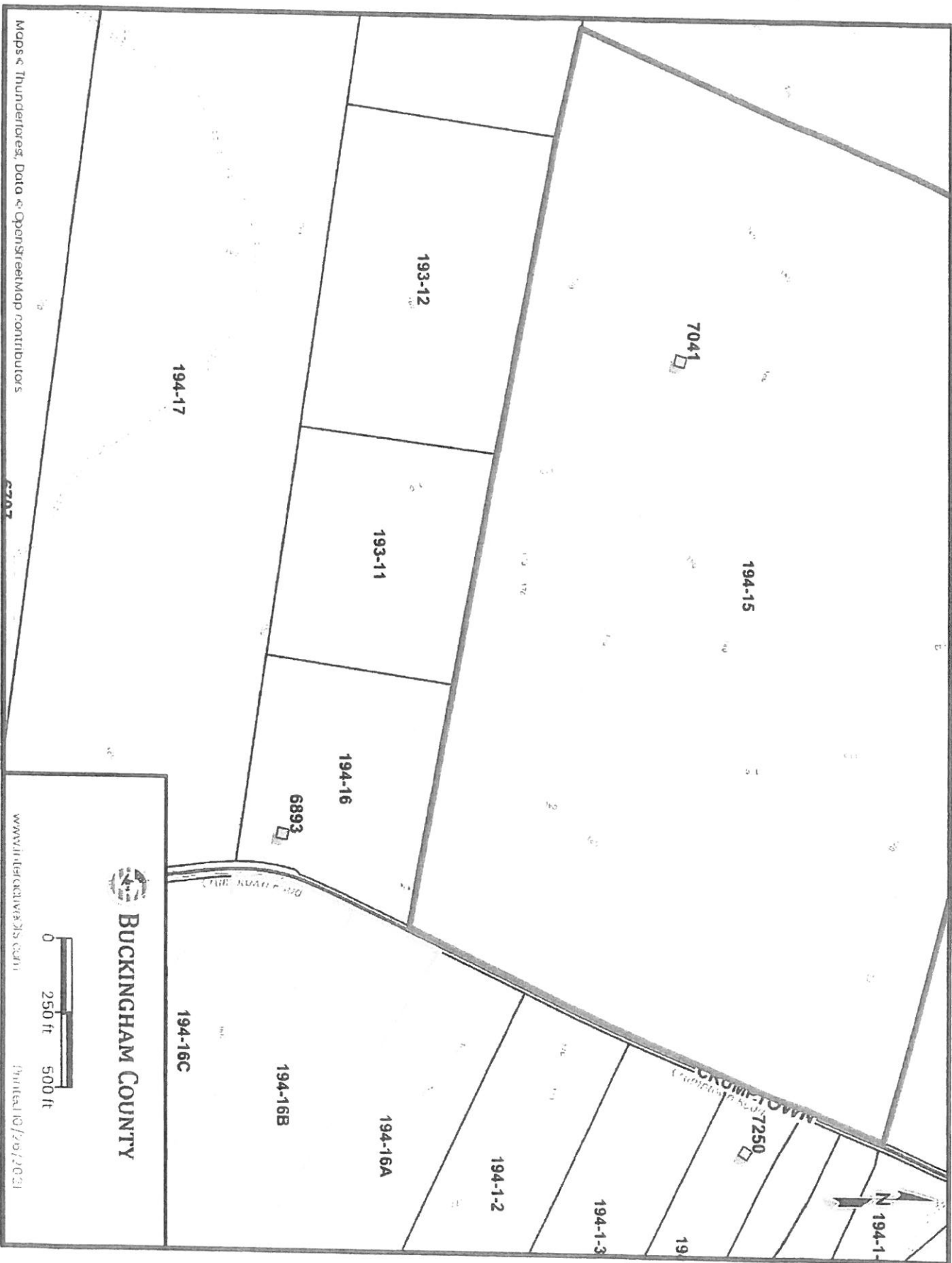
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BY: Kara Stochen, DEPUTY CLERK



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MAXEY & ASSOCIATES, P.C.

Land Surveying

Civil Engineering

Planners

Consultants

ADDITIONAL INFORMATION

For

Ike Yoder Sawmill Special Use Permit
Application
(Case 21-SUP298)

Francisco District, Buckingham County, VA

Requested By

The Buckingham County Planning Commission

April 29, 2022
Comm. No. 21E0023

ADDITIONAL INFORMATION

For

Ike Yoder Sawmill Special Use Permit Application (Case 21-SUP298)

Francisco District, Buckingham County, VA

Requested By

The Buckingham County Planning Commission

Prepared for:

Ike Yoder
7041 Crumpton Road
Farmville, VA 23901

Prepared by:

Maxey & Associates, P.C.
Attn: Roy S. "Chip" Coleman, Jr., PE, LS
606 East Third Street
P.O. Box 90
Farmville, Virginia 23901
(434) 392-8827
(434) 392-1996 FAX
Email: ccoleman@maxeyassoc.com

April 29, 2022

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Background (per Planning Commission Packet for the Introduction of Case 21-SUP298)

This property is located at 7041 Crumpton Road Farmville, VA 23901 in the Curdsville Magisterial District. The landowners are Ike and Rebecca Yoder and applicant is Ike Y. Yoder. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Commercial Sawmill as a Permitted by Right Use in an Agricultural A1 Zoning District. However, within the A-1 Agricultural District, a Commercial Sawmill may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if the Special Use Permit is approved. This case came to the attention of the Zoning Administrator by way of a complaint. After investigation and meeting with the landowner, it was discovered that a large area of land had been disturbed and DEQ approval and permitting, and Erosion and Sediment Control/Land Disturbance Permit would be necessary. DEQ and County Officials conducted a site visit on September 24, 2021, and the communication is included in this packet. Mr. Yoder has contacted a civil engineer and is working to mitigate issues immediately. Mr. Yoder wishes to stay in compliance with all federal, state, and local permitting.

Additional Background Information

Ike Yoder, the applicant, has never developed raw property into a sawmill, but has run an existing sawmill in Charlotte County. Yoder admits that he was not aware of all of the regulations required to develop land into a commercial sawmill and verbally contracted with Knabe Logging, LLC to assist in the development and construction of the proposed commercial sawmill on a portion of the farm where he and his family reside. Yoder mistakenly understood that Knabe was handling local and state permitting for the land disturbance. Without the appropriate local and state permits for land disturbance, Knabe performed land clearing and grubbing of approximately 30 acres of land, installed an access road (partially along the existing farm driveway), installed a culvert under the access road, extended an existing culvert under the existing driveway located in Ducker Creek, partially completed a commercial entrance at Crumpton Road, installed a sediment basin and trap, and graded a plateau for the proposed sawmill. Grading for the proposed sawmill is estimated to be approximately 75-80% complete. The commercial entrance for a sawmill was permitted by a VDOT Land Use Permit (See Exhibit A).

In late September of 2021, Yoder was made aware that the Knabe land disturbance resulted in a complaint to the County and that the County notified DEQ of the complaint. DEQ and County staff performed an initial site visit on September 24, 2021 without Yoder present and then a second site visit was performed on October 7, 2021 with Yoder present. A VWP Inspection Report prepared by Cara Witte (DEQ Inspector) dated 9/24/21, 10/7/21(see Exhibit B1) and Construction General Permit Site Inspection Report prepared by Xing Lin dated 9/24/21 (see Exhibit B2) resulted in two DEQ Notices of Violation, one addressed to Ike K. Yoder, Rebecca H. Yoder, and Knabe

Logging, LLC ,dated November 1, 2021 that states that they may be in violation of the State Water Control Law and Regulations (see Exhibit C) and the second addressed to Ike Yoder, dated December 15, 2021 that states that he may be in violation of the Virginia Stormwater Management Act (see Exhibit D). In addition to the Notice of Violations Yoder was instructed by the County that in order to construct and operate the sawmill he would need a Special Use Permit.

Yoder contacted and contracted with Maxey & Associates, P.C. in early November 2021 to assist him in the Special Use Permit process and in addressing the Notice of Violations. Yoder submitted an application for a Special Use Permit to the Buckingham County Administration in early November of 2021. The case was presented to the Planning Commission at the November 22, 2021 meeting. After a presentation by the applicant and answering several questions related to the applicant living on the subject parcel, anticipated wood production, anticipated truck traffic, distance of the mill from the parcel's property lines, and hours of operation, a motion was made by Bickford, seconded by Allen, to move the application forward to a public hearing. The motion passed with a vote of 6 out of 6 in favor.

A public hearing for the special use application was held on December 27, 2021. After the public comment portion of the hearing was closed, the applicant presented the proposed project to the Commissioners. After the Commissioners made several comments and asked several questions about the DEQ Notice of Violations, VDOT Application for a Traffic Impact Determination, traffic safety, and noise, the Commissioners decided to continue the case until the next meeting and asked that the applicant provide more information to address their comments and questions. The Commissioners were advised that it may take more than a month to collect the requested information.

In early January, 2022 the applicant corresponded with the Zoning Administrator and provided a letter requesting that the Case be suspended until further notice to sufficiently gather the information requested by the Planning Commission.

The additional information is presented on the following pages.

DEQ Notice of Violation – November 1, 2021 (See Exhibit C)

The Department of Environmental Quality issued a Notice of Violation letter addressed to Ike Yoder, Rebecca Yoder, and Knabe Logging, LLC, dated November 1, 2021 stating that they may be in violation of the State Water Control Law and Regulations per a VWP Inspection Report (see Exhibit B1) by Cara Witte. The inspections were performed on September 24, 2021 and October 7, 2021. The notice addressed the observation in the report of approximately 2,556 linear feet of stream channel impacted by the accumulation of up to 10 inches of eroded sediment due to sedimentation without DEQ issuing a VWP permit authorizing impacts to surface waters. The inspection report provided the following recommended corrective actions. Actions taken by Ike Yoder are described in bold:

1. Remove remaining sediments in stream bed using manual removal methods (ie. buckets and shovels) until the original stream substrate is met. This should be completed by December 1, 2021. Once completed, please contact Cara Witte at 804-527-5075 for a reinspection. If you have any questions about the corrective action, please contact Cara Witte. **Ike Yoder organized a clean-up of the affected stream as quickly as possible.**
2. Install all E&S Controls in accordance with the Virginia Erosion and Sediment Control Handbook, Third Edition, 1992 and send photographs of completed work. This should be completed by December 1, 2021. Once completed, please contact Cara Witte at 804-527-5075 for a reinspection. If you have any questions about the corrective action, please contact Cara Witte. **Ike Yoder met with Chip Coleman (Maxey and Associates, P.C.) and Lyn Hill (County of Buckingham) on November 9, 2021 to walk the site and discuss E&S control measures to prevent erosion of the site and to contain sediment within the disturbed site. The control measures discussed were:**
 - **Perimeter silt fence on the low side of grubbed areas where mass excavation did not occur and topsoil was still intact.**
 - **Terraces along the top of mass excavated cut and fill banks to slow down runoff and direct runoff from the mass excavation area to the existing sediment basin.**
 - **Remove accumulated sediment from the existing sediment basin by lightly spreading sediment over the earthen pad area and/or stockpiling sediment with a perimeter silt fence around the toe of the stockpile.**
 - **Improve a sediment trap adjacent to the stream at the downstream end of the access road by making it deeper and installing a rock filter.**
 - **Install temporary seeding, permanent seeding, and straw mulch on all disturbed areas. It was recommended that the large mass graded pad area be seeded with a drill.**

Ike Yoder has stopped work on the site except for implementing the measures discussed above. Grass establishment is occurring on the grubbed slopes, but Mr. Yoder is having a hard time getting grass to

establish on the large mass graded area. He is constantly attempting to get grass established.

3. Stabilize exposed slopes and streambank. All denuded areas shall be properly stabilized in accordance with the Virginia Erosion and Sediment Control Handbook, Third Edition, 1992. This should be completed by December 1, 2021. Once completed, please contact Cara Witte at 804-527-5075 for a reinspection. If you have any questions about the corrective action, please contact Cara Witte.
Ike Yoder has implemented measures mentioned above to stabilize exposed slopes, streambanks, and denuded areas.

Per the following email, DEQ was satisfied with his corrective actions:

From: "Witte, Cara" <cara.witte@deq.virginia.gov>
Date: January 3, 2022 at 9:30:43 AM EST
To: Lyn Hill <lhill@buckinghamcounty.virginia.gov>, Sydney Von Wilson <sydney.vonwilson@deq.virginia.gov>, Aree Reinhardt <aree.reinhardt@deq.virginia.gov>
Cc: "Lin, Xing" <xing.lin@deq.virginia.gov>, matthew.winebarger@deq.virginia.gov
Subject: **Re: Crumpton Road**

Good morning,

DEQ VWP conducted a follow-up compliance inspection on December 15, 2021. We reinspected the stream channel and found the correction action complete with no new violations observed. Nothing further is needed from Mr. Yoder at this time.

Please let me know if you have additional questions.

Cara

Please note that Cara Witte states “nothing further is needed from Mr. Yoder at this time.”

DEQ Notice of Violation – December 15, 2021 (See Exhibit D)

The Department of Environmental Quality issued a Notice of Violation letter addressed to Ike Yoder, dated December 15, 2021 stating that he may be in violation of the Virginia Stormwater Management Act and Regulations per a Construction General Permit Site Inspection Report (see Exhibit B2) by Xing Lin, dated September 24, 2021. The notice addresses the following observations from the inspection report. Actions taken by Ike Yoder are described in bold:

1. Land disturbing activities of greater than 1 acre have occurred at the Site in an area subject to stormwater runoff. Neither Mr. Yoder nor anyone acting on his behalf has registered for coverage under the 2019 General VPDES Permit for Discharge of Stormwater from Construction Activities, and DEQ has not issued any other certificate or permit for the discharge of stormwater from construction activities at the Site. **In order to get the 2019 General VPDES Permit for Discharge of Stormwater from Construction Activities, Stormwater Management Plans and associated documents must be submitted to and approved by DEQ. Ike Yoder has contracted with Maxey & Associates, P.C.**

(M&A) to develop and submit Stormwater Management Plans for the site. Plans, calculations, Registration Statement, Checklist, Draft SWM Maintenance Agreement and Draft Forest / Open Space Maintenance Agreement were submitted to DEQ and received by DEQ on January 27, 2022. DEQ provided a comment letter for the plan submission on March 10, 2022. M&A is in the process of addressing the comments.

2. A Stormwater Pollution Prevention Plan (SWPPP) was not available onsite and a notice of the SWPPP's location was not posted near the main entrance of the Site. **M&A has provided Ike Yoder a SWPPP as required by the DEQ Registration Statement. The Registration Statement is required at DEQ plan submittal. The SWPPP is a living document that is updated and revised as the project progresses. The SWPPP cannot be implemented until a Letter of Coverage is provided by DEQ. A Letter of Coverage is not provided until plans are approved along with several other administrative actions that are subsequent to plan approval.**
3. A file review for the Site revealed no evidence of an approved erosion and sediment control plan on file, nor had one been approved by Buckingham County. **M&A submitted erosion and sediment control plans to the Peter Francisco Soil and Water Conservation District (Buckingham County's review agency) and they were received on January 27, 2022. M&A has not received any comments on the submitted plans from the PFSWCD.**
4. A file review for the Site revealed a Stormwater Management Plan has not been submitted to or approved by DEQ. **Stormwater Management Plans, calculations, Registration Statement, Checklist, Draft SWM Maintenance Agreement and Draft Forest / Open Space Maintenance Agreement were submitted to DEQ and received by DEQ on January 27, 2022. DEQ provided a comment letter for the plan submission on March 10, 2022. M&A is in the process of addressing the comments. Please note that the plans show construction of the proposed sawmill and Mr. Yoder understanding that a County Special Use Permit (SUP) is required to construct the sawmill. Should the SUP not be approved, the plans will be modified to change the proposed sawmill site back to agricultural use.**

Traffic

In the planning of a commercial site, traffic is analyzed to ensure that a proposed entrance meets VDOT requirements for sight distance, design vehicle turning movements, turn lanes, and entrance separation. In addition, during the Special Use Permit (SUP) application process the County requires that an Application for a Traffic Impact Determination be completed by VDOT. **Ike Yoder addressed the proposed sawmill entrance prior to contracting with an engineering firm and received a VDOT Land Use Permit for the proposed sawmill's commercial entrance (see Exhibit A). In completing the Special Use Permit application, Mr. Yoder had VDOT complete the Application for a Traffic Impact Determination (see Exhibit E). On this application VDOT checked-off that "A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds."** By having a VDOT Land Use Permit for the commercial entrance and VDOT not requiring a Traffic Impact Statement, the developer did not anticipate any further traffic evaluation would be required. Due to concerns over traffic, the following additional information is offered for the Commission's review.

Proposed Truck Traffic Pattern:

Mr. Yoder expects most of the truck traffic for the project to come from and go to the Farmville area. The two most logical routes (see Exhibit F) that a truck could take to and from Farmville are:

- On a minor arterial road (Route 15 – South James Madison Highway), then on a major collector road (Route 636 – Francisco Road), and then 1.3 miles on a rural local road (Route 609-Crumptown Road). This route is 9.0 miles.
- On rural local roads. This route is 7.8 miles.

Based on inquiries by Mr. Yoder with his main log suppliers, all said that they would recommend that their drivers use the larger roads even though the distance is 1.2 miles longer. Their reasoning being safety, wear and tear on the truck and trailer, and no real time savings.

Existing Traffic:

The following data was taken from the 2019 Virginia Department of Transportation Daily Traffic Volume Estimates Including Vehicle Classification Estimates for Buckingham County and the Town of Dillwyn. (The 2020 report has been deemed by VDOT to not represent typical traffic due to COVID-19, therefore, the 2019 report was used.)

- State Route 636 (Francisco Road) from SR 609(Crumptown Road) to SR 619 (Apple Blossom Road)
 - Annual Average Daily Traffic: 670 vehicles per day (VPD)
 - Percentage of trucks with one trailer: 4% (27 VPD)
 - Peak Hour Factor: 0.112
 - Peak Hour Traffic: 75 vehicles per hour (VPH)
- State Route 609 (Crumptown Road) from SR 725 (Paradise Rd) to SR 636 (Francisco Road)
 - Annual Average Daily Traffic: 140 VPD
 - Percentage of trucks with one trailer: Not Published
 - Peak Hour Factor: Not Published
 - Peak Hour Traffic: Unable to Determine

Proposed New Traffic

As described in the SUP application narrative, the proposed sawmill plans to employ up to 10 workers. On an average day, the proposed sawmill anticipates 15 to 20 tractor trailers will enter the site with 6 to 8 tractor trailers being raw materials (log trucks) and 9 to 12 tractor trailers being for delivery of product (bark, sawdust, matts, and lumber). The narrative describes potential for future mill expansion, but any expansion will require a future SUP approval, therefore, the data below is for the proposed sawmill requested in the SUP application. The recommended truck traffic pattern (see Exhibit F) is used for the proposed new traffic analysis. The Institute of Transportation Engineers Trip Generation Manual, 10th Edition for General Urban/Suburban Areas is used to determine new traffic from the proposed sawmill as follows:

- New Annual Average Daily Traffic: 65 VPD on SR 609 (Crumptown Road) and SR 636 (Francisco Road)
 - (ITE140-Manufacturing) 10 employees times 2.47 trips per day = 25 VPD
 - 20 Tractor Trailers times 2 (Entering and Leaving) = 40 VPD
- AM Peak Hour Traffic: 9 VPH on SR 609 (Crumptown Road) and SR 636 (Francisco Road)
 - (ITE140-Manufacturing) 10 employees times 0.37 trips per hour = 4 VPH
 - 40 VPD (Tractor Trailers) times 1/8 (Equally Spaced All Day) = 5 VPH
- PM Peak Hour Traffic: 9 VPH on SR 609 (Crumptown Road) and SR 636 (Francisco Road)
 - (ITE140-Manufacturing) 10 employees times 0.33 trips per hour = 4 VPH
 - 40 VPD (Tractor Trailers) times 1/8 (Equally Spaced All Day) = 5 VPH

The traffic per the Trip Generation Manual is based on general urban/suburban areas and the engineer has found that the rates published for employees are typically inflated compared to the actual rate for a rural area.

Future Anticipated Traffic with the Proposed New Sawmill

The following traffic is anticipated on the roads affected by the proposed new sawmill:

- State Route 636 (Francisco Road) from SR 609(Crumptown Road) to SR 619 (Apple Blossom Road)
 - Annual Average Daily Traffic: 670 VPD (Existing) + 65 VPD (Proposed) = 735 VPD
 - Percentage of trucks with one trailer: 27 VPD (Existing) + 40 VPD (Proposed) = 67 VPD
 - Peak Hour Traffic: 75 VPH (Existing) + 9 VPH (Proposed) = 84 VPH
- State Route 609 (Crumptown Road) from SR 725 (Paradise Rd) to SR 636 (Francisco Road)
 - Annual Average Daily Traffic: 140 VPD (Existing) + 65 VPD (Proposed) = 205 VPD
 - Peak Hour Traffic: Not Enough Data to Compute

The effect of a new sawmill on SR 636 (Francisco Road) is a 9.7% increase in average daily traffic, a 148% increase in truck with one trailer traffic, and a 12% increase in peak hourly traffic. Francisco Road is classified as a Major Collector. The U.S Department of Transportation (USDOT) Federal Highway Administration's (FHA) Highway Functional Classification Concepts, Criteria and Procedures, 2013 Edition, Table 3-6, states that the rural AADT for a Major Collector should fall within the range of 300 and 2,600 VPD. With the proposed sawmill Francisco Road will have an AADT of 735 VPD, well within the USDOT FHA range.

The effect of a new sawmill on SR 609 (Crumptown Road) is a 46.4% increase in average daily traffic. The USDOT FHA's Highway Functional Classification Concepts, Criteria and Procedures, 2013 Edition, Table 3-6, states that the rural AADT for a Local Road should fall within the range of 15 and 400 VPD. With the proposed sawmill Crumptown Road will have an AADT of 205 VPD, well within the USDOT FHA range.

Reported Traffic Accidents

The VDOT Crash Analysis Tool website was utilized to collect data for accidents reported from 2015 through 2021 along the secondary roads for the recommended truck route for the proposed sawmill. The following data was collected from the tool:

- SR 636 (Francisco Road) from Route 15 (S. James Madison Highway) to SR609 (Crumptown Road)
 - 2015 Accidents – 5 Total
 - All 5 accidents involved a single car, pick-up, or SUV
 - 4 accidents involved a fixed object – off road collision
 - 1 accident involved a deer collision
 - 1 accident had a severe Injury
 - 4 accidents had property damage only
 - 2016 Accidents – 3 Total
 - 2 accidents involved a single car, pick-up, or SUV
 - 1 accident involved two cars, pick-ups, or SUVs
 - 2 accidents involved a deer collision
 - 1 accident involved an angle collision
 - All 3 accidents had property damage only
 - 2017 Accidents – 4 Total
 - 3 accidents involved a single car, pick-up, or SUV
 - 1 accident involved two two cars, pick-ups, or SUVs
 - 1 accident involved a deer collision
 - 2 accidents involved a fixed object – off road collision
 - 1 accident involved a head on collision
 - 1 accident had a visible injury
 - 1 accident had a severe injury
 - 2 accidents had property damage only
 - 2018 Accidents – 5 Total
 - All 5 accidents involved a single car, pick-up, or SUV
 - 4 accidents involved a fixed object – off road collision
 - 1 accident involved other collision
 - 3 accidents had visible/nonvisible injuries
 - 2 accidents had property damage only
 - 2019 Accidents – 6 Total
 - 5 accidents involved a single car, pick-up, or SUV
 - 1 accident involved two cars, pick-ups, or SUVs
 - 2 accidents involved a deer collision
 - 2 accidents involved a fixed object – off road collision
 - 1 accident involved an angled collision
 - 1 accident involved no collision
 - 1 accident had a visible injury
 - 1 accident had a severe injury
 - 4 accidents had property damage only
 - 2020 Accidents – 4 Total
 - 2 accidents involved a single car, pick-up, or SUV

- 1 accident involved a single 2-axle truck
 - 1 accident involved a single 3+ axle truck(no improper action reported)
 - 1 accident involved a non-collision (3+ axle truck)
 - 3 accidents involved a fixed object – off road collision
 - All 4 accidents had property damage only
- 2021 Accidents – 2 Total
 - 1 accident involved a single car, pick-up, or SUV
 - 1 accident involved a single 2-axle truck
 - 1 accident involved a fixed object – off road collision
 - 1 accident involved other collision
 - Both accidents had property damage only
- **Out of the 28 accidents reported over the 7 year period, 3 involved more than a single vehicle, all truck accidents were single vehicle accidents with the sole 3+ axle truck’s accident being deemed as “no improper action”.**
- SR 609 (Crumptown Road) from proposed entrance to SR 636 (Francisco Road)
 - 2015 Accidents – None
 - 2016 Accidents – None
 - 2017 Accidents – 1 Total
 - 1 accident involved a single car, pick-up, or SUV
 - 1 accident involved a fixed object – off road collision
 - 1 accident had a visible injury
 - 2018 Accidents – None
 - 2019 Accidents – None
 - 2020 Accidents – None
 - 2021 Accidents – None
 - **Only one accident was reported over the 7 year period with that accident being a single car, pick-up, or SUV fixed object - off road collision.**
 - **Crumptown Road currently has a trucking company located approximately halfway between the intersections of Francisco Road and the proposed sawmill entrance and no 3+ axle truck accidents were reported on Crumptown Road over the 7 year period.**

Noise

The proposed sawmill building, de-barker, and chipper are planned for a location that provides over 1,150 feet from the improvements to the subject parcel's eastern, southern and western property lines (see Exhibit G). The northern boundary adjoins a timber tract owned by Blue Rock Resources, LLC and the sawmill building is over 400' from that boundary. Exhibit G shows the location of 19 dwellings and a trucking company that are within a 1 mile radius of the proposed sawmill.

Sound pressure data has been provided by the proposed de-barker and chipper manufacturer (Precision Husky Corporation) as follows:

- Chipper
 - Out in the open, not in a building, and no object in its path
 - 70 decibels at 1,000'
 - 56 decibels at 1 mile
- De-barker
 - Out in the open, not in a building, and no object in its path
 - 64 decibels at 1,000'
 - 50 decibels at 1 mile

The provided decibel levels assume no absorption of the noise by a building or vegetation, therefore, it is the loudest the equipment can be at the distances provided. The proposed site will have existing forest buffers on the east, south, and west sides that will absorb and lower the sound pressures presented. The actual sound pressure (SPL2) without the absorption has been calculated at the nearest adjoining boundary as follows:

- Eastern Boundary (SR 609 Right of Way)
 - Chipper
 - $SPL2 = SPL1 - 20 * \log (R2/R1)$
 - $SPL2 = 70 \text{ dBA} - 20 * \log (1480'/1000')$
 - $SPL2 = 67 \text{ dBA}$
 - De-barker
 - $SPL2 = SPL1 - 20 * \log (R2/R1)$
 - $SPL2 = 64 \text{ dBA} - 20 * \log (1480'/1000')$
 - $SPL2 = 61 \text{ dBA}$
 - Combined Sound Pressure
 - Chipper – De-Barker
 - $67 \text{ dBA} - 61 \text{ dBA} = 6 \text{ dBA}$ (Results in adding 1 dBA to the highest level)
 - $67 \text{ dBA} + 1 \text{ dBA} = 68 \text{ dBA}$ (Combined SPL2)

- Southern Boundary (Unoccupied Lot)
 - Chipper
 - $SPL2 = SPL1 - 20 \cdot \log (R2/R1)$
 - $SPL2 = 70 \text{ dBA} - 20 \cdot \log (1175'/1000')$
 - $SPL2 = 69 \text{ dBA}$
 - De-barker
 - $SPL2 = SPL1 - 20 \cdot \log (R2/R1)$
 - $SPL2 = 64 \text{ dBA} - 20 \cdot \log (1175'/1000')$
 - $SPL2 = 63 \text{ dBA}$
 - Combined Sound Pressure
 - Chipper – De-Barker
 - $69 \text{ dBA} - 63 \text{ dBA} = 6 \text{ dBA}$ (Results in adding 1 dBA to the highest level)
 - $69 \text{ dBA} + 1 \text{ dBA} = 70 \text{ dBA}$ (Combined SPL2)
- Western Boundary (Unoccupied Forested Area)
 - Chipper
 - $SPL2 = SPL1 - 20 \cdot \log (R2/R1)$
 - $SPL2 = 70 \text{ dBA} - 20 \cdot \log (1298'/1000')$
 - $SPL2 = 68 \text{ dBA}$
 - De-barker
 - $SPL2 = SPL1 - 20 \cdot \log (R2/R1)$
 - $SPL2 = 64 \text{ dBA} - 20 \cdot \log (1298'/1000')$
 - $SPL2 = 62 \text{ dBA}$
 - Combined Sound Pressure
 - Chipper – De-Barker
 - $68 \text{ dBA} - 62 \text{ dBA} = 6 \text{ dBA}$ (Results in adding 1 dBA to the highest level)
 - $68 \text{ dBA} + 1 \text{ dBA} = 69 \text{ dBA}$ (Combined SPL2)
- Northern Boundary (Blue Rock Resources Timber Tract)
 - Chipper
 - $SPL2 = SPL1 - 20 \cdot \log (R2/R1)$
 - $SPL2 = 70 \text{ dBA} - 20 \cdot \log (407'/1000')$
 - $SPL2 = 78 \text{ dBA}$
 - De-barker
 - $SPL2 = SPL1 - 20 \cdot \log (R2/R1)$
 - $SPL2 = 64 \text{ dBA} - 20 \cdot \log (407'/1000')$
 - $SPL2 = 72 \text{ dBA}$
 - Combined Sound Pressure
 - Chipper – De-Barker
 - $79 \text{ dBA} - 72 \text{ dBA} = 6 \text{ dBA}$ (Results in adding 1 dBA to the highest level)
 - $79 \text{ dBA} + 1 \text{ dBA} = 80 \text{ dBA}$ (Combined SPL2)

- Nearest Adjoining Property Dwelling
 - Chipper
 - $SPL2 = SPL1 - 20 * \log (R2/R1)$
 - $SPL2 = 70 \text{ dBA} - 20 * \log (1789'/1000')$
 - $SPL2 = 65 \text{ dBA}$
 - De-barker
 - $SPL2 = SPL1 - 20 * \log (R2/R1)$
 - $SPL2 = 64 \text{ dBA} - 20 * \log (1789'/1000')$
 - $SPL2 = 59 \text{ dBA}$
 - Combined Sound Pressure
 - Chipper – De-Barker
 - $64 \text{ dBA} - 59 \text{ dBA} = 6 \text{ dBA}$ (Results in adding 1 dBA to the highest level)
 - $65 \text{ dBA} + 1 \text{ dBA} = 66 \text{ dBA}$ (Combined SPL2)

Disregarding the noise level at the Blue Rock Resources, LLC timber tract (no impacts to humans), the highest noise level is 70 dBA at the southern property line. Per a chart found at <https://ehs.yale.edu/sites/default/files/files/decibel-level-chart.pdf>, the 70 dBA is at the upper range of a normal conversation (see Exhibit H). Other sources compare 70 dBA to a dishwasher, typical office noise, and the noise inside a car driving 60 mph.

Summary

The following summarizes the information provided above:

- Mr. Yoder is under Notice of Violations with the Department of Environmental Quality. He has been diligent in his efforts to perform the corrective actions requested by the Department by cleaning-up the stream to the Department inspector's satisfaction and submitting plans for Stormwater Management and Erosion and Sediment Control. Corrective actions for several observations in the stormwater notice of violation cannot be accomplished without the approval of stormwater management plans. The engineer prefers that responses to DEQ's stormwater plan comments and the corresponding plan revisions reflect the County's approves or disapproval of a Special Use Permit for the proposed sawmill.
- Mr. Yoder has received a commercial entrance permit from VDOT for the proposed sawmill entrance. VDOT has completed the SUP application form and determined that a "Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds." The majority of truck traffic for the proposed sawmill is anticipated to come from and go to the Farmville area and it has been determined that the recommended route for truck traffic be South James Madison Highway to Francisco Road to Crumptown Road. Traffic analysis shows that with the addition of the sawmill traffic, both Francisco Road and Crumptown Road are well within their road classifications for annual average daily trips. Accident reporting shows that only one accident has occurred on Crumptown road in the past seven years and that Francisco Road had only one 3+ axle truck accident (deemed "no improper action") over the same 7 year period.
- Mr. Yoder has shown that his neighbors that occupy dwellings on adjacent parcels will only experience noise from the proposed sawmill that is equivalent to a common conversation, a dishwasher, typical office noise, or the noise inside a car driving 60 mph.

Exhibit A
(VDOT Land Use Permit -Commercial Entrance)

Commonwealth Of Virginia

Department Of Transportation

Land Use Permit



Permit No 319-35306

Status APPROVED

This permit only grants permission to use whatever rights the Commonwealth Transportation Board and the Department of Transportation have in the right of way and no more, and it is the obligation of the permittee to secure any other releases or permission that may be needed in order to perform the work.

Effective Date Nov 03, 2021

Expiration Date Nov 03, 2022

Reinstatement Date

Permittee Information	Your Job#	Surety & Account Receivable Information
Owner & Address Ike Y. Yoder 7041 Crumpton Rd. Farmville Virginia 23901	Agent	Name Ike Y. & Rebecca H. Yoder Surety Account 1561 Surety Type Cash/Check Amount 1,000.00 Obligation Amount 1,000.00 Surety Holder CUSTOMER
Contact Ike Yoder Phone# 4346037207 Fax# 24 Hr#	Contact Phone# Fax# 24 Hr#	

AUTHORIZATION: In compliance with your application, permission is hereby given insofar as the Commonwealth Transportation Board has the right, power, and authority under sections 33.2 - 210;33.2 - 240;33.2 - 241 of the Code of Virginia as amended, to grant by Special Agreement and/or by Land Use Permit for you to perform the work and or activity(s) described below:

Location

County/City/Town	Buckingham County	Highway Route(s)	609 - Crumpton Rd.
From Route Number	636	From Route Name	Francisco Rd.
To Route Number	725	To Route Name	Paradise Rd.

Work Description

Install a commercial sized entrance to serve a private sawmill. Remove vegetation and grade adjacent roadside banks to the north to promote sight distance. All disturbances shall have erosion and sediment control devices installed, as necessary in accordance with the VA E & S specifications and temporary or final seed and mulching applied in accordance with those same specifications.

Payment Reference	Payment Date	Payment Type	Payment Amount
1561	11/3/2021	Check	\$250.00

Applicant has complied with VA Code Section 56-265.15 Affidavit is attached.

TERMS: Applicable as stated in the VDOT Land Use Permit Regulations (current edition) and/or as per approved plans, and/or regulatory instructions, including but not limited to the LUP-SPG and/or agreement(s) attached hereto.

COMMONWEALTH TRANSPORTATION BOARD

By:  Nov 03, 2021

C. Daryl Edwards

Permits Manager

[] When checkbox is marked, by approving this permit, the issuing official certifies that the entrance was designed in accordance with Appendix F of the Road Design Manual

- C Call before you dig
- A Allow the required time for marking
- R Respect and protect the marks/flags
- E Excavate carefully

Call Miss Utility
811

FINAL INSPECTION & SURETY REQUIREMENTS: Upon completion of the work or activity(s) authorized under this Land Use Permit, the permittee shall contact the following office in writing or by electronic communication to request final inspection and release of the surety obligation for this permit.

Farmville Residency
637 Commerce Road
Farmville VA 23901

Permit No.319-35306

VDOT's Web Site: www.vdot.virginia.gov

Permittee Copy

Exhibit B1
(VWP Inspection Report – 9/24/2021 & 10/7/2021)



VWP Inspection Report

Project/Site Name: Yoder Property	VWP NP No.: 21-001368	Inspection Date: 9/24/2021 & 10/7/2021
Inspector Name: Cara Witte	Phone & Email Address: 804-527-5075; cara.witte@deq.virginia.gov	
Project/Site Address or Coordinates 37.396530°, -78.568034°	Others Present During Inspection: Lyn Hill, Buckingham County; Xing Lin and Matt Winebarger, DEQ Stormwater	

Inspection Summary

Project Background:

On September 15, 2021, DEQ VWP received information of land disturbance activities occurring at the subject property (7041 Crumptown Road, Farmville, Virginia; Parcel Number: 194-15) from Nicci Edmondston (Buckingham County Zoning Administrator) indicating "approximately 20 acres of land has been disturbed with no permit and a report of a saw mill to be located at this address. It also seems that sediment run off from this excavation has disturbed the nearby creek which flows directly to the Appomattox River."

According to the USFWS National Wetland Inventory (NWI), Dunkers Creek traverses the property north-south in the northeastern portion of the parcel. An unnamed tributary to Dunker Creek is also present and runs along the southern boundary flowing west to east. From USGS StreamStats, a small unnamed tributary may also be present flowing north-south and is bisected by the residential driveway. Additional surface waters not mapped by the NWI may also be present. A portion of the property contains soils mapped as Codorus-Hatsboro complex, 0 to 3 percent slopes, frequently flooded (NRCS 2021). This soil type is considered partially hydric by the National Resources Conservation Service. Hydric soils are those that form under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

As a result of the reporting from Buckingham County and the desktop findings, a DEQ VWP site inspection was scheduled with Lyn Hill (Buckingham County Solid Waste Manager, Code Enforcement, Erosion and Sediment Inspector) for September 24, 2021.

Inspection Observations:

On September 24, 2021, DEQ VWP met with Lyn Hill, Xing Lin, and Matt Winebarger. Lyn Hill indicated he had not been able to make contact with the property owners after three attempts and had not gained approval for entry to the site. Upon hearing this information, DEQ-VWP staff left the area of clearing and grubbing and attempted to make contact with the property owners. After no one answered at the residential home, DEQ-VWP left the property.

From visual observation and desktop resources, it appears impacts to jurisdictional surface waters may be present. Observations were made from the meeting point with Buckingham County show a stormwater basin had been constructed with an approximate 12 inch white HDPE pipe placed in potential jurisdictional surface waters (Photo 4). Extensive clearing and grubbing have taken place onsite with potential sediment runoff to Dunker Creek visible from the meeting point (Photos 2-5). DEQ-VWP observed at the driveway that new culverts had been placed within 70 linear feet of Dunker Creek. After leaving the property, DEQ-VWP inspected Dunker Creek from the County easement along Crumptown Road and observe sediment deposition within the channel with up to 10 inches of sediment observed (Photos 14-16).

Inspection Summary

On October 7, 2021, DEQ-VWP conducted a second site visit with property owner, Ike Yoder, Josh Amos and staff from A Cut Above Logging company. During this second visit, DEQ-VWP observed the area of clearing and grubbing and discussed the development project with Mr. Yoder. He indicated the clearing and grubbing activities were conducted for the future development of a saw mill. He said he had verbally contracted Mr. Jason Knabe of Knabe Logging to conduct the work and that as part of the agreement, Knabe Logging was to secure the necessary permits for the saw mill project. I asked if Mr. Yoder had spoken with Mr. Knabe since Buckingham County had placed a stop work order on the site and he indicated they had not spoken. Mr. Amos stated he was onsite to help Mr. Yoder stabilize the site.

DEQ-VWP then walked through the cleared area and down the eastern slope to Dunker Creek and observed sediment within the channel (Photos 23 and 28). DEQ-VWP then observed a small linear depression comprised of hydrophytic vegetation such as smooth rush (*Juncus effusus*), orange jewelweed (*Impatiens capensis*), smartweed (*Persicaria pensylvanica*), silky dogwood (*Cornus amomum*), needle spikerush (*Eleocharis acicularis*), three-way sedge (*Dulichium arundinaceum* var. *arundinaceum*), and common boneset (*Eupatorium perfoliatum*) (Photos 27, 31-36, 38). However, only small percentages of redox concentrations were observed within the first 12 inches of the soil. This linear non-jurisdictional feature appears to be man-made in uplands from the construction of a hunting trail at the toe of the slope.

DEQ-VWP continued to inspect Dunker Creek and measured sediment within the channel with up to 8 inch in isolated pockets (Photos 37, 39-40, 51, 53-60). The recently installed culverts appear to be countersunk on the inlet side (Photos 56-57). However, on the outlet side, the culvert pipe appears to be perched with additional outlet protection needed. Further, the stream banks of this recent construction need stabilization (Photos 56-57).

Potential Unauthorized Activities

From this inspection, it appears 70 linear feet of Dunker Creek has been impacted by the placement/upgrading of new culverts and approximately 2,556 linear feet of Dunker Creek has been impacted by sedimentation with up to 8 inches of deposition observed (See attached figure).

In addition, the following information is offered for reference:

Wetland and stream impacts resulting from an ongoing silvicultural operation or an ongoing agricultural operation are excluded from the requirement for a VWP permit. However, when an area ceases to be a silvicultural or agricultural operation – such as when grubbing begins, or when an operator wants to convert from silviculture to agriculture or any other use – the exclusion no longer applies. When grubbing begins on a site, activities in surface waters (including wetlands) are regulated by VA DEQ (See 9 VAC 25-210-60).

Please note, delineations conducted by the Department of Forestry, NRCS or other state or federal agencies (other than the Corps) do not identify the boundaries of waters under DEQ's jurisdiction. Such delineations often do not include headwater streams, ephemeral streams, isolated wetlands or other waters, and landowners are liable for activities in these waters conducted without a DEQ permit (See 9 VAC 25-210-45).

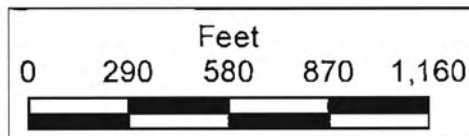
Responsible Party Information		
Name: Ike and Rebecca Yoder	Email:	Phone:
Address: 7041 Crumptown Road, Farmville, Virginia 23901		

Recommended Corrective Actions	
1.	Remove remaining sediments in stream bed using manual removal methods (ie. buckets and shovels) until the original stream substrate is met. This should be completed by December 1, 2021. Once completed, please contact Cara Witte at 804-527-5075 for a reinspection. If you have any questions about the corrective action, please contact Cara Witte.
2.	Install all E&S Controls in accordance with the Virginia Erosion and Sediment Control Handbook, Third Edition, 1992 and send photographs of completed work. This should be completed by December 1, 2021. Once completed, please contact Cara Witte at 804-527-5075 for a reinspection. If you have any questions about the corrective action, please contact Cara Witte.
3.	Stabilize exposed slopes and streambank. All denuded areas shall be properly stabilized in accordance with the Virginia Erosion and Sediment Control Handbook, Third Edition, 1992. This should be completed by December 1, 2021. Once completed, please contact Cara Witte at 804-527-5075 for a reinspection. If you have any questions about the corrective action, please contact Cara Witte.



Legend

- DEQ VWP Inspection Photos 09-24-2021
- NHD Rivers
- Virginia Parcels
- ▨ VA_Wetlands

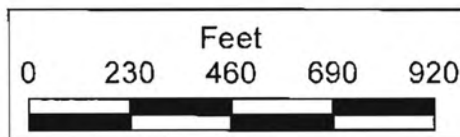


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CN, and the GIS User Community, Virginia Geographic Inform



Legend

- DEQ VWP Inspection Photos 10-07-2021
- Virginia Parcels
- ▨ VA_Wetlands



Site Inspection

Site Name: 21-001368 Yoder Property

Date: 09/24/2021



Photo 1 Staged equipment

Orientation E



Photo 2 Area of clearing and grubbing

Orientation N



Photo 3 Area of clearing and grubbing with
stormwater basin in the background

Orientation SW



Photo 4 Area of clearing and grubbing with
stormwater basin in the background

Orientation SW

Site Inspection

Site Name: 21-001368 Yoder Property

Date: 09/24/2021



Photo 5 Area of clearing and grubbing

Orientation SE



Photo 6 Sediment downslope of the stormwater basin. Viewed from the driveway

Orientation N



Photo 7 Driveway inlet. Viewed from the driveway

Orientation N



Photo 8 Adjacent ruderal pasture. Potential jurisdictional surface waters as shown in USGS Stream Stats

Orientation S

Site Inspection

Site Name: 21-001368 Yoder Property

Date: 09/24/2021



Photo 9
Orientation Staged equipment
 E



Photo 10
Orientation Staged equipment
 N/A



Photo 11
Orientation Unauthorized stream crossing
 N



Photo 12
Orientation Unauthorized stream crossing
 S

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 09/24/2021



Photo 13 Driveway entrance

Orientation SW



Photo 14 Dunker Creek located downstream of cleared area

Orientation SE



Photo 15 Soil profile with upland soil observed. Approximately 10 inches of sediment.

Orientation N/A



Photo 16 Dunker Creek located downstream of cleared area

Orientation NW

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 17 Stream crossing area at Dunker Creek

Orientation NE



Photo 18 Stream crossing area at Dunker Creek

Orientation S



Photo 19 Stream crossing area at Dunker Creek

Orientation N



Photo 20 Area of disturbance

Orientation NW

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 21 Access road to development site
Orientation NE



Photo 22 Area of clearing and grubbing
Orientation SE



Photo 23 Gully erosion observed upslope of
Dunker Creek
Orientation NE



Photo 24 Dunker Creek with no sediment
observed
Orientation NW

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 25 Dunker Creek with no sediment observed
Orientation N



Photo 26 Non-jurisdictional depression/hunting trail with hydrophytic vegetation
Orientation NW



Photo 27 Non-jurisdictional depression/hunting trail with hydrophytic vegetation
Orientation SE



Photo 28 Dunker Creek with sediment observed.
Orientation NW

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 29 Dunker Creek with sediment observed

Orientation SW



Photo 30 Soil core with approximately 5 inches of sediment observed

Orientation N/A



Photo 31 Non-jurisdictional depression/hunting trail with hydrophytic vegetation

Orientation SE



Photo 32 Non-jurisdictional depression/hunting trail with hydrophytic vegetation

Orientation SE

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 33 Soil core within the Non-jurisdictional depression/hunting trail
Orientation N/A



Photo 34 Non-jurisdictional depression/hunting trail with hydrophytic vegetation
Orientation SE



Photo 35 Non-jurisdictional depression/hunting trail with hydrophytic vegetation
Orientation NW

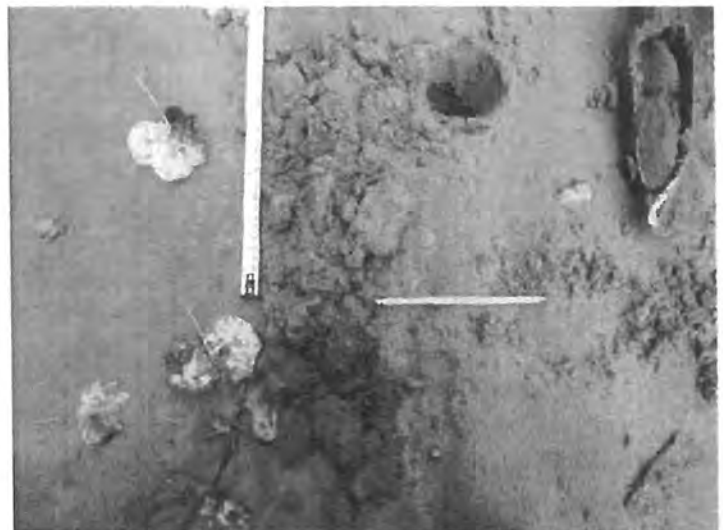


Photo 36 Soil core within the Non-jurisdictional depression/hunting trail
Orientation N/A

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 37 Dunker Creek with sediment observed

Orientation SE



Photo 38 Non-jurisdictional depression/hunting trail

Orientation S



Photo 39 Dunker Creek with sediment observed

Orientation NW



Photo 40 Dunker Creek with sediment observed

Orientation SE

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 41 Dunker Creek with sediment observed

Orientation SE



Photo 42 Upland riparian area with sediment observed

Orientation SE



Photo 43 Buffer Area between Dunker Creek and sawmill building site

Orientation N



Photo 44 Buffer Area between Dunker Creek and sawmill building site

Orientation S

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 45
Orientation
Constructed stormwater basin
W



Photo 46
Orientation
Constructed stormwater basin
W



Photo 47
Orientation
Constructed stormwater basin outfall
S



Photo 48
Orientation
Driveway culvert
NW

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 49 Staged equipment
Orientation E



Photo 50 Dunker Creek with sediment observed
Orientation S



Photo 51 Dunker Creek with sediment observed
Orientation S



Photo 52 Unnamed tributary to Dunker Creek.
No sediment observed
Orientation NE

Site Inspection



Site Name: 21-001368 Yoder Property

Date: 10/7/2021



Photo 53
Orientation

Dunker Creek with sediment observed
SE



Photo 54
Orientation

Dunker Creek with sediment observed
SE



Photo 55

Dunker Creek with sediment observed

Orientation

SE



Photo 56

Recently construction stream crossing.
Pipe is countersunk to an appropriate
depth. Bank stabilization needed
S

Orientation

Site Inspection

Site Name: 21-001368 Yoder Property



Date: 10/7/2021



Photo 57 Dunker Creek with sediment observed. Maintenance needed.
Orientation S



Photo 58 Dunker Creek with sediment observed. Downstream of stream crossing
Orientation SE



Photo 59 Dunker Creek with sediment observed. Downstream of stream crossing
Orientation SE



Photo 60 Dunker Creek with sediment observed. Downstream of stream crossing
Orientation S

Exhibit B2
(Construction GP Site Inspection Report –
9/24/2021)

CONSTRUCTION GENERAL PERMIT SITE INSPECTION REPORT LEVEL 1 (FOCUSED)



Project Name: Ike+Rebecca Yoder	Permit Number: NO Permit
Inspection Date: 9/24/2021	Time: 10:00 am

Project Address:	7041 Crumpton Rd	County/City:	Farmville
Project Operator:	Ike + Rebecca Yoder	Operator Telephone:	Na
Project Contact:	Ike + Rebecca Yoder	Contact Telephone:	na
Contact E-Mail:	NA	Qualified Personnel (QP):	na
Disturbed Acreage:	Aprx 30 ac	Est. Dist. Acres (At time of inspection):	30 ac
		Weather (Wet/Dry/Rain):	Dry, sunny

Linear Project: ☐ Yes ☒ No **Annual Stands. & Specs:** ☐ Yes ☒ No **VSMP Authority:** ☐ Locality ☒ DEQ

Stage of Construction:

☐ Initial Clearing & Grading ☒ Rough Grading ☐ Building Construction ☐ Final Grading
☐ Construction of SWM Facilities ☐ Final Stabilization ☐ Notice of Termination ☐ Other: _____

Nature of Project: ☐ Public ☒ Private ☐ State ☐ Federal ☐ Other: _____

Re-Inspection: ☐ Yes ☒ No

	COVERAGE & POSTING REQUIREMENTS	Yes	No	N/A	Reviewed during re-inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Comments/Description
1	Construction site has permit coverage? (Va. Code §62.1- 44.15:34.A) (9VAC25-870-310)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Observed land disturbance occurred more than 1 acre (roughly estimate between 20 and 30 acres) and CGP coverage has not been issued.
2	A copy of the notice of coverage letter is posted conspicuously near the main entrance of the construction activity? (CGP Part II.D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3	Notice of the location of the SWPPP is posted near the site's entrance, if applicable, and information for public access is provided? (9VAC25-870-54.G)(CGP Part II E.2 & 3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	SWPPP AVAILABILITY AND CONTENTS	Yes	No	N/A	Reviewed during re-inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Comments/Description
4	The SWPPP is on-site or made available during the inspection? (CGP Part II E.1 & 2)(9VAC25-870-54.G)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The SWPPP was not available during inspection.
5	The SWPPP contains a signed copy of the registration statement? (CGP Part II B.1.a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6	The SWPPP includes, upon receipt, a copy of the notice of coverage letter and the CGP? (CGP Part II B.1.b & c)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7	The SWPPP contains the name, phone number and qualifications of "Qualified Personnel" conducting inspections? (CGP Part II B.8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8	The SWPPP contains an approved erosion and sediment control plan? (9VAC25-870-54.B)(CGP Part II.B.2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The ESC plan was not developed or approved.
9	The SWPPP contains an approved stormwater management plan or an existing construction site has a stormwater management plan? (9VAC25-870-54.C)(CGP Part II.B.3) Technical Criteria II.B <input type="checkbox"/> II.C <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The SWM plan was not developed or approved.
10	The SWPPP contains a pollution prevention plan? (9VAC25-870-54.D)(CGP Part II.B.4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The P2 plan was not developed.

CONSTRUCTION GENERAL PERMIT SITE INSPECTION REPORT LEVEL 1 (FOCUSED)



Project Name: Ike+Rebecca Yoder	Permit Number: NO Permit
Inspection Date: 9/24/2021	Time: 10:00 am

	ESC AND SWM CONTROL MEASURES	Yes	No	N/A	Reviewed during re-inspection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments/Description
11	Sediment trapping measures are installed as a first step in the land disturbing activity? (9VAC25-840-40.4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No ESC measures installed.
12	Stabilization applied and/or established in accordance with CGP and ESC Minimum Standards? (9VAC25-840-40(1,2,3,5,7, and 15)) (9VAC25-880-60) (CGP Part I F.1(a)) (CGP Part II B.2.c.8) (CGP Part II B.5.b.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13	Operable storm sewer inlets are protected from sediment laden water? (9VAC25-840-40.10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14	Operational stormwater conveyance channels or pipes have adequate outlet protection and channel lining? (9VAC25-840-40.11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15	Transport of sediment onto paved surfaces is minimized? (9VAC25-840-40.17)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16	Are all control measures properly maintained in effective operating condition in accordance with good engineering practices and, where applicable, manufacturer specifications? (CGP Part II F.1) (9VAC25-840-60.A)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17	For Notice of Termination, permanent SWM control measures included in the SWPPP are in place? (9VAC25-880-60) (CGP Part I F.1(a))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	POLLUTION PREVENTION PRACTICES	Yes	No	N/A	Reviewed during re-inspection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments/Description
18	Have discharges of spilled and leaked fuels and chemicals from vehicle fueling and maintenance activities been prevented, if applicable? (CGP Part IIB.4 (e)(2))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
19	Have discharges of soaps, solvents, detergents, and washwater from construction materials, including the clean-up of stucco, paint, form release oils, and curing compounds been prevented, if applicable? (CGP Part IIB.4(e)(3))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
20	Is concrete washwater directed into a leak-proof container or leak-proof settling basin? (CGP Part IIB.4(e)(5))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	SITE EVALUATION AND AGENCY RECOMMENDATION	Yes	No	N/A	Request for Corrective Action attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments/Description
21	Are measures in place that have prevented or minimized actual or potential impacts occurring at the site or along the perimeter and at outfall locations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sediment deposited in stream channel. Please contact DEQ VWP inspector Cara Witte to clean up wetland.
22	VA DEQ's Risk Based Inspection Strategy has been satisfied. No local VSMP Authority or comprehensive DEQ re-inspection is required at this time.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Referred to Locality: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
23	Site inspection results are such that immediate or subsequent recommendation for issuance of a Warning Letter or Notice of Violation is NOT required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is being referred to DEQ enforcement.

Be advised that this inspection is **focused** on portions of the applicable statutory and regulatory requirements only. The purpose of the inspection is to assess the general condition and compliance level of the construction site and to evaluate the need for a more **comprehensive inspection** by DEQ or the local VSMP, as applicable, or the presence of actual or potential adverse impacts. The inspector's report is limited to the day, time, and specified statutory and regulatory requirements identified in the Report and Request for Corrective Action, if attached. Although some statutory or regulatory components may not be covered by this inspection report your responsibilities as the owner/operator are to comply with all applicable statutory and regulatory requirements.

CONSTRUCTION GENERAL PERMIT SITE INSPECTION REPORT LEVEL 1 (FOCUSED)



Project Name: Ike+Rebecca Yoder	Permit Number: NO Permit
Inspection Date: 9/24/2021	Time: 10:00 am

Inspector Signature: _____ Xing Lin _____ Date: 10/19/2021

REQUEST FOR CORRECTIVE ACTION

Checklist #	Regulatory Citation/Legal Requirement ¹	Occurrence	Observation/Recommended Corrective Action
1	(Va. Code §62.1-44.15:34.A) (9VAC25-870-310)	1st	Observation: Observed land disturbance occurred more than 1 acre (roughly estimate between 20 and 30 acres) and CGP coverage has not been issued. <u>Recommended Corrective Action:</u> Need to obtain the CGP coverage for the land disturbance activity immediately.
4	(9VAC25-870-54.G)	1st	Observation: The SWPPP was not available during inspection. <u>Recommended Corrective Action:</u> Need to develop the SWPPP and obtain a copy of the SWPPP onsite.
8	(9VAC25-870-54.B)	1st	Observation: There is no approved erosion and sediment control plan per Buckingham County. ESC plan was not developed or approved. <u>Recommended Corrective Action:</u> Need to develop the ESC plan and obtain Buckingham County approval.
9	(9VAC25-870-54.C)	1st	Observation: The SWM plan was not developed or approved per DEQ records. <u>Recommended Corrective Action:</u> Need to develop the SWM plan and obtain DEQ approval.
10	(9VAC25-870-54.D)	1st	Observation: The P2 plan was not available. <u>Recommended Corrective Action:</u> Need to develop P2 plan.
11	(9VAC25-870-54(B))	1st	Observation: No erosion and sediment controls were observed. <u>Recommended Corrective Action:</u> Need to install ESC measures per the ESC plan.

Comments:

Buckingham County staff Lyn Hill, DEQ staff Xing Lin, Cara Witte and Matt Winebarger performed the inspection. Site contractor Jason Knabe was onsite during inspection. He indicated the land disturbing activity was for agricultural purposes. However, he could not provide any proof or permit to support the "agricultural activity".

Recommended Corrective Action Deadline: 10/26/2021

Targeted Re-Inspection Date: TBD

The recommended corrective action deadline date applies to all conditions noted on this report unless otherwise noted. If listed condition(s) currently constitute non-compliance and/or corrective actions are not completed by the deadline, other enforcement actions may be issued to the entity responsible for ensuring compliance on the above project.

¹ Refers to applicable regulation found in the most recent publication of the State Water Control Law (Va. Code § 62.1-44.2 et seq.), Virginia Erosion and Sediment Control Regulations (9VAC25-840), the Virginia Stormwater Management Program (VSMP) Regulations (9VAC25-870), or the General VPDES Permit for Discharges of Stormwater from Construction Activities (9VAC25-880).

CONSTRUCTION GENERAL PERMIT SITE INSPECTION REPORT LEVEL 1 (*FOCUSED*)



Project Name: Ike+Rebecca Yoder	Permit Number: NO Permit
Inspection Date: 9/24/2021	Time: 10:00 am

Inspector Signature: _____Xing Lin_____ Date Transmitted: 10/19/2021

CONSTRUCTION GENERAL PERMIT SITE INSPECTION REPORT LEVEL 1 (FOCUSED)

Project Name: Ike+Rebecca Yoder

Permit Number: NO Permit

Inspection Date: 9/24/2021

Time: 10:00 am

CONSTRUCTION GENERAL PERMIT SITE INSPECTION PHOTO LOG

Fig. 1

Description: Site entrance.



Fig. 2

Description: Area to the right side of the entrance. Trees have been cut down and area has been graded.



Fig. 3

Description: Evidence of Land disturbance.



Fig. 4

Description: Evidence of Land disturbance.



CONSTRUCTION GENERAL PERMIT SITE INSPECTION REPORT LEVEL 1 (FOCUSED)

Project Name: Ike+Rebecca Yoder	Permit Number: NO Permit
Inspection Date: 9/24/2021	Time: 10:00 am

CONSTRUCTION GENERAL PERMIT SITE INSPECTION PHOTO LOG

Fig. 5

Description: Evidence of land disturbance occurred. No ESC measures installed or observed.



Fig. 6

Description: Evidence land disturbance occurred. No ESC measures installed or observed.



Fig. 7

Description: Evidence of land disturbance occurred. No ESC measures installed or observed.



Fig. 8

Description Evidence of land disturbance occurred. No ESC measures installed or observed.



CONSTRUCTION GENERAL PERMIT SITE INSPECTION REPORT LEVEL 1 (FOCUSED)

Project Name: Ike+Rebecca Yoder	Permit Number: NO Permit
Inspection Date: 9/24/2021	Time: 10:00 am

Fig. 9

Description: Evidence of land disturbance occurred. No ESC measures installed or observed.



Fig. 10

Description: Sediment deposited in stream channel below the site.



Fig. 11

Description: Sediment deposited in stream channel below the site.

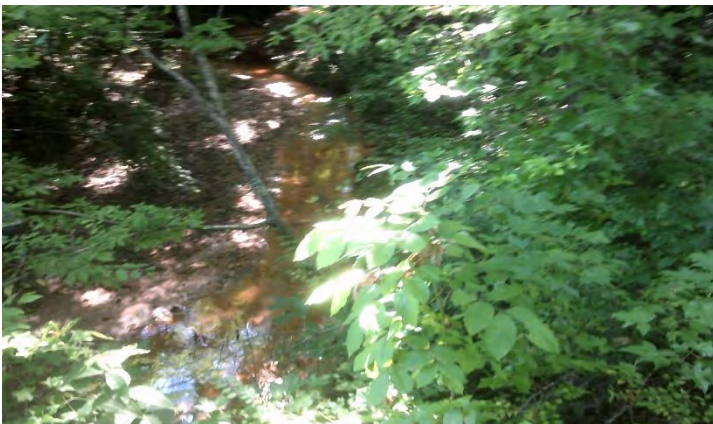


Fig. 12

Description:

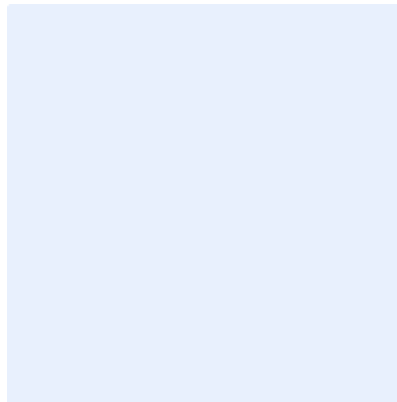


Exhibit C
(Notice of Violation – November 1, 2021)



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE
4949-A Cox Road, Glen Allen, Virginia 23060
(804) 527-5020 FAX (804) 698-4178
www.deq.virginia.gov

Ann F. Jennings
Secretary of Natural and Historic Resources

David K. Paylor
Director
(804) 698-4000

James J. Golden
Regional Director

November 1, 2021

Ike and Rebecca Yoder
7041 Crumptown Road
Farmville, Virginia 23901

Knabe Logging, LLC
Jason Knabe
2072 Gravel Hill Road
Dillwyn, Virginia 23936

NOTICE OF VIOLATION

RE: NOV No. 2110-002014
Virginia Water Protection Program Site No. 21-001368
Yoder Property, Buckingham County, Virginia

Dear Messrs. Knabe and Yoder, and Mrs. Yoder:

This letter notifies you of information upon which the Department of Environmental Quality ("Department" or "DEQ"), Piedmont Regional Office, may rely in order to institute an administrative or judicial enforcement action. Based on this information, DEQ has reason to believe that Ike Y. Yoder and Rebecca H. Yoder and Knabe Logging, LLC may be in violation of the State Water Control Law and Regulations at the property (Site) located on at 7041 Crumptown Road (37.395845, -78.56751), in Buckingham County, Virginia 23901.

This letter addresses conditions at the Site, and also cites compliance requirements of the State Water Control Law and Regulations. Pursuant to Va. Code § 62.1-44.15(8a), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* (APA). DEQ requests that you respond **within 30 days of the date of this letter** to arrange a prompt meeting.

OBSERVATIONS AND LEGAL REQUIREMENTS

On September 24, 2021, DEQ staff conducted a site meeting of the subject property with Buckingham County after receiving information, reporting impacts to surface waters due to clearing and grubbing activities. On October 7, 2021, DEQ staff conducted a second Virginia Water Protection ("VWP") Permit Program inspection at the Site after gaining access to the property from Mr. Yoder. The DEQ VWP

inspection report dated September 24, 2021 and October 7, 2021 is attached. The following describe the staff's factual observations and identify the applicable legal requirements.

***Observations:** Based on observations made during the October 7, 2021 DEQ inspection, approximately 2,556 linear feet of stream channel were impacted by the accumulation of up to 10 inches of eroded sediment due to sedimentation. DEQ has not issued a VWP Permit authorizing these impacts to surface waters.*

Legal Requirements: Va. Code §62.1-44.15:20(A) states "A. Except in compliance with an individual or general Virginia Water Protection Permit issued in accordance with this article, it shall be unlawful to: 1. Excavate in a wetland; 2. On or after October 1, 2001, conduct the following in a wetland: a. New activities to cause draining that significantly alters or degrades existing wetland acreage or function; b. Filling or dumping; c. Permanent flooding or impounding; or d. New activities that cause significant alteration or degradation of existing wetland acreage or functions; or 3. Alter the physical, chemical, or biological properties of state waters and make them detrimental to the public health, animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses unless authorized by a certificate issued by the Board."

9VAC 25-210-50 (A) states that "Except in compliance with a VWP permit, no person shall dredge, fill or discharge any pollutant into, or adjacent to surface waters, withdraw surface water, otherwise alter the physical, chemical or biological properties of surface waters and make them detrimental to the public health, or to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses; excavate in wetlands or on or after October 1, 2001, conduct the following activities in a wetland: 1. New activities to cause draining that significantly alters or degrades existing wetland acreage or functions; 2. Filling or dumping; 3. Permanent flooding or impounding; or 4. New activities that cause significant alteration or degradation of existing wetland acreage or functions."

ENFORCEMENT AUTHORITY

Va. Code § 62.1-44.23 of the State Water Control Law provides for an injunction for any violation of the State Water Control Law, any State Water Control Board rule or regulation, an order, permit condition, standard, or any certificate requirement or provision. Va. Code §§ 62.1-44.15 and 62.1-44.32 provide for a civil penalty up to \$32,500 per day of each violation of the same. In addition, Va. Code § 62.1-44.15 authorizes the State Water Control Board to issue orders to any person to comply with the State Water Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the State Water Control Law and regulations. Va. Code §§ 62.1-44.32(b) and 62.1-44.32(c) provide for other additional penalties.

The Court has the inherent authority to enforce its injunction, and the Court is authorized to award the Commonwealth its attorneys' fees and costs.

FUTURE ACTIONS

DEQ staff wishes to discuss all aspects of their observations with you, including any actions needed to ensure compliance with state law and regulations, any relevant or related measures you plan to take or have taken, and a schedule, as needed, for further activities. In addition, please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In order to avoid adversarial enforcement proceedings, DEQ may ask Ike Y. Yoder and Rebecca H. Yoder and Knabe

NOV No. 2110-002014
VWP Site No. 21-001368
Ike and Rebecca Yoder and Jason Knabe
Page 3 of 3

Logging, LLC to enter into a Consent Order with the Department to formalize a plan and schedule of corrective action and to settle any outstanding issues regarding this matter, including the assessment of civil charges.

In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. Also, if informal discussions do not lead to a satisfactory conclusion, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred. For further information on the Process for Early Dispute Resolution, please see Agency Policy Statement No. 8-2005 posted on the Virginia Regulatory Town Hall's website at: https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\440\GDoc_DEQ_2672_v1.pdf or ask the DEQ contact listed below.

Please contact Matt Richardson at 804-527-5060, Matthew.Richardson@deq.virginia.gov, or by postal mail at the address found in the letterhead above **within 30 days of the date of this letter** to discuss this matter and arrange a prompt meeting.

Sincerely,



Kyle Ivar Winter, P.E.
Deputy Regional Director

encl: DEQ VWP Inspection Report dated September 24, 2021 and October 7, 2021

cc w/ encl (via email):

Matt Richardson, DEQ PRO Enforcement
Jaime Robb, DEQ PRO VWP
Derek Tribble, DEQ PRO Stormwater
Steven Vanderploeg, USACE
Lyn Hill, Buckingham County

Exhibit D
(Notice of Violation – December 15, 2021)



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE
4949-A Cox Road, Glen Allen, Virginia 23060
(804) 527-5020 FAX (804) 698-4178
www.deq.virginia.gov

Ann F. Jennings
Secretary of Natural and Historic Resources

David K. Paylor
Director
(804) 698-4000

James J. Golden
Regional Director

December 15, 2021

Mr. Ike Yoder
7041 Crumptown Rd
Farmville, VA 23901

Notice of Violation

RE: NOV No. 2021-10-PRO-202
VPDES Site No. NP-2021-0173
7041 Crumptown Road (Parcel 194-15), Buckingham County, Virginia

Dear Mr. Yoder:

This letter notifies you of information upon which the Department of Environmental Quality ("Department" or "DEQ") may rely on in order to institute an administrative or judicial enforcement action. Based on this information, DEQ has reason to believe you may be in violation of the Virginia Stormwater Management Act and Regulation at the property located at 7041 Crumptown Rd (37.3961, -78.5687), tax parcel 194-15, in Buckingham County, Virginia 23901 (the "Site").

This letter addresses conditions at the Site and describes compliance requirements of the Virginia Stormwater Management Act, § 62.1-44.15:24 *et seq.* and Regulation. Pursuant to Va. Code § 62.1-44.15(8a), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* (APA). DEQ requests that you respond **within 30 days of the date of this letter** to arrange a prompt meeting with DEQ staff.

OBSERVATIONS AND LEGAL REQUIREMENTS

On September 24, 2021, DEQ staff conducted an inspection of the Site in Buckingham County after being informed of land disturbing activities at the Site. After the inspection, DEQ conducted a search of DEQ's permit database and discovered that DEQ has not approved coverage under the 2019 General VPDES Permit for Discharges of Stormwater Associated with

Construction Activities for the property located at 7041 Crumptown Road (tax parcel 194-15). Attached for your review is a copy of DEQ's inspection report documenting the site visit and findings from the record review. The following describes the staff observations and identifies applicable legal requirements:

1. *Observations:* During the September 24, 2021 inspection, DEQ staff observed land disturbing activities of greater than 1 acre have occurred at the Site in an area subject to stormwater runoff. Neither Mr. Yoder nor anyone acting on his behalf has registered for coverage under the 2019 General VPDES Permit for Discharge of Stormwater from Construction Activities, and DEQ has not issued any other certificate or permit for the discharge of stormwater from construction activities at the Site.

Legal Requirements: Va. Code § 62.1-44.15:34.A states in part: "A person shall not conduct any land-disturbing activity until he has submitted a permit application to the VSMP authority that includes a state VSMP permit registration statement, if such statement is required, and, after July 1, 2014, a stormwater management plan or an executed agreement in lieu of a stormwater management plan, and has obtained VSMP authority approval to begin land disturbance."

9 VAC 25-870-310(A) states: "Except in compliance with a state permit issued by the board pursuant to the Virginia Stormwater Management Act, it shall be unlawful for any person to discharge stormwater into state waters from . . . land-disturbing activities."

2. *Observations:* During the September 24, 2021 inspection, a Stormwater Pollution Prevention Plan (SWPPP) was not available onsite and a notice of the SWPPP's location was not posted near the main entrance of the Site.

Legal Requirements: 9 VAC 25-870-54(G) states in part: "The SWPPP must be maintained at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site."

9 VAC 25-870-53 states that: "This part applies to all regulated land-disturbing activities."

3. *Observations:* A file review for the Site revealed no evidence of an approved erosion and sediment control plan on file, nor had one been approved by Buckingham County.

Legal Requirements: Va. Code § 62.1-44.15.55 states "Except as provided in § 62.1-44.15.56 for state agency and federal agency land-disturbing activities, no person shall engage in any land disturbing activity until he has submitted to the VESCP authority an erosion and sediment control plan for the land-disturbing activity and the plan has been reviewed and approved."

9 VAC 25-870-54(B) states: “An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities. Prior to land disturbance, this plan must be approved by the VESCP authority or the department in accordance with the Virginia Erosion and Sediment Control Law and attendant regulations.”

4. *Observations:* A file review for the Site revealed a Stormwater Management Plan has not been submitted to or approved by DEQ.

***Legal Requirements:* Va. Code § 62.1-44.15:34.A states in part: “A person shall not conduct any land-disturbing activity until he has submitted a permit application to the VSMP authority that includes a state VSMP permit registration statement, if such statement is required, and, after July 1, 2014, a stormwater management plan or an executed agreement in lieu of a stormwater management plan, and has obtained VSMP authority approval to begin land disturbance.”**

9 VAC 25-870-54(C) states: “A stormwater management plan consistent with the requirements of the Virginia Stormwater Management Act and regulations must be designed and implemented during construction activities. Prior to land disturbance, this plan must be approved by the VSMP authority.”

ENFORCEMENT AUTHORITY

Va. Code § 62.1-44.15:42 of the State Water Control Law provides for an injunction for any violation of the Stormwater Management Act, or any rule, regulation, approved standard and specification, order, or permit condition issued by the State Water Control Board, DEQ, or authorized VSMP authority. Va. Code § 62.1-44.15:48 provides for a civil penalty up to \$32,500 per day of each specified violation. In addition, Va. Code § 62.1-44.15:25 authorizes the State Water Control Board to issue special orders to any person subject to state or VSMP authority permit requirements to comply with the Stormwater Management Act and regulations. Va. Code § 62.1-44.15 authorizes the State Water Control Board to issue orders to any person to comply with the State Water Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Va. Code § 62.1-44.15:37 authorizes issuance of a notice to comply with permit conditions and further authorizes a stop work order, permit revocation, or enforcement action for failure to comply with such a notice within the specified time period. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the State Water Control Law and regulations. Va. Code §§ 62.1-44.15:48(B) and 62.1-44.15:48(C) provide for other additional penalties.

FUTURE ACTIONS

DEQ staff wishes to discuss all aspects of their observations with you, including any actions needed to ensure compliance with state law and regulations, any relevant or related measures you plan to take or have taken, and a schedule, as needed, for further activities. In addition, please advise DEQ if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In order to avoid adversarial enforcement proceedings, DEQ may ask you to enter into a Consent Order with the Department to formalize a plan and schedule of corrective action, and to settle any outstanding issues regarding this matter, including the assessment of civil charges.

In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. In addition, if informal discussions do not lead to a satisfactory conclusion, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the Administrative Procedure Act on whether or not a violation has occurred. For further information on the Process for Early Dispute Resolution, please see Agency Policy Statement No. 8-2005 posted on the Virginia's Town Hall website under "Programs," "Enforcement," and "Laws, Regulations & Guidance," and "Process for Early Dispute Resolution" (https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\440\GD oc_DEQ_2672_v1.pdf) or ask the DEQ contact listed below.

Please contact Aree Reinhardt at (804) 712-8790 or Aree.Reinhardt@DEQ.Virginia.gov within **30 days of the date of this letter** to discuss this matter.

Sincerely,



Kyle Ivar Winter, P.E.
Deputy Regional Director

Encl: September 24, 2021 DEQ Inspection Report

CC: Lyn Hill, Buckingham County
Derek A. Tribble, DEQ Stormwater Manager
Aree Reinhardt, DEQ-PRO Enforcement

Exhibit E
(Application for a Traffic Impact Statement)

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: IKE YODER

Location: RT. 609/BUCKINGHAM CO.

Proposed Use: COMMERCIAL SAWMILL

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

☒ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No ☒ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Applicant has been issued a VDOT Land Use permit to perform necessary site work to bring entrance into compliance for proposed use.

Signature of VDOT Resident Engineer: C. D. Edwards

Printed Name: Charles D. Edwards Date: 11/17/21

Exhibit F
(Truck Traffic Pattern to/from Farmville Area)

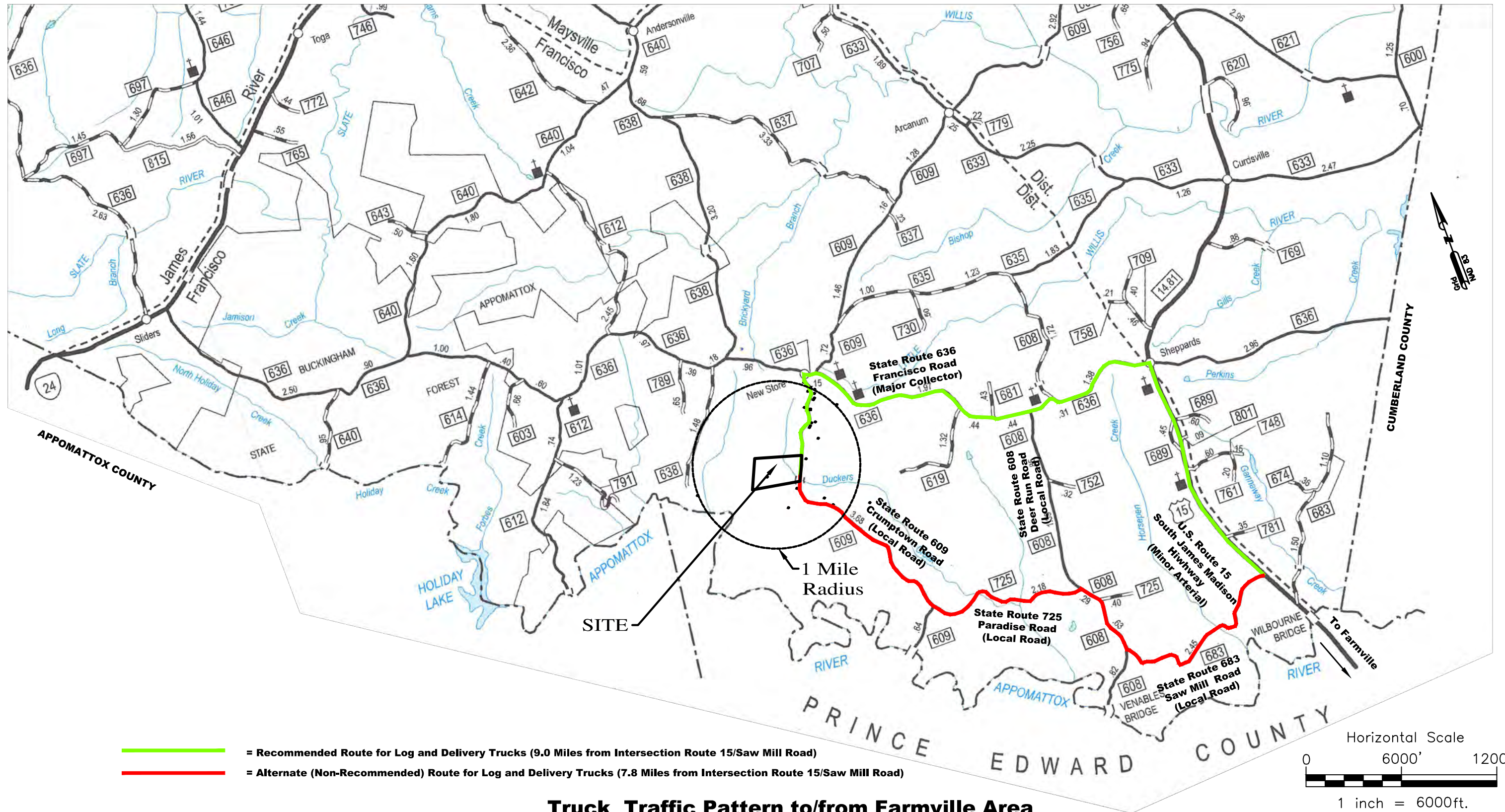
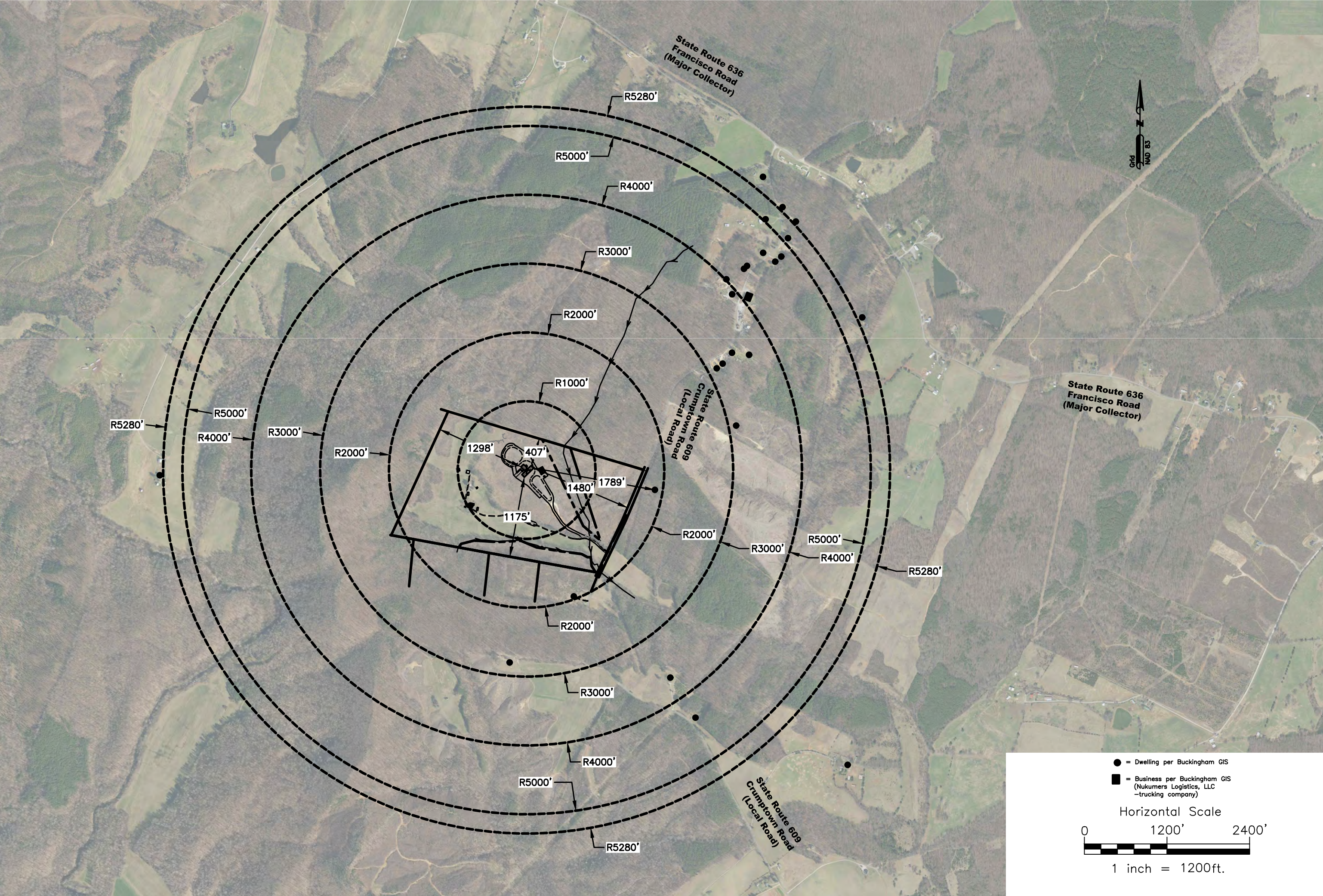


Exhibit G
(Vicinity Map)



- = Dwelling per Buckingham GIS
- = Business per Buckingham GIS (Nukumers Logistics, LLC -trucking company)

Horizontal Scale



1 inch = 1200ft.

Exhibit H
(Decibel Level Comparison Charts)

Decibel Level Comparison Chart

Environmental Noise	<i>dB</i>A
Jet engine at 100'	140
Pain Begins	125
Pneumatic chipper at ear	120
Chain saw at 3'	110
Power mower	107
Subway train at 200'	95
Walkman on 5/10	94
<i>Level at which sustained exposure may result in hearing loss</i>	80-90
City Traffic	85
Telephone dial tone	80
Chamber music, in a small auditorium	75-85
Vacuum cleaner	75
Normal conversation	60-70
Business Office	60-65
Household refrigerator	55
Suburban area at night	40
Whisper	25
Quiet natural area with no wind	20
Threshold of hearing	0

Source: <https://ehs.yale.edu/sites/default/files/files/decibel-level-chart.pdf>

Note: dBA = Decibels, A weighted

NOISE LEVELS



Buckingham County Planning Commission

May 23, 2022

Administration Building

7:00 PM

Introduction Case 22-ZMAZTA308

Owner/Applicant: Landowner James Madison Highway LLC
200 Carlton Road
Charlottesville VA 22902

Applicant J Aaron Revere
13 Stonehurst Green
Richmond VA 23226

Property Information: Tax Map 125 Parcel 5 Lot 5, containing approximately .99 acres, located at Buckingham Centre Drive Dillwyn VA 23936, Curdsville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: Zoning Map Amendment-The Applicant is asking the Planning Commission to recommend a Public Hearing Date to hear the Request for a Zoning Map Amendment Rezoning from Business B1 to Light Industrial M1 for the Purpose of Business Expansion and a Zoning Text Amendment to Add LP Gas, Natural Gas Storage to a list of Special Uses in M1 Light Industrial Zoning District.

Background/Zoning Information: This property is located at Buckingham Centre Drive Dillwyn VA 23936 . This property is currently zoned Business B1, the is James Madison Highway LLC and the applicant is J Aaron Revere. James Madison Highway LLC, (Tiger Fuel) is requesting this Zoning Map Amendment and Zoning Text Amendment for the purpose of business expansion and maintain integrity of existing Zoning Ordinance uses and integrity. The purpose of this request is to provided LP Storage that will enable better regional service to local customers, residential and commercial.

What are the wishes of the Planning Commission?

Set a hearing June 27, 2022 7pm?

REZONING APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a rezoning application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 5, 6 & 7 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES NO

Completed application for rezoning (pages 3 & 4 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES NO

Interest Disclosure Affidavit (page 8 attached). Must be signed by the owner: ☒ YES NO

Power of Attorney (page 11 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: ☒ YES NO

Written Narrative (page 12 guidance in preparing the Written Narrative): ☒ YES NO

Fees: ☒ YES NO

Deed: ☒ YES NO

Plat (15 copies). The plat information may be incorporated into the Rezoning General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES NO
- B. Area of land proposed for consideration, in square feet or acres: ☒ YES NO
- C. Scale and north point: ☒ YES NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO

Rezoning General Site Plan (15 copies) The General Site Plan must contain the following:

- 1. Vicinity Map – Please show scale: ☒ YES NO N/A
- 2. Owner and Project Name: ☒ YES NO N/A
- 3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
- 4. Property lines of existing and proposed zoning district lines: ☒ YES NO N/A
- 5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
- 6. Scale and north point: ☒ YES NO N/A
- 7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO N/A

8. Easements and encumbrances, if present on the property: ☒ YES ☐ NO ☐ N/A
9. Topography indicated by contour lines: ☒ YES ☐ NO ☐ N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): ☐ YES ☐ NO ☒ N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"):
☐ YES ☐ NO ☒ N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines":
☐ YES ☐ NO ☒ N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: ☒ YES ☐ NO ☐ N/A
14. General locations of major access points to existing streets: ☒ YES ☐ NO ☐ N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: ☐ YES ☐ NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: ☐ YES ☐ NO ☒ N/A
17. Location of existing and proposed utilities, above or underground: ☒ YES ☐ NO ☐ N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: ☒ YES ☐ NO ☐ N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES ☐ NO ☐ N/A
20. Location and design of screening and landscaping: ☐ YES ☒ NO ☐ N/A
21. Building architecture: ☐ YES ☐ NO ☒ N/A
22. Site lighting proposed: ☐ YES ☐ NO ☒ N/A
23. Area of land disturbance in square feet and acres: ☐ YES ☒ NO ☐ N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more):
☐ YES ☒ NO ☐ N/A
25. Historical sites or gravesites on general site plan: ☐ YES ☐ NO ☒ N/A
26. Show impact of development of historical or gravesite areas: ☐ YES ☐ NO ☒ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☐ YES ☒ NO ☐ N/A

APPLICATION FOR A ZONING MAP AMENDMENT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: May 4, 2022

Zoning Map Amendment: From B-1 to M-1

Purpose of Zoning Map Amendment: Rezone From B-1 to M-1 to better align with intended use to
Provide for LP Storage that will enable better regional service by Tiger Fuel to local customers
(residential and commercial)

Zoning District: currently B-1, requesting rezoning to M-1 Number of Acres: 0.99

Tax Map Section: 125 Parcel: 5 Lot: 5
Subdivision: Sprouse's Corner Lot 5 Magisterial Dist.: _____

Street Address: Buckingham Centre
Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: J. Aaron Revere
Mailing Address: 13 Stonehurst Green, Richmond VA 23226

Daytime Phone: _____ Cell Phone: 804 - 687 - 6316


Email: arevere@newbayllc.com Fax: _____

Name of Property Owner: JAMES MADISON HIGHWAY LLC

Mailing Address: 200 CARLTON RD, CHARLOTTESVILLE VA 22902

office Phone: 434-293-6157 direct Phone: (434) 817-2618

Email: suttont@tigerfuel.com Fax: _____

Signature of Owner:  Date: 5/4/22

Signature of Applicant:  Date: 05/04/22

Please indicate to whom correspondence should be sent:

___ Owner of Property ___ Contractor Purchaser / Lessee ☒ **Authorized Agent** ___ Engineer
___ Applicant

APPLICATION FOR A ZONING TEXT AMENDMENT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 5/4/22

Zoning Text Amendment: Request is to include "LP Gas Storage" within the list of uses permitted by Special Use Permit within M-1 zoning District

Purpose of Zoning Text Amendment: to more clearly allow and permit LP Gas Storage within M-1 by Special Use Permit

Permitted Use List: Yes: _____ No: ☒ Special Use Permit List: Yes: ☒ No: _____

Zoning District: currently B-1, requesting rezoning to M-1 Number of Acres: 0.99

Tax Map Section: 125 Parcel: 5 Lot: 5 Subdivision: Sprouse's Corner Lot 5 Magisterial Dist.: _____

Street Address: Buckingham Centre

Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: J. Aaron Revere

Mailing Address: 13 Stonehurst Green, Richmond VA 23226

Daytime Phone: _____ Cell Phone: 804 - 687 - 6316

Email: arevere@newbayllc.com Fax: _____

Name of Property Owner: JAMES MADISON HIGHWAY LLC

Mailing Address: 200 CARLTON RD, CHARLOTTESVILLE VA 22902

office Phone: 434-293-6157 direct Phone: (434) 817-2618

Email: suttont@tigerfuel.com Fax: _____

Signature of Owner:  Date: 5/4/22

Signature of Applicant:  Date: 05/04/22

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☒ Authorized Agent ☐ Engineer
☐ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: **BUCKINGHAM SOLAR PROPERTIES LLC**

Mailing Address: **12508 PARADISE SPRING RD, Clifton VA 20124**

Physical Address:

Tax Map Section: **125** Parcel: **5** Lot: **4** Subdivision: **SPROUSES CORNER LOT 4**

2. Name: **JAMES MADISON HIGHWAY LLC**

Mailing Address: **200 CARLTON RD, Charlottesville, VA 22902**

Physical Address:

Tax Map Section: **125** Parcel: **5** Lot: **6** Subdivision: **SPROUSES CORNER LOT 6**

3. Name: **JAMES MADISON HIGHWAY LLC**

Mailing Address: **200 CARLTON RD, Charlottesville, VA 22902**

Physical Address:

Tax Map Section: **125** Parcel: **17A** Lot: **1** Subdivision:

4. Name: **JAMES MADISON HIGHWAY LLC**

Mailing Address: **200 CARLTON RD, Charlottesville, VA 22902**

Physical Address:

Tax Map Section: **125** Parcel: **5** Lot: **7** Subdivision: **SPROUSES CORNER LOT 7**

5. Name: **COUNTY OF BUCKINGHAM**

Mailing Address: PO BOX 252, BUCKINGHAM VA 23921

Physical Address: _____

Tax Map Section: 138 Parcel: 15 Lot: _____ Subdivision: _____

6. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

7. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF ~~BUCKINGHAM~~

City Charlottesville

This 4th day of MAY, year 2022,

I Taylor Sutton for James Madison Highway LLC hereby make oath that the list of
(printed name of owner/contract purchaser/authorized agent)

adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

Taylor Sutton

owner / contract purchaser / authorized agent – please circle one)

NOTARY:

COMMONWEALTH OF VIRGINIA

City

COUNTY OF Charlottesville

STATE OF Virginia

Subscribed and sworn to me on the 4th day of May,

of the year 2022. My Commission expires on 01/31/2024.

Notary Public Signature:

Kelsey Schleier

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

~~COUNTY OF BUCKINGHAM, VIRGINIA~~

City Charlottesville

On this 4th day of MAY, year 2022,

I Taylor Sutton for James Madison Highway LLC (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Taylor Sutton

NOTARY PUBLIC

~~COUNTY OF~~ Charlottesville

STATE OF Virginia

City

Subscribed and sworn to me on this 4th day of May,

of the year 2022. My commission expires 01/31/2024.

Notary Public Signature: Kelsey Schlein

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Vacant with prior land disturbing activity; raw land

County Records Check (describe the history of this property):

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No _____

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No _____

If yes, please explain any impact:

Owner/Applicant Signature:  Date: 05 / 3 / 22
Printed Name: J. Aaron Revere Title: Owner's Authorized Rep

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: J. Aaron Revere

Location: approximately 500' southeast of the intersection of James Madison Hwy and Buckingham Centre Drive

Proposed Use: LP Gas, Natural Gas Storage & Distribution

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: _____

Printed Name: _____ Date: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this 4th day of MAY, in the year of 2022

I Taylor Sutton the owner of 125 - 5 - 5
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint J. Aaron Revere and Kelsy Schlein
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day 4th of the month May in the year of 2022 and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

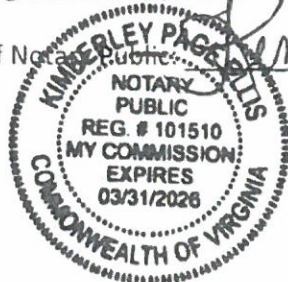
Signature of Landowner (to be signed in front of Notary Public):

Taylor Sutton

NOTARY PUBLIC
County of Charlottesville State of Virginia
CITY

Subscribed and sworn before me on the 4th day of May
in the year 2022. My commission expires 3-31-26

Signature of Notary Public Kimberly Page Ellis
Stamp:



WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner:  _____

Date: 5 / 4 / 22

TENTATIVE SCHEDULE FOR A REZONING AMENDMENT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

January 25	Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22.
February 22	Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting.
March 8	Case is introduced to Board of Supervisors.
April 12	Board of Supervisors may approve / deny / table for more information.

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

SHIMP ENGINEERING, P.C.
Design Focused Engineering

May 4, 2022

Mrs. Nicci Edmondston
Buckingham County Planning + Zoning
13380 West James Anderson Hwy
Buckingham, VA 23921

RE: Dillwyn Tiger Fuel – Rezoning, Zoning Text Amendment, and Special Use Permit

Dear Mrs. Edmondston,

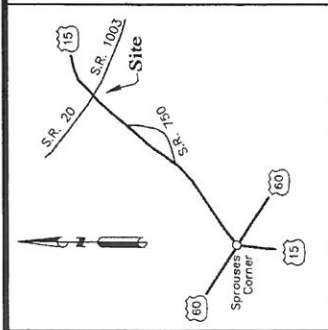
Please find the initial submission of the above referenced land use applications for Dillwyn Tiger Fuel. Included with this submission are the following documents:

1. Rezoning + ZTA form
2. Special Use Permit form
3. Project Narrative
4. Concept Plan
5. Recorded Plat
6. Most recent deed of sale listing James Madison Highway LLC as property owner

If you have any questions, please do not hesitate to contact me at kelsey@shimp-engineering.com or by phone at 434-227-5140.

Best regards,

Kelsey Schlein
Shimp Engineering, P.C.



Vicinity Map

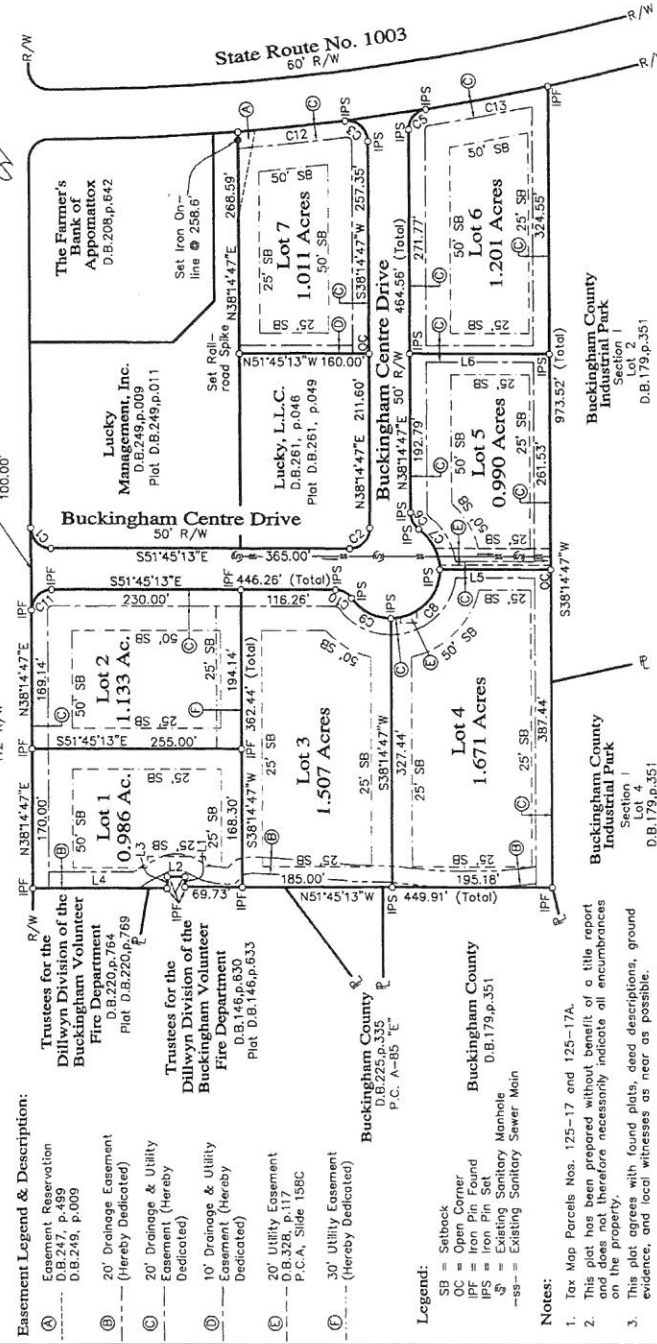
Not to Scale

Curve	Radius	Arc	Ch. Brg.	Ch. Dist.	Delta
C1	25.00'	39.27'	S06°45'13"E	35.36'	90°00'00"
C2	25.00'	39.27'	N83°14'47"E	35.36'	90°00'00"
C3	25.00'	42.40'	S10°20'39"E	37.50'	97°10'53"
C4	2894.79'	100.17'	S59°55'34"E	100.16'	1°58'57"
C5	25.00'	35.27'	N78°38'52"E	32.42'	80°50'10"
C6	25.00'	23.55'	N11°15'44"E	22.69'	53°58'05"
C7	60.00'	56.52'	N11°15'44"E	54.45'	53°58'05"
C8	60.00'	94.25'	N83°14'47"E	84.85'	90°00'00"
C9	60.00'	56.52'	S24°46'10"E	54.45'	53°58'05"
C10	25.00'	23.55'	S24°46'10"E	22.69'	53°58'05"
C11	25.00'	39.27'	N83°14'47"E	35.36'	90°00'00"
C12	2894.79'	132.58'	S57°37'22"E	132.57'	2°37'27"
C13	2894.79'	151.81'	S62°25'11"E	151.79'	3°00'17"

Line	Bearing	Length
L1	N38°14'47"E	12.35'
L2	N51°45'13"W	21.00'
L3	S41°06'45"W	14.07'
L4	N51°45'13"W	163.57'
L5	S51°45'13"E	135.18'
L6	S51°45'13"E	170.18'

U.S. Hwy. 15

112' R/W



Buckingham Centre

Subdivision

Curdsville District, Buckingham County, Virginia

October 27, 2005
Revised: March 30, 2006

Scale: 1 in. = 100 ft.



Plat C-16, Slide 163 B



Surveyor

I, Robert S. Maxey, Jr., L.S., do hereby certify that as shown on this plat containing 5.499 Acres, more or less, being of that land owned by the Harry C. Pearson Estate, D.B.247 p.499.

March 30, 2006
Date
Robert S. Maxey, Jr.
Land Surveyor

Owner

This subdivision known as Buckingham Centre containing 5.499 Acres, more or less, in 7 lots and 1.288 Acres, more or less, hereby dedicated as Buckingham Centre Drive for public use, is in accordance with the desire of the undersigned owner(s).

4/7/06
Date
4/7/06
Date
H.C. Pearson
Owner
H.C. Pearson
Owner

Notary

County/City of Buckingham
State of Virginia
Spottsley
and A. Carter Pearson
do hereby certify that Buckingham Centre
and A. Carter Pearson
whole name(s) is/are signed above has/have on the
11th day of April, 2006, acknowledged the same
before me.
Notary Public Spottsley
My Commission Expires the 31st day of December, 2009

This map was recorded in the Clerk's Office of the Circuit Court of Buckingham Virginia on the 12 day of June, 2006.
This map was received and admitted to record in the Clerk's Office of the Circuit Court of Buckingham Virginia on the 12 day of June, 2006.
Clerk of Circuit Court Kathleen D.

This subdivision known as Buckingham Centre is approved by the undersigned in accordance with existing regulations and may be permitted to record.
Date 4/7/06
Subdivision Administrator
Date 3/31/06
Health Officer
Date 4/6/06
Engineer

Maxey-Hines & Associates, P.C.
Land Surveyors • Engineers • Planners • Consultants
P.O. Box 90 • Farmville • Virginia • 23901 • Tel: 434-382-8827

Legend:

- SB = Setback
- OC = Open Corner
- IPF = Iron Pin Found
- IPF = Iron Pin Set
- SS = Existing Sanitary Manhole
- SS = Existing Sanitary Sewer Main

Notes:

- Tax Map Parcels Nos. 125-17 and 125-17A.
- This plat has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.
- This plat agrees with found plats, deed descriptions, ground evidence, and local witnesses as near as possible.
- This land is situated in F.I.R.M. Flood Plain Zone C (not a special flood hazard area) as shown on the Buckingham County Flood Hazard Map No. 510026 0125 A. Effective date July 17, 1978.
- Setback (SB) requirements: 50 ft. from public road right of way 25 ft. from sides and rear lot lines.
- Individual lot owners shall obtain an Erosion and Sediment Control Permit from the County prior any land disturbance.
- A 20 ft. wide public utility easement along the entire road frontage that serves all lots is hereby dedicated.
- Location of all private entrances will be addressed upon individual requests for entrance permit(s) from VDOT.
- This plat is based on a field survey completed on October 14, 2005.
- Lots to be served by public water and sanitary sewer.
- Offsite easements appurtenant to site in D.B.328, p.111.
- Easements over portions of Buckingham Centre Drive affecting premises in D.B.328, p.117, D.B.261, p.46, and D.B.249, p.9.

Project Narrative For: Dillwyn Tiger Fuel
Parcel Description: Tax Map Parcel 125-5-5
Initial Submittal: May 4, 2022

	ACREAGE	EXISTING ZONING	PROPOSED ZONING	COMP PLAN DESIGNATION
TMP 125-5-5	.99	B-1	M-1 with SUP for LOP Gas, Natural Gas Storage and Distribution	High Growth Area

Project Proposal:

James Madison Highway is the owner (the “Owner”) of tax parcel 125-5-5, a .99 acre property in Buckingham Virginia with frontage on Buckingham Centre Drive (the “property”). The Owner seeks to establish LP Gas storage and distribution on the property to better serve their commercial and residential customers in the area. To establish LP Gas storage and distribution on the property, the Owner proposes three (3) requests: a rezoning, a zoning text amendment (“ZTA”), and a special use permit. The Owner respectfully requests a rezoning of the property from B-1 to M-1; concurrent with the rezoning request, the Owner requests a zoning text amendment to permit LP Gas, Natural Gas Storage by special use permit in the M-1 District. Lastly, the Owner requests a special use permit to permit the proposed use in the M-1 district, if the property is rezoned.

Consistency with the Comprehensive Plan:

Land Use

The property is located within an area designated as “High Growth” in the Buckingham County Comprehensive Plan, adopted September 14, 2015. The High Growth area calls for a clustering of broad land uses and is appropriate for residential, business, and limited industrial development of medium and higher density (*Comprehensive Plan*, 188). The proposed use on the property is consistent with the High Growth designation; the proposed industrial-type use has limited impacts on adjacent properties as it is not a producer of smoke, dust, excessive noise, or a high volume of traffic. In the context of the surrounding area, the property is directly adjacent to land zoned M-1 and is directly behind a well-established gas station, and fits within the context of its surroundings.

Community Design

The property is accessed from Buckingham Centre Drive, this access road provides frontage to multiple properties while limiting the points of conflict with Route 15. The property is relegated behind an established gas station and is more than 500’ from Route 15.

Cultural Resources

There are no known cultural resources on the property.

Economic Development

Allowing this property to develop with LP Gas, Natural Gas Storage allows for customers in the area to be better served. The property is currently unimproved and developing the property will create additional tax revenues for Buckingham County.

Environment

Land disturbance and permanent stormwater management for the property will comply with local and state DEQ regulations. The storage of LP Gas on the property will comply with all local, state, and federal regulations.

Fire and Rescue, Law Enforcement

It is not anticipated this use will require law enforcement or fire and rescue services on a regular basis. In the event of an emergency, the Dillwyn Fire Department is located approximately 1,000' from the property.

Housing

As an industrial use, this component is not applicable.

Libraries

As an industrial use, this component is not applicable.

Parks and Open Spaces

As an industrial use, this component is not applicable.

Potable Water

This proposed use is not anticipated to have an impact on the potable water supply as it is not located within the Watershed Overlay District. At this time a public water connection to the site is not anticipated.

Sewage

The property is not expected to have a public sewer connection at this time and therefore there are no anticipated impacts on the public sewer system.

Schools

As an industrial use, this component is not applicable.

Telecommunications

The proposed use is not expected to have an impact on telecommunications facilities.

Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual 10th Edition does not have directly comparable data for the proposed use however; the Owner has comparable data from other sites that they operate in Central Virginia. It is anticipated that on peak days, there will be 14 trips affiliated with the site (7 in; 7 out). This use is an extremely low trip generator.

Solid Waste

It is not anticipated that this site will produce solid waste.

REZONING + SPECIAL USE PERMIT APPLICATION
CONCEPT PLAN + EXHIBITS

DILLWYN TIGER FUEL

TAX PARCEL 125-5-5

project ID: 21.023

SUBMITTED 04 MAY 2022

Context Map

Sheet 1 of 5

INDEX OF SHEETS

- 1 - Cover & Context Map
- 2 - Existing Conditions
- 3 - Zoning Map
- 4 - Concept Plan
- 5 - Off-Site Stream Exhibit

OWNER/DEVELOPER

James Madison Highway LLC
200 Carlton Road
Charlottesville, VA 22902

TAX PARCEL

125-5-5

ACREAGE

0.99

SOURCE OF BOUNDARY & TOPOGRAPHY

Field survey completed by Foresight Survey, P.C.

FLOODZONE

According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51029C0300B), this property does not lie within a 100-year flood plain.

ZONING

EXISTING: B-1 Commercial

PROPOSED: M-1 Industrial w/ Special Use permit for LP Gas, Natural Gas Storage

USE

EXISTING: Vacant

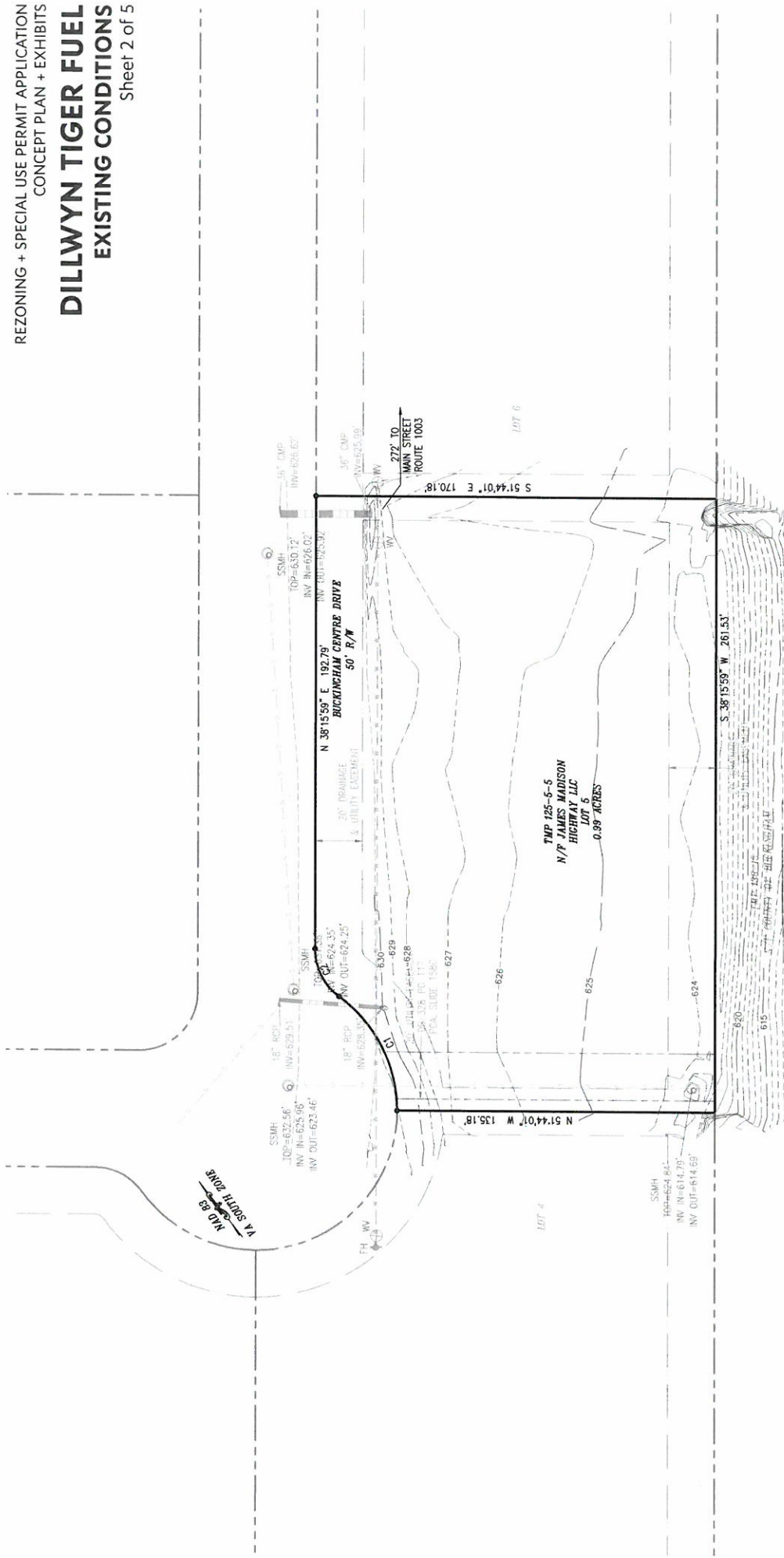
COMPREHENSIVE PLAN DESIGNATION: High Growth Area
PROPOSED: LP Gas, Natural Gas Storage & Distribution

SHIMP ENGINEERING, P.C.

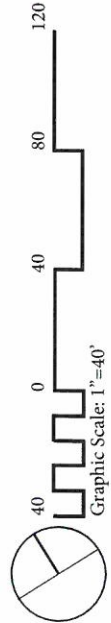


DILLWYN TIGER FUEL EXISTING CONDITIONS

Sheet 2 of 5



BOUNDARY CURVE TABLE			
CURVE	RADIUS	ARC LENGTH	CHORD BEARING
C1	59.99'	56.52'	54.45'
C2	25.00'	23.55'	22.69'

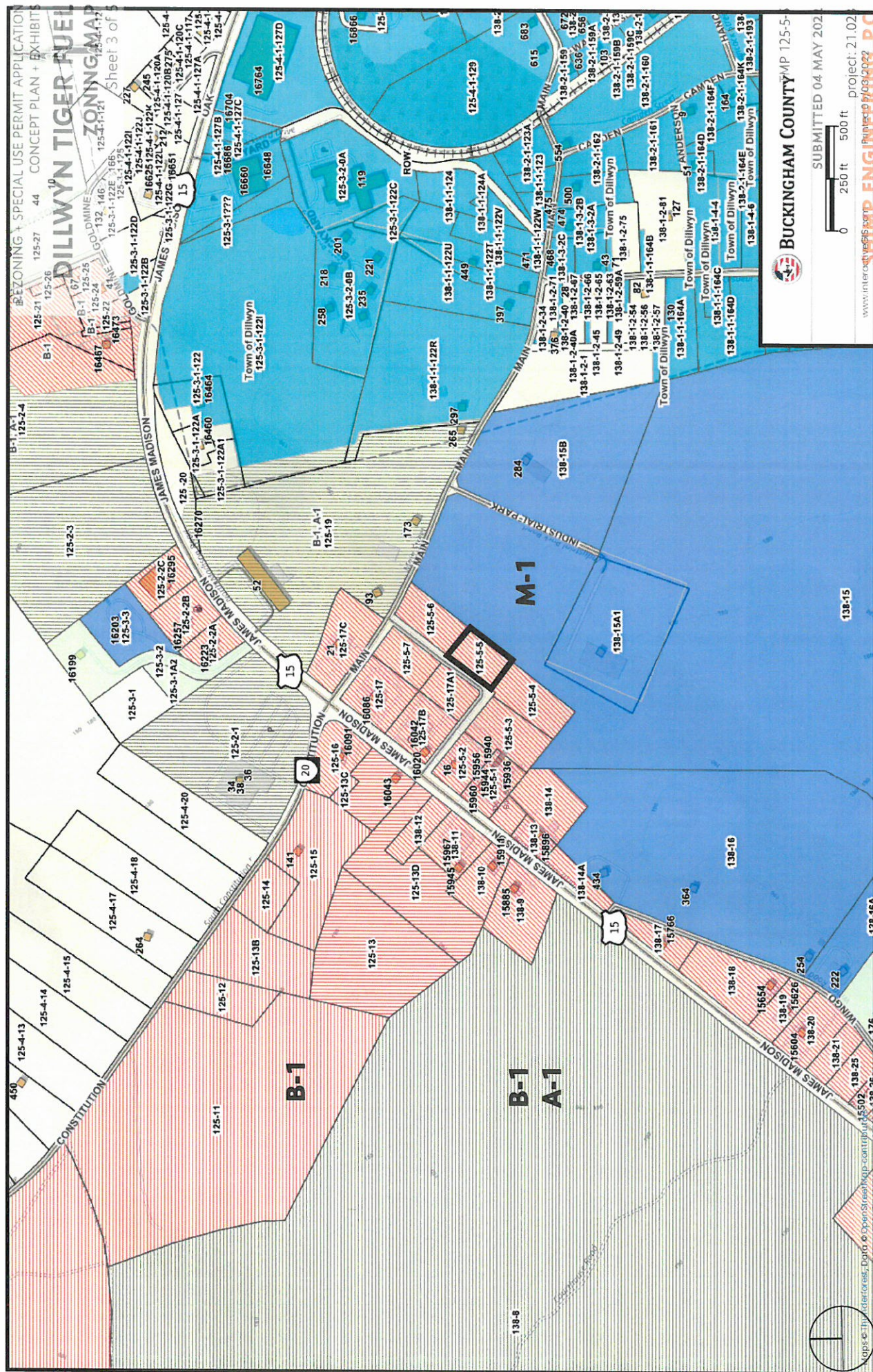


TMP 125-5-5

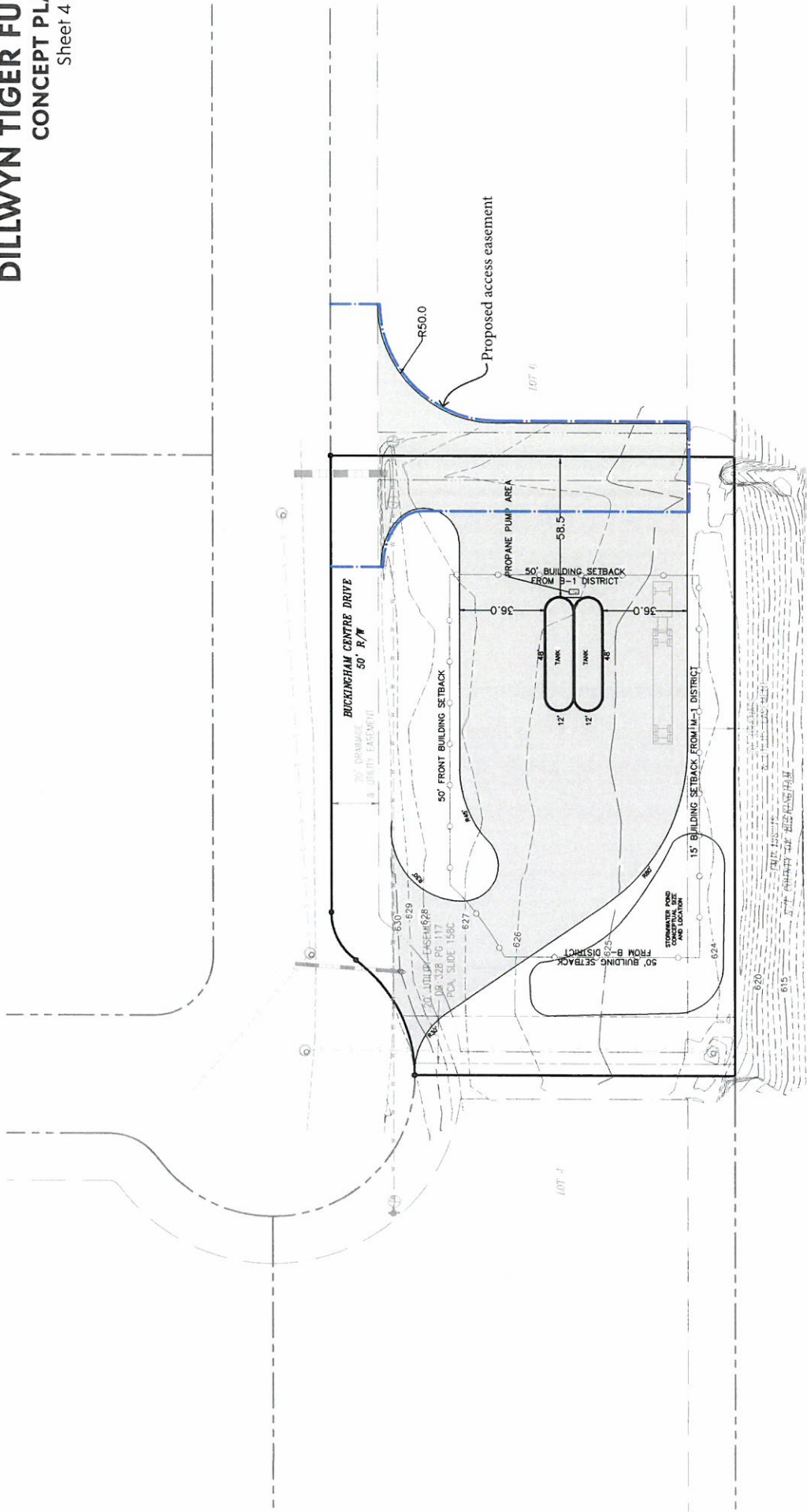
SUBMITTED 04 MAY 2022

project: 21.023

SHIMP ENGINEERING, P.C.

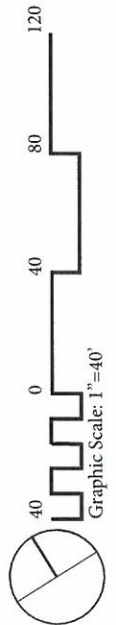


**DILLWYN TIGER FUEL
CONCEPT PLAN**
Sheet 4 of 5



TMP 125-5-5
SUBMITTED 04 MAY 2022
project: 21.023
SHIMP ENGINEERING, P.C.

- Additional Notes:
1. Site improvements shown to demonstrate feasibility of concept; site improvements are conceptual in nature. Final site design to be determined at site plan.
 2. "Proposed access easement" to be provided if entrance improvements are proposed and constructed on adjacent property. At the time of these rezoning and special use permit requests, tax map parcels 125-5-5 and 125-5-6 are under common ownership.

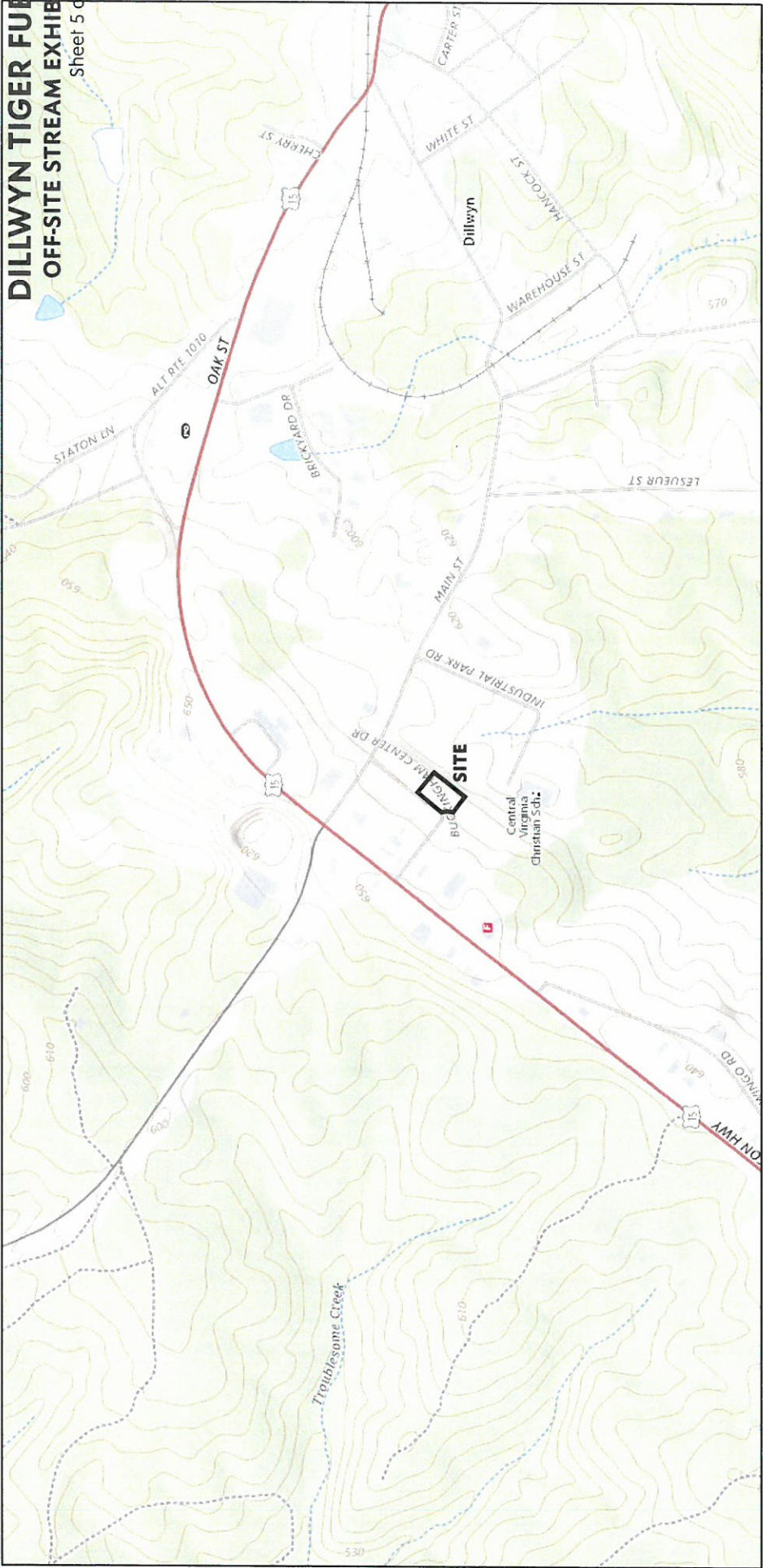


The National Map Advanced Viewer

REZONING + SPECIAL USE PERMIT APPLICATION
CONCEPT PLAN + EXHIBITS

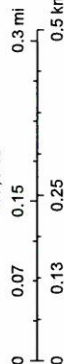
**DILLWYN TIGER FUEL
OFF-SITE STREAM EXHIBIT**

Sheet 5 of 5



5/3/2022, 12:25:37 PM

1:9,028



USGS The National Map: National Boundaries, Dataset, 3DEP
Elevation Program, Geographic Names Information System,
National Hydrography Dataset, National Wetlands Inventory,
National Structures Dataset, and National Transportation Dataset;
USGS Global Ecosystems; U.S. Census Bureau TIGERLine data;

USGS
2021 USGS

2021-872

BOOK 483 PAGE 350

Prepared by:

Michael P. Lafayette – VSB#30471
Lafayette, Ayers & Whitlock, PLC
10160 Staples Mill Road, Suite 105
Glen Allen, Virginia 23060

Title Company: Chicago Title Insurance Company

	Assessment	Consideration
Tax Map: 125-17B	\$742,700.00	\$ 750,000.00
Tax Map: 125-17A1	\$ 39,000.00	\$ 53,220.00
Tax Map: 125-5-7	\$ 45,500.00	\$ 62,131.00
Tax Map: 125-5-6	\$ 54,000.00	\$ 73,809.00
Tax Map: 125-5-5	<u>\$ 44,600.00</u>	<u>\$ 60,840.00</u>
Total:	\$925,800.00	\$1,000,000.00

THIS DEED, made this 26th day of April, 2021, by and between **LUCKY MANAGEMENT, INC.**, a Virginia corporation and **LUCKY, L.L.C.**, a Virginia limited liability company (hereinafter "Grantors"), and **JAMES MADISON HIGHWAY LLC**, a Virginia limited liability company (hereinafter "Grantee"); *200 Carlton Road Charlottesville, VA 22902*

WITNESSETH:

THAT FOR AND IN CONSIDERATION OF the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Grantors, do hereby grant and convey, with **GENERAL WARRANTY** and **ENGLISH COVENANTS** of TITLE, except as hereinafter limited, unto the Grantee, in FEE SIMPLE, the following described real property, to-wit:

See Schedule A, which is attached hereto and to be considered a part herewith (the "Property").

This conveyance is made subject to all easements, restrictions and conditions of record to the extent that they may now lawfully apply to the said property.

WITNESS the following signatures:

LUCKY MANAGEMENT, INC.
a Virginia corporation

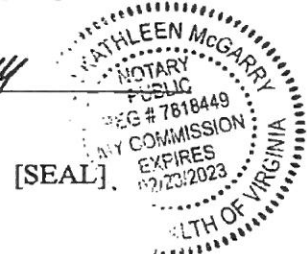
By: *Tommy W. England*
Tommy W. England, President

COMMONWEALTH OF VIRGINIA;
CITY/COUNTY OF Buckingham, to wit:

The undersigned, a Notary Public in and for the jurisdiction aforesaid, does hereby certify that Tommy W. England, President of Lucky Management, Inc., a Virginia corporation, a Grantor herein, appeared before me and acknowledged his signature to the foregoing Deed this 26th day of April, 2021.

My commission expires: 2/28/2023
Notary Reg.: 7818449

Ellen Kathleen McGarry
Notary Public



LUCKY, L.L.C.
a Virginia limited liability company

By: *Tommy W. England*
Tommy W. England, Manager

COMMONWEALTH OF VIRGINIA;
CITY/COUNTY OF Buckingham, to wit:

The undersigned, a Notary Public in and for the jurisdiction aforesaid, does hereby certify that Tommy W. England, Manager of Lucky, L.L.C., a Virginia limited liability company, a Grantor herein, appeared before me and acknowledged his signature to the foregoing Deed this 26th day of April, 2021.

My commission expires: 2/28/2023
Notary Reg.: 7818449

Ellen Kathleen McGarry
Notary Public



SCHEDULE "A"
LEGAL DESCRIPTION

TAX MAP #125-17A1

ALL that certain lot or parcel of land situated in Curdsville Magisterial District of Buckingham County, Virginia, containing eight hundred sixty-six/thousandths (0.866) of an acre, more or less, being more particularly described as "0.866 Acres" on a plat of survey prepared by Robert S. Maxey, Jr., L.S., dated November 13, 2000, and recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 261, page 49.

BEING the same property conveyed to Lucky, L.L.C., a Virginia limited liability company, by deed from Harry C. Pearson dated December 21, 2000, recorded January 19, 2001, in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 261, page 46.

Tax Map #125-17B

ALL that certain lot or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia, containing 1.664 acres, more or less, fronting on both U.S. Route #15 and Virginia Secondary Route #1003, and being more particularly shown on the plat of survey prepared by Maxey-Hines & Associates, P.C., dated October 4, 1999, recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 249, page 11.

BEING the same property conveyed to Lucky, L.L.C., a Virginia limited liability company, by Deed of Assumption from Pacific American Property Exchange Corporation, a California corporation, dated March 5, 2001, recorded March 12, 2001, in the Clerk's Office of the Circuit Court of Buckingham County, Virginia in Deed Book 262, page 411.

Tax Map #125-5-5, 125-5-6 and 125-5-7

ALL those certain lots or parcels of land, situated in Curdsville Magisterial District of Buckingham County, Virginia, fronting variously on Buckingham Centre Drive and/or Virginia Secondary Route #1003, being more particularly described as Lot 5 (0.990 ac.), Lot 6 (1.201 ac.) and Lot 7 (1.011 ac.) on a plat of survey of "Buckingham Centre Subdivision" prepared by Robert S. Maxey, Jr., L.S., dated October 27, 2005, revised March 30, 2006, and recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Plat Cabinet A, at slide 163-B.

BEING a portion of the property conveyed to Lucky Management, Inc., a Virginia corporation, by deed from Atlantic Investment Corporation, a Virginia corporation, dated January 20, 2010, recorded January 26, 2010, in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 378, page 66.

035 Rec Fee	3	00	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	2500	00	
Co. R. Tax	833	33	The foregoing instrument with acknowledgement
Transfer	1	00	was admitted to record on 5/6/2021,
Clerk	19	50	at 11:20 A.M. in D.B. 483 Page(s) 350-352
Lib.(145)	3	50	Teste: JUSTIN D. MIDKIFF, CLERK
T.T.F.	5	00	BY: Sarah R. Haines - Allen, DEPUTY CLERK
Grantor Tax	1000	00	
036 Proc. Fee	20	00	
Total \$	4380	33	

Buckingham County Planning Commission

May 23, 2022

Administration Building

7:00 PM

Introduction Case 22-SUP309

Owner/Applicant: Landowner James Madison Highway LLC
200 Carlton Road
Charlottesville VA 22902

Applicant J Aaron Revere
13 Stonehurst Green
Richmond VA 23226

Property Information: Tax Map 125 Parcel 5 Lot 5, containing approximately .99 acres, located at Buckingham Centre Drive Dillwyn VA 23936, Curdsville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant is asking the Planning Commission to recommend a Public Hearing Date to hear the Request for a Special Use Permit for LP Gas, and Natural Gas Storage in M1 Light Industrial Zoning District.

Background/Zoning Information: This property is located at Buckingham Centre Drive Dillwyn VA 23936. This property is currently zoned Business B1, the is James Madison Highway LLC and the applicant is J Aaron Revere. The Applicant is requesting a Special Use Permit for the purpose of LP Gas, Natural Gas Storage. This property is zoned Business B1. The Zoning Ordinance does not permit a LP Gas, Natural Gas Storage as a Permitted by Right Use Business B1 Zoning District. The Applicant requested in 22-ZMAZTA308 to add LP, Natural Gas Storage to a list of Special Uses. However, Within the Business B1 District, a LP Gas, Natural Gas Storage may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if the Special Use Permit is approved. The submitted application and narrative are attached.

Below are conditions that you may consider attaching to the request if approved:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. Right of ways and roadway shoulders shall not be used for parking.

3. The property shall be kept neat and orderly.
4. That commencement of the facility shall begin within two years of the approval by the Board of Supervisors or this special use permit shall be null and void.
5. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
6. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
7. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
8. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
9. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable
10. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
11. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

What are the wishes of the Planning Commission?

Set a hearing date and time?

June 27, 2022 7pm?

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: ☒ YES NO

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES NO

Fees: ☒ YES NO

Deed: ☒ YES NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES NO
- B. Area of land proposed for consideration, in square feet or acres: ☒ YES NO
- C. Scale and north point: ☒ YES NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: ☒ YES NO N/A
2. Owner and Project Name: ☒ YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
4. Property lines of existing and proposed zoning district lines: ☒ YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
6. Scale and north point: ☒ YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO N/A
8. Easements and encumbrances, if present on the property: ☒ YES NO N/A
9. Topography indicated by contour lines: ☒ YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES NO ☒ N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES NO ☒ N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": YES NO ☒ N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: ☒ YES NO N/A
14. General locations of major access points to existing streets: ☒ YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO ☒ N/A
17. Location of existing and proposed utilities, above or underground: ☒ YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: ☒ YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES NO N/A
20. Location and design of screening and landscaping: YES ☒ NO N/A
21. Building architecture: YES NO ☒ N/A
22. Site lighting proposed: YES NO ☒ N/A
23. Area of land disturbance in square feet and acres: YES ☒ NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES ☒ NO N/A
25. Historical sites or gravesites on general site plan: YES NO ☒ N/A
26. Show impact of development of historical or gravesite areas: YES NO ☒ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☒ YES NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 5/4/22

Special Use Permit Request: LP Gas, Natural Gas Storage

Purpose of Special Use Permit: Provide for LP Storage that will enable better regional service by Tiger Fuel
to local customers (residential and commercial)

Zoning District: currently B-1, requesting rezoning to M-1 Number of Acres: 0.99

Tax Map Section: 125 Parcel: 5 Lot: 5 Subdivision: Spouse's Corner Lot 5 Magisterial Dist.: _____

Street Address: Buckingham Centre Drive

Directions from the County Administration Building to the Proposed Site: turn right on US-60, turn left on US-15,
the destination is on the right approximately 1.3 miles from the intersection of 15 and 60

Name of Applicant: J. Aaron Revere
Mailing Address: _____


Daytime Phone: _____ Cell Phone: 804-687-6316

Email: arevere@newbayllc.com Fax: _____

Name of Property Owner: James Madison Highway LLC
Mailing Address: 200 Carlton Road Charlottesville, VA 22902

Daytime Phone: 434-293-6157 Cell Phone: 434-817-2618 (direct line)

Email: suttont@tigerfuel.com Fax: _____

Signature of Owner:  Date: 5/4/22

Signature of Applicant:  Date: 5/4/22

Please indicate to whom correspondence should be sent:
☐ Owner of Property ☐ Contractor Purchaser / Lessee ☒ Authorized Agent ☐ Engineer
☐ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: **BUCKINGHAM SOLAR PROPERTIES LLC**

Mailing Address: **12508 PARADISE SPRING RD, Clifton VA 20124**

Physical Address:

Tax Map Section: **125** Parcel: **5** Lot: **4** Subdivision: **SPROUSES CORNER LOT 4**

2. Name: **JAMES MADISON HIGHWAY LLC**

Mailing Address: **200 CARLTON RD, Charlottesville, VA 22902**

Physical Address:

Tax Map Section: **125** Parcel: **5** Lot: **6** Subdivision: **SPROUSES CORNER LOT 6**

3. Name: **JAMES MADISON HIGHWAY LLC**

Mailing Address: **200 CARLTON RD, Charlottesville, VA 22902**

Physical Address:

Tax Map Section: **125** Parcel: **17A** Lot: **1** Subdivision:

4. Name: **JAMES MADISON HIGHWAY LLC**

Mailing Address: **200 CARLTON RD, Charlottesville, VA 22902**

Physical Address:

Tax Map Section: **125** Parcel: **5** Lot: **7** Subdivision: **SPROUSES CORNER LOT 7**

5. Name: **COUNTY OF BUCKINGHAM**

Mailing Address: PO BOX 252, BUCKINGHAM VA 23921

Physical Address: _____

Tax Map Section: 138 Parcel: 15 Lot: _____ Subdivision: _____

6. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

7. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA

~~COUNTY OF BUCKINGHAM~~,
City Charlottesville

This 4th day of May, year 2022,

I Taylor Sutton for James Madison Highway LLC hereby make oath
that

(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my
application.

Signed: (to be signed in front of notary public)

Taylor Sutton
(owner/contract purchaser / authorized agent – please circle one)

NOTARY:

COMMONWEALTH OF VIRGINIA

City Charlottesville
~~COUNTY OF~~ Charlottesville

STATE OF Virginia

Subscribed and sworn to me on the 4th day of May
of the year 2022. My Commission expires on 01/31/2024.

Notary Public Signature: Kelsey Schlein
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

~~COUNTY OF BUCKINGHAM~~, VIRGINIA

City Charlottesville

On this 4th day of May, of the year 2022

I Taylor Sutton for James Madison Highway LLC (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Taylor Sutton

NOTARY PUBLIC

COUNTY OF Charlottesville

STATE OF Virginia

City

Subscribed and sworn to me on this 4th day of May

of the year 2022. My commission expires 01/31/2024

Notary Public Signature: Kelsey Schlein

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name:

Visual Inspection Findings (describe what is on the property now): __vacant with prior land
disturbing activity; **raw land**

County Records Check (describe the history of this property):

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to
be on the site? Yes _____ No _____

If yes, please explain and show on the site plan the location of such and explain any historical
significance:

Will this proposal have any impact on the historical site or gravesite? Yes ____ No ____
If yes, please explain any impact:

Owner/Applicant Signature:  Date: 5 / 4 / 22

Printed Name: J. Aaron Revere Title: Owner's Authorized Rep _____

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: J. Aaron Revere

Location: approximately 500' southeast of the intersection of James Madison Hwy and Buckingham Centre Drive

Proposed Use: LP Gas, Natural Gas Storage & Distribution

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: _____

Printed Name: _____ Date: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this 4TH day of MAY in the year of 2022

I Taylor Sutton the owner of 125-5-5
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint J. Aaron Revere and Kelsey Schlein
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day 4th of the month May in the year of 2022 and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

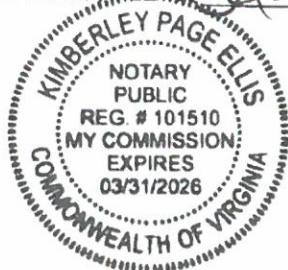
Taylor Sutton

NOTARY PUBLIC
County of Charlottesville State of Virginia

Subscribed and sworn before me on the 4th day of May

in the year 2022 My commission expires 3-31-26

Signature of Notary Public Kimberly Page Ellis
Stamp:



WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: _____



Date: 5 / 4 / 22

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

- January 25 Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22.
- February 22 Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting.
- March 8 Case is introduced to Board of Supervisors.
- April 12 Board of Supervisors may approve / deny / table for more information.

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

SHIMP ENGINEERING, P.C.
Design Focused Engineering

May 4, 2022

Mrs. Nicci Edmondston
Buckingham County Planning + Zoning
13380 West James Anderson Hwy
Buckingham, VA 23921

RE: Dillwyn Tiger Fuel – Rezoning, Zoning Text Amendment, and Special Use Permit

Dear Mrs. Edmondston,

Please find the initial submission of the above referenced land use applications for Dillwyn Tiger Fuel. Included with this submission are the following documents:

1. Rezoning + ZTA form
2. Special Use Permit form
3. Project Narrative
4. Concept Plan
5. Recorded Plat
6. Most recent deed of sale listing James Madison Highway LLC as property owner

If you have any questions, please do not hesitate to contact me at kelsey@shimp-engineering.com or by phone at 434-227-5140.

Best regards,

Kelsey Schlein
Shimp Engineering, P.C.

Surveyor

I, Robert S. Moxey, Jr., L.S., do hereby certify that
Buckingham Centre
as shown on this plat contains 9.767 Acres, more or less, being
a portion of that land owned by the Harry C. Pearson Estate,
D.B.247, p.493.

Date March 30, 2006
Land Surveyor Robert S. Moxey, Jr.

Owner

This subdivision known as **Buckingham Centre** containing
8.499 Acres, more or less, in 7 lots and 1.268 Acres, more or less,
herby dedicated as Buckingham Centre Drive for public use, is
in accordance with the desire of the undersigned owner(s).

Date 4/7/06
Owner Robert S. Moxey, Jr.
Date 4/7/06
Surveyor H. Cantelano

Notary

County/City of **Buckingham**
State of Virginia
Robert S. Moxey, Jr. a Notary Public in and for the County/City
aforementioned, do hereby certify that *Robert S. Moxey, Jr.*
and *H. Cantelano*
whose name(s) is/are signed above has/have on the
7th day of **April**, 2006 acknowledged the same
before me.
Notary Public *Robert S. Moxey, Jr.*
My Commission Expires the 31st day of **December**, 2009

This map was recorded in the Clerk's Office
of the Circuit Court of Buckingham, Virginia on
the 12th day of **June**, 2006.
This map was received and admitted to record
in Plot Cabinet **A**, of slide **163 B**.
Teste: *M. H. Boucher, Jr.* Clerk of Circuit Court

This subdivision known as **Buckingham Centre**
is approved by the undersigned in accordance with
existing regulations and may be permitted to record.
Date 4/7/06
Subdivision Administrator Robert S. Moxey, Jr.
Date 3/31/06
Health Officer C. M. Moxey
Date 4/6/06
Engineer Robert S. Moxey, Jr.

Maxey-Hines & Associates, P.C.
Land Surveyors • Engineers • Planners • Consultants
P.O. Box 90 • Farmville • Virginia • 23901 • Tel:434-392-0827

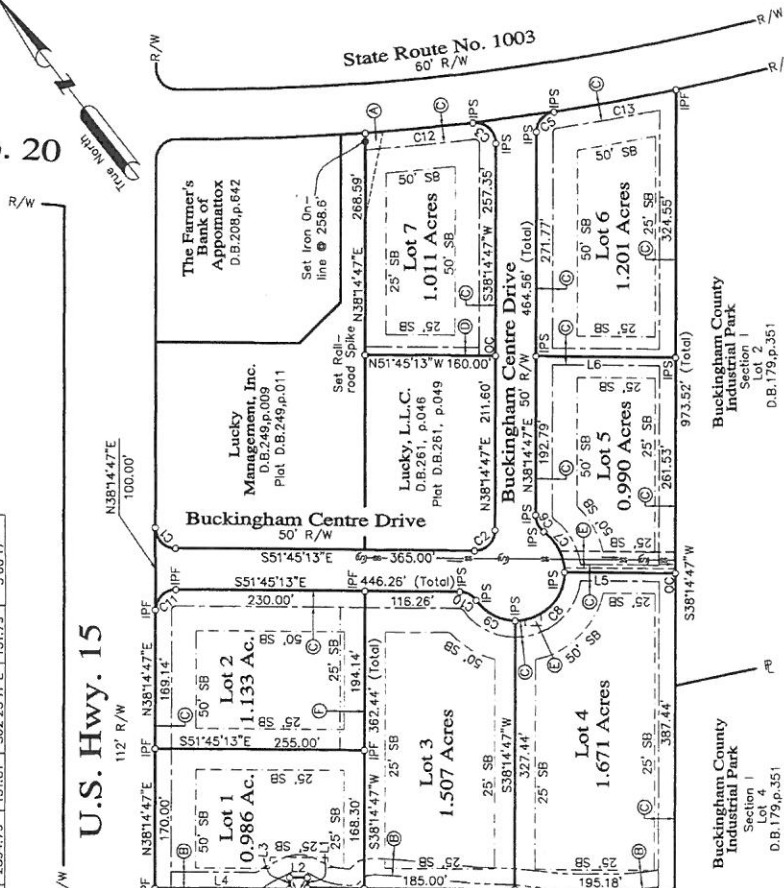
LINE TABLE			
Line	Bearing	Length	
L1	N38°14'47"E	12.35	
L2	N51°45'13"W	21.00	
L3	S41°08'45"W	14.07	
L4	N51°45'13"W	163.57	
L5	S51°45'13"E	135.18	
L6	S51°45'13"E	170.18	

CURVE TABLE			
Curve	Radius	Ch. Brg.	Ch. Dist.
C1	25.00'	39.27°	506.4513"E
C2	25.00'	39.27°	N83°14'46"E
C3	25.00'	42.40°	S10°20'39"E
C4	2894.79'	100.17°	S59°55'34"E
C5	25.00'	35.27°	N78°39'52"E
C6	25.00'	23.55°	N11°54'44"E
C7	60.00'	56.52°	N11°54'44"E
C8	60.00'	94.25°	N83°14'47"E
C9	60.00'	56.52°	S24°46'10"E
C10	25.00'	23.55°	S24°46'10"E
C11	25.00'	39.27°	N83°14'47"E
C12	2894.79'	132.58°	S57°37'22"E
C13	2894.79'	151.81°	S62°25'11"E

U.S. Hwy. 15

Hwy. No. 20

State Route No. 1003

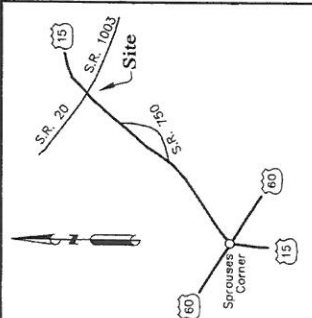


Buckingham Centre
Subdivision

Curdsville District, Buckingham County, Virginia

October 27, 2005
Revised: March 30, 2006
Scale: 1 in. = 100 ft.
0' 100' 200' 300'

Plot C-6 A, Slide 163 B



Vicinity Map

Not to Scale

Easement Legend & Description:

- (A) Easement Reservation
D.B.247, p.493
D.B.249, p.509
- (B) 20' Drainage Easement
(Herby Dedicated)
- (C) 20' Drainage & Utility
Easement (Herby
Dedicated)
- (D) 10' Drainage & Utility
Easement (Herby
Dedicated)
- (E) 20' Utility Easement
D.B.328, p.117
P.C.A, Slide 158C
- (F) 30' Utility Easement
(Herby Dedicated)

Legend:

- SB = Setback
- OC = Corner
- IPF = Iron Pin Found
- PS = Iron Pin Set
- SS = Existing Sanitary Manhole
- SS- = Existing Sanitary Sewer Main

Notes:

- For Map Parcels Nos. 125-17 and 125-17A.
- This plat has been prepared without benefit of a title report on the property. Therefore, no encumbrances are shown on the property.
- This plat agrees with found plots, deed descriptions, ground evidence, and local witnesses as near as possible.
- This land is situated in F.I.R.M. Flood Plain Zone C (not a special flood hazard area) as shown on Buckingham County Community-Panel No. 510026 0125 A. Effective date July 17, 1978.
- Setback (SB) requirements: 50ft. from public road right of way and 25ft. from sides and rear lot lines.
- Individual lot owners shall obtain an Erosion and Sediment Control Permit from the County prior to any land disturbance.
- A 20ft. wide public utility easement along the entire road frontage that serves all lots is hereby dedicated.
- Location of all private entrances will be addressed upon individual requests for entrance permit(s) from VDOT.
- This plat is based on a field survey completed on October 14, 2005.
- Lots to be served by public water and sanitary sewer.
- Offsite easements appurtenant to site in D.B.328, p.111.
- Easements over portions of Buckingham Centre Drive affecting premises in D.B.328, p.117, D.B.261, p.46, and D.B.249, p.5.

Project Narrative For: Dillwyn Tiger Fuel
Parcel Description: Tax Map Parcel 125-5-5
Initial Submittal: May 4, 2022

	ACREAGE	EXISTING ZONING	PROPOSED ZONING	COMP PLAN DESIGNATION
TMP 125-5-5	.99	B-1	M-1 with SUP for LOP Gas, Natural Gas Storage and Distribution	High Growth Area

Project Proposal:

James Madison Highway is the owner (the “Owner”) of tax parcel 125-5-5, a .99 acre property in Buckingham Virginia with frontage on Buckingham Centre Drive (the “property”). The Owner seeks to establish LP Gas storage and distribution on the property to better serve their commercial and residential customers in the area. To establish LP Gas storage and distribution on the property, the Owner proposes three (3) requests: a rezoning, a zoning text amendment (“ZTA”), and a special use permit. The Owner respectfully requests a rezoning of the property from B-1 to M-1; concurrent with the rezoning request, the Owner requests a zoning text amendment to permit LP Gas, Natural Gas Storage by special use permit in the M-1 District. Lastly, the Owner requests a special use permit to permit the proposed use in the M-1 district, if the property is rezoned.

Consistency with the Comprehensive Plan:

Land Use

The property is located within an area designated as “High Growth” in the Buckingham County Comprehensive Plan, adopted September 14, 2015. The High Growth area calls for a clustering of broad land uses and is appropriate for residential, business, and limited industrial development of medium and higher density (*Comprehensive Plan*, 188). The proposed use on the property is consistent with the High Growth designation; the proposed industrial-type use has limited impacts on adjacent properties as it is not a producer of smoke, dust, excessive noise, or a high volume of traffic. In the context of the surrounding area, the property is directly adjacent to land zoned M-1 and is directly behind a well-established gas station, and fits within the context of its surroundings.

Community Design

The property is accessed from Buckingham Centre Drive, this access road provides frontage to multiple properties while limiting the points of conflict with Route 15. The property is relegated behind an established gas station and is more than 500’ from Route 15.

Cultural Resources

There are no known cultural resources on the property.

Economic Development

Allowing this property to develop with LP Gas, Natural Gas Storage allows for customers in the area to be better served. The property is currently unimproved and developing the property will create additional tax revenues for Buckingham County.

Environment

Land disturbance and permanent stormwater management for the property will comply with local and state DEQ regulations. The storage of LP Gas on the property will comply with all local, state, and federal regulations.

Fire and Rescue, Law Enforcement

It is not anticipated this use will require law enforcement or fire and rescue services on a regular basis. In the event of an emergency, the Dillwyn Fire Department is located approximately 1,000' from the property.

Housing

As an industrial use, this component is not applicable.

Libraries

As an industrial use, this component is not applicable.

Parks and Open Spaces

As an industrial use, this component is not applicable.

Potable Water

This proposed use is not anticipated to have an impact on the potable water supply as it is not located within the Watershed Overlay District. At this time a public water connection to the site is not anticipated.

Sewage

The property is not expected to have a public sewer connection at this time and therefore there are no anticipated impacts on the public sewer system.

Schools

As an industrial use, this component is not applicable.

Telecommunications

The proposed use is not expected to have an impact on telecommunications facilities.

Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual 10th Edition does not have directly comparable data for the proposed use however; the Owner has comparable data from other sites that they operate in Central Virginia. It is anticipated that on peak days, there will be 14 trips affiliated with the site (7 in; 7 out). This use is an extremely low trip generator.

Solid Waste

It is not anticipated that this site will produce solid waste.

REZONING + SPECIAL USE PERMIT APPLICATION
CONCEPT PLAN + EXHIBITS

DILLWYN TIGER FUEL

TAX PARCEL 125-5-5

project ID: 21.023

SUBMITTED 04 MAY 2022

Context Map

Sheet 1 of 5

INDEX OF SHEETS

- 1 - Cover & Context Map
- 2 - Existing Conditions
- 3 - Zoning Map
- 4 - Concept Plan
- 5 - Off-Site Stream Exhibit

OWNER/DEVELOPER

James Madison Highway LLC
200 Carlton Road
Charlottesville, VA 22902

TAX PARCEL

125-5-5

ACREAGE

0.99

SOURCE OF BOUNDARY & TOPOGRAPHY

Field survey completed by Foresight Survey, P.C.

FLOODZONE

According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51029C0300B), this property does not lie within a 100-year flood plain.

ZONING

EXISTING: B-1 Commercial

PROPOSED: M-1 Industrial w/ Special Use permit for LP Gas, Natural Gas Storage

USE

EXISTING: Vacant

COMPREHENSIVE PLAN DESIGNATION: High Growth Area

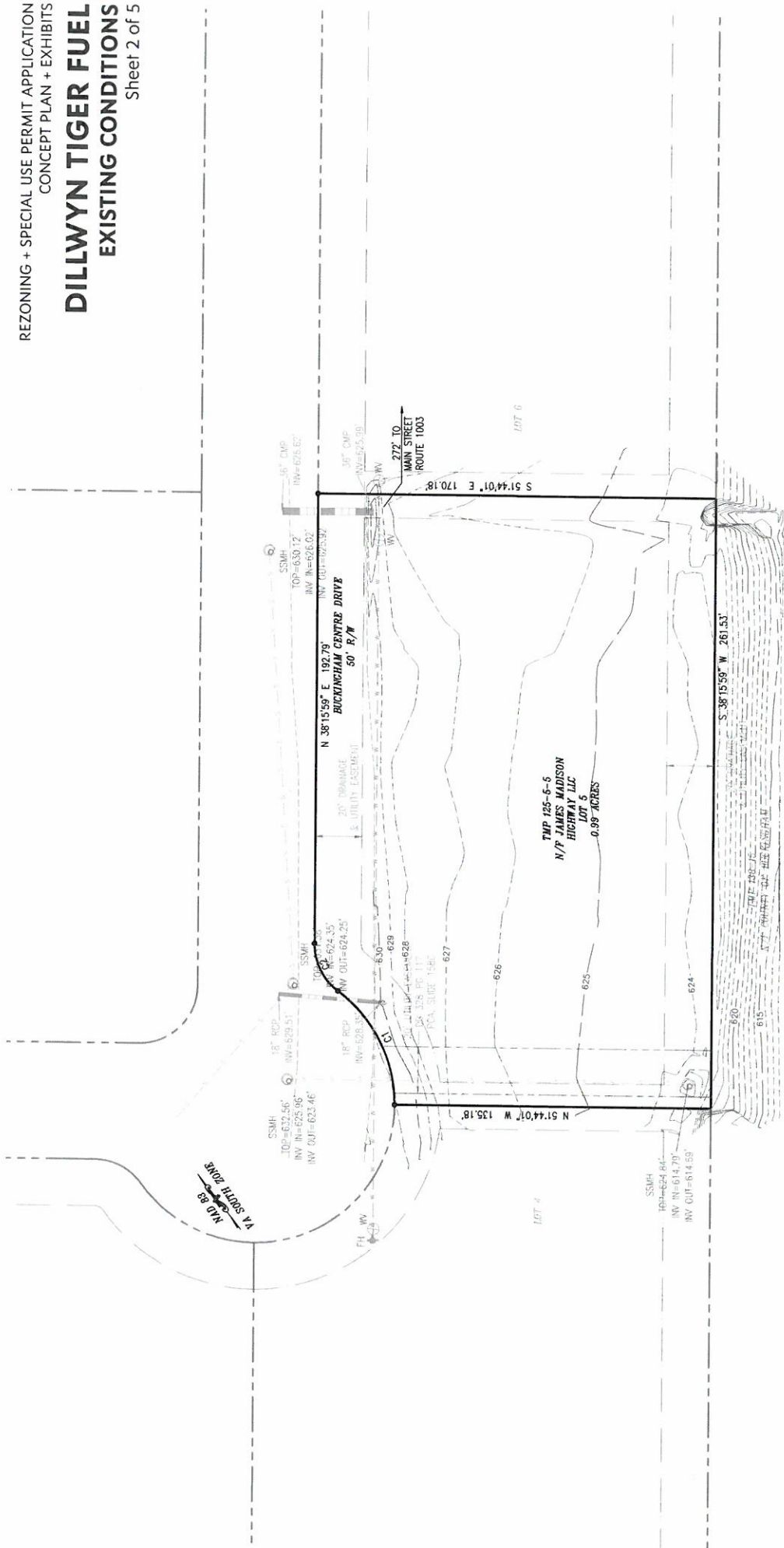
PROPOSED: LP Gas, Natural Gas Storage & Distribution

SHIMP ENGINEERING, P.C.

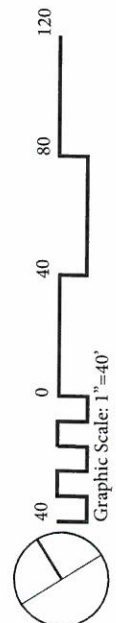


DILLWYN TIGER FUEL EXISTING CONDITIONS

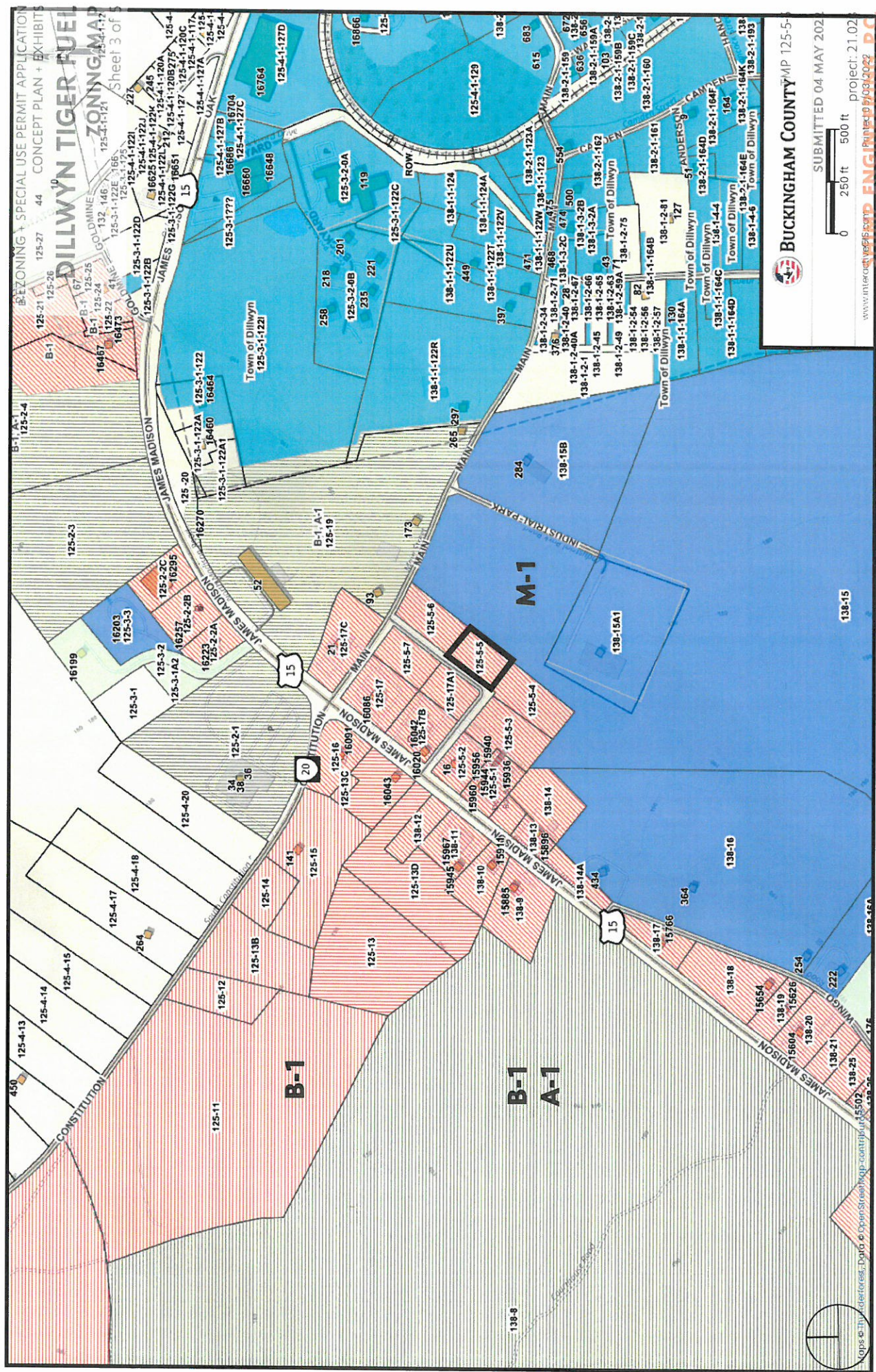
Sheet 2 of 5



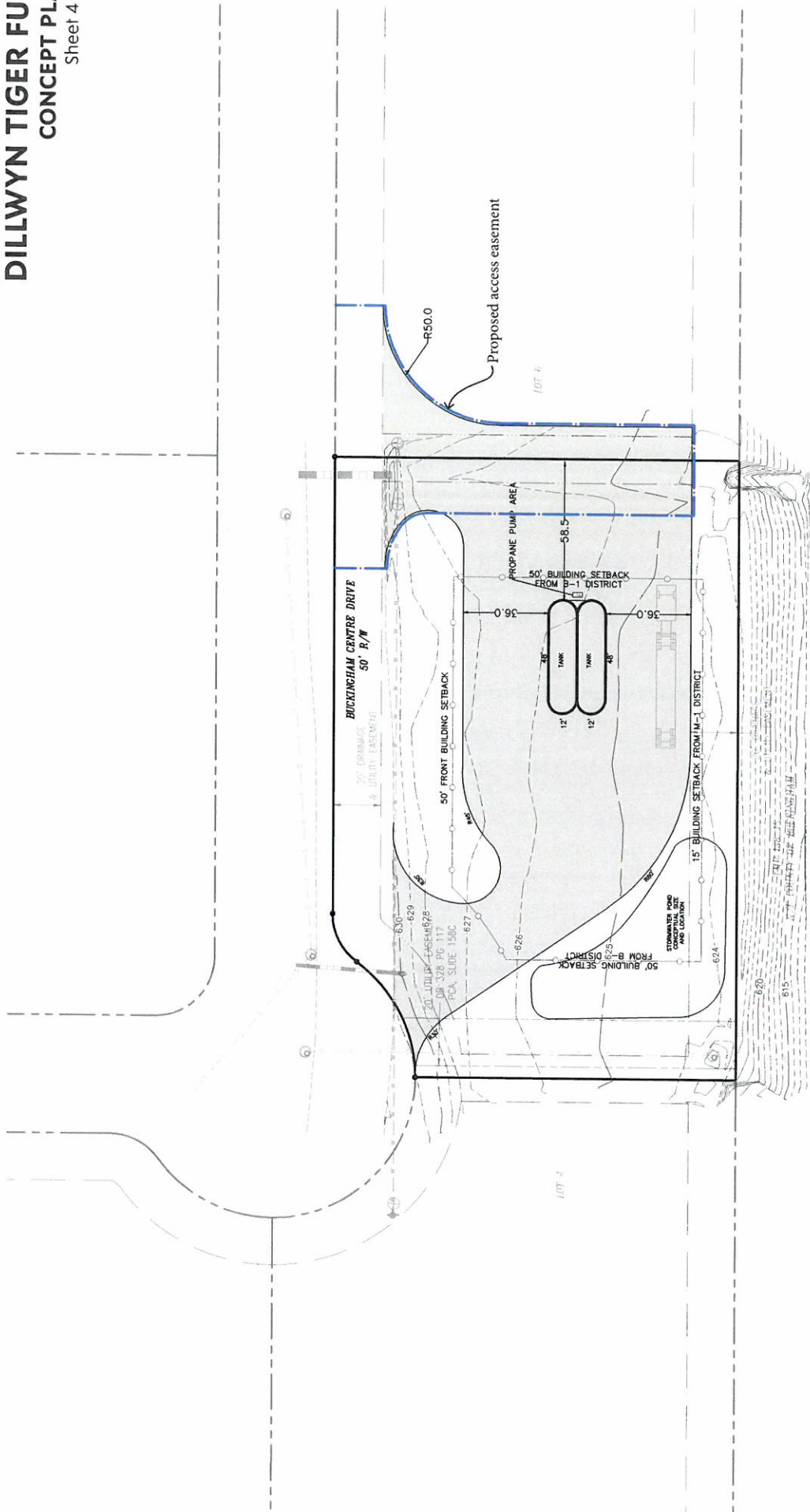
BOUNDARY CURVE TABLE			
CURVE	RADIUS	ARC LENGTH	CHORD BEARING
C1	59.99'	56.52'	54.45'
C2	25.00'	23.55'	22.69'



Graphic Scale: 1"=40'

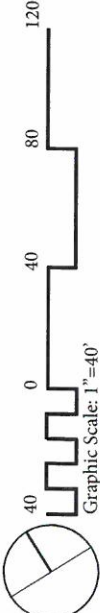


DILLWYN TIGER FUEL
CONCEPT PLAN
Sheet 4 of 5



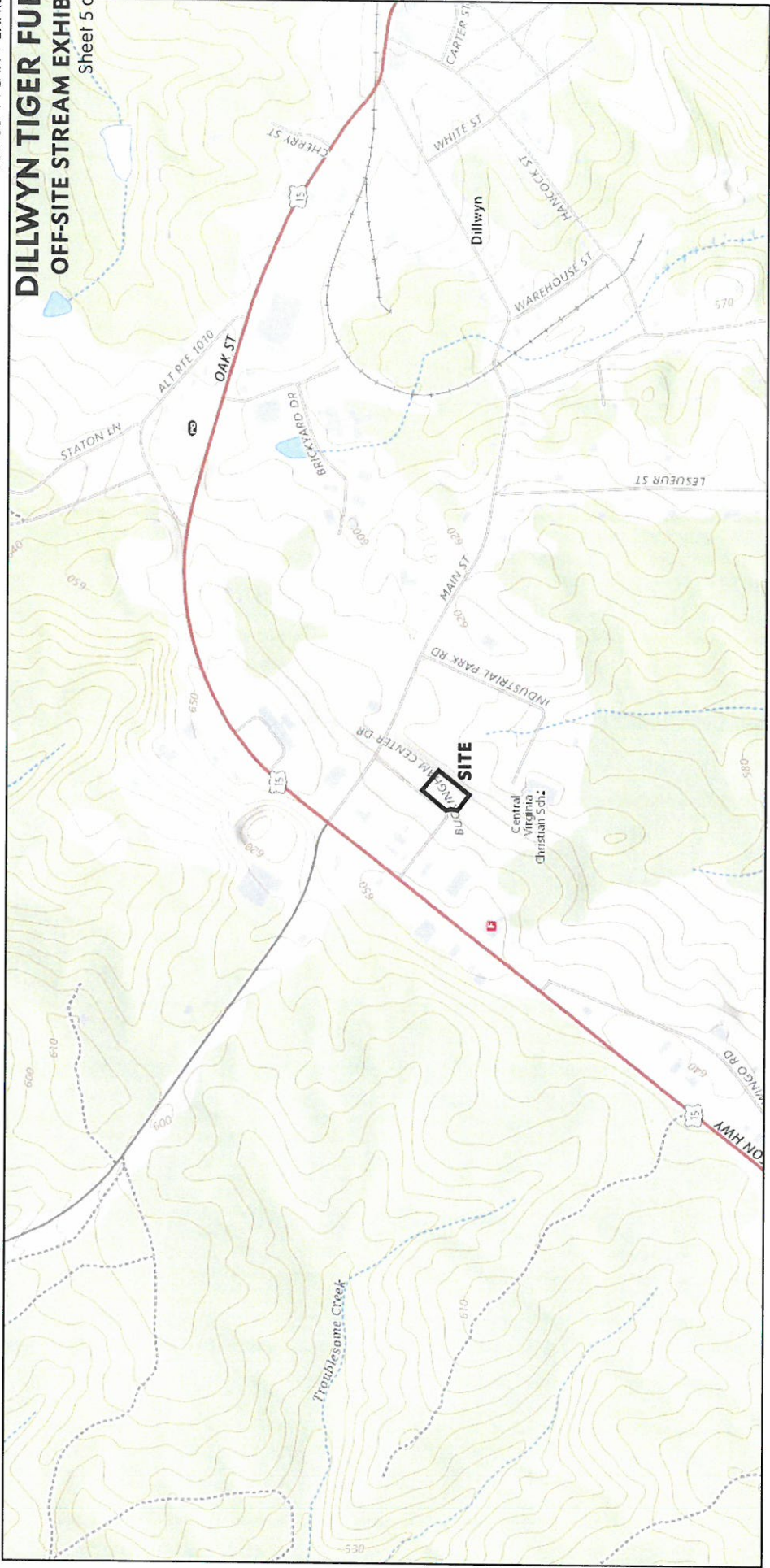
TMP 125-5-5
SUBMITTED 04 MAY 2022
project: 21.023
SHIMP ENGINEERING, P.C.

- Additional Notes:
1. Site improvements shown to demonstrate feasibility of concept; site improvements are conceptual in nature. Final site design to be determined at site plan.
 2. "Proposed access easement" to be provided if entrance improvements are proposed and constructed on adjacent property. At the time of these rezoning and special use permit requests, tax map parcels 125-5-5 and 125-5-6 are under common ownership.



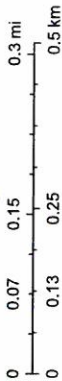
**DILLWYN TIGER FUEL
OFF-SITE STREAM EXHIBIT**

Sheet 5 of 5



5/3/2022, 12:25:37 PM

1:9,028



USGS The National Map: National Boundaries Dataset, 3DEP
Elevation Program, Geographic Names Information System,
National Hydrography Dataset, National Land Cover Database,
National Structures Dataset, and National Transportation Dataset;
USGS Global Ecosystems; U.S. Census Bureau TIGERLine data;

USGS
2021 USGS

2021-872

BOOK 483 PAGE 350

Prepared by:

Michael P. Lafayette – VSB#30471
Lafayette, Ayers & Whitlock, PLC
10160 Staples Mill Road, Suite 105
Glen Allen, Virginia 23060

Title Company: Chicago Title Insurance Company

	Assessment	Consideration
Tax Map: 125-17B	\$742,700.00	\$ 750,000.00
Tax Map: 125-17A1	\$ 39,000.00	\$ 53,220.00
Tax Map: 125-5-7	\$ 45,500.00	\$ 62,131.00
Tax Map: 125-5-6	\$ 54,000.00	\$ 73,809.00
Tax Map: 125-5-5	<u>\$ 44,600.00</u>	<u>\$ 60,840.00</u>
Total:	\$925,800.00	\$1,000,000.00

THIS DEED, made this 26th day of April, 2021, by and between **LUCKY MANAGEMENT, INC.**, a Virginia corporation and **LUCKY, L.L.C.**, a Virginia limited liability company (hereinafter "Grantors"), and **JAMES MADISON HIGHWAY LLC**, a Virginia limited liability company (hereinafter "Grantee"); ^{200 Carlton Road} ~~Charlottesville, VA 22902~~

WITNESSETH:

THAT FOR AND IN CONSIDERATION OF the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Grantors, do hereby grant and convey, with **GENERAL WARRANTY** and **ENGLISH COVENANTS** of TITLE, except as hereinafter limited, unto the Grantee, in FEE SIMPLE, the following described real property, to-wit:

See Schedule A, which is attached hereto and to be considered a part herewith (the "Property").

This conveyance is made subject to all easements, restrictions and conditions of record to the extent that they may now lawfully apply to the said property.

WITNESS the following signatures:

LUCKY MANAGEMENT, INC.
a Virginia corporation

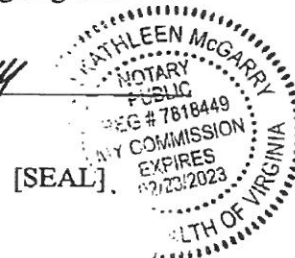
By: *Tommy W. England*
Tommy W. England, President

COMMONWEALTH OF VIRGINIA;
CITY/COUNTY OF Buckingham, to wit:

The undersigned, a Notary Public in and for the jurisdiction aforesaid, does hereby certify that Tommy W. England, President of Lucky Management, Inc., a Virginia corporation, a Grantor herein, appeared before me and acknowledged his signature to the foregoing Deed this 26th day of April, 2021.

My commission expires: 2/28/2023
Notary Reg.: 7818449

Ellen Kathleen McGarry
Notary Public



LUCKY, L.L.C.
a Virginia limited liability company

By: *Tommy W. England*
Tommy W. England, Manager

COMMONWEALTH OF VIRGINIA;
CITY/COUNTY OF Buckingham, to wit:

The undersigned, a Notary Public in and for the jurisdiction aforesaid, does hereby certify that Tommy W. England, Manager of Lucky, L.L.C., a Virginia limited liability company, a Grantor herein, appeared before me and acknowledged his signature to the foregoing Deed this 26th day of April, 2021.

My commission expires: 2/28/2023
Notary Reg.: 7818449

Ellen Kathleen McGarry
Notary Public



SCHEDULE "A"
LEGAL DESCRIPTION

TAX MAP #125-17A1

ALL that certain lot or parcel of land situated in Curdsville Magisterial District of Buckingham County, Virginia, containing eight hundred sixty-six/thousandths (0.866) of an acre, more or less, being more particularly described as "0.866 Acres" on a plat of survey prepared by Robert S. Maxey, Jr., L.S., dated November 13, 2000, and recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 261, page 49.

BEING the same property conveyed to Lucky, L.L.C., a Virginia limited liability company, by deed from Harry C. Pearson dated December 21, 2000, recorded January 19, 2001, in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 261, page 46.

Tax Map #125-17B

ALL that certain lot or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia, containing 1.664 acres, more or less, fronting on both U.S. Route #15 and Virginia Secondary Route #1003, and being more particularly shown on the plat of survey prepared by Maxey-Hines & Associates, P.C., dated October 4, 1999, recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 249, page 11.

BEING the same property conveyed to Lucky, L.L.C., a Virginia limited liability company, by Deed of Assumption from Pacific American Property Exchange Corporation, a California corporation, dated March 5, 2001, recorded March 12, 2001, in the Clerk's Office of the Circuit Court of Buckingham County, Virginia in Deed Book 262, page 411.

Tax Map #125-5-5, 125-5-6 and 125-5-7

ALL those certain lots or parcels of land, situated in Curdsville Magisterial District of Buckingham County, Virginia, fronting variously on Buckingham Centre Drive and/or Virginia Secondary Route #1003, being more particularly described as Lot 5 (0.990 ac.), Lot 6 (1.201 ac.) and Lot 7 (1.011 ac.) on a plat of survey of "Buckingham Centre Subdivision" prepared by Robert S. Maxey, Jr., L.S., dated October 27, 2005, revised March 30, 2006, and recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Plat Cabinet A, at slide 163-B.

BEING a portion of the property conveyed to Lucky Management, Inc., a Virginia corporation, by deed from Atlantic Investment Corporation, a Virginia corporation, dated January 20, 2010, recorded January 26, 2010, in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 378, page 66.

035 Rec Fee	3	00	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	2500	00	
Co. R. Tax	833	33	The foregoing instrument with acknowledgement
Transfer	1	00	was admitted to record on 5/6/2021,
Clerk	19	50	at 11:20 A.M. in D.B. 483 Page(s) 350-352
Lib.(145)	3	50	
T.T.F.	5	00	Teste: JUSTIN D. MIDKIFF, CLERK
Grantor Tax	1000	00	
036 Proc. Fee	20	00	
Total \$	4380	33	BY: Sarah R. Haines - Allen, DEPUTY CLERK

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. Right of ways and roadway shoulders shall not be used for parking.

3. The property shall be kept neat and orderly.
4. That commencement of the facility shall begin within two years of the approval by the Board of Supervisors or this special use permit shall be null and void.
5. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
6. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
7. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
8. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
9. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable
10. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
11. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

What are the wishes of the Planning Commission?

Set a hearing date and time?

June 27, 2022 7pm?

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☐ NO ☒ *NOT Applicable*

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: YES ☐ NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES ☐ NO
- B. Area of land proposed for consideration, in square feet or acres: YES ☐ NO
- C. Scale and north point: ☒ YES ☐ NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: YES ☐ NO

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: YES NO N/A
2. Owner and Project Name: YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: YES NO N/A
4. Property lines of existing and proposed zoning district lines: YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: YES NO N/A
6. Scale and north point: YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: YES NO N/A
8. Easements and encumbrances, if present on the property: YES NO N/A
9. Topography indicated by contour lines: YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of “no areas having slopes of 15% to 25% or greater”): YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of “not in floodplain”): YES NO N/A
12. Delineation of existing mature tree lines or written indication of “no mature tree lines”: YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO N/A
14. General locations of major access points to existing streets: YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO N/A
17. Location of existing and proposed utilities, above or underground: YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: YES NO N/A
20. Location and design of screening and landscaping: YES NO N/A
21. Building architecture: YES NO N/A
22. Site lighting proposed: YES NO N/A
23. Area of land disturbance in square feet and acres: YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES NO N/A
25. Historical sites or gravesites on general site plan: YES NO N/A
26. Show impact of development of historical or gravesite areas: YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 5-4-2022

Special Use Permit Request: SHAH JEE LLC "Spear Mountain Grocery"

Purpose of Special Use Permit: Operating Convenience Store Gas Station
Previously known as Spear Mountain Grocery.

Zoning District: 03-James River Number of Acres: 2.91

Tax Map Section: 132-4 Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: _____

Street Address: 2626 W. James Anderson Hwy
Directions from the County Administration Building to the Proposed Site: _____

RT 60 12 Miles West of Buckingham Court House

Name of Applicant: BRIAN SHAW

Mailing Address: 2656 W. James Anderson Hwy, Gladstone VA 24553

Daytime Phone: _____ Cell Phone: 434-960-4842

Email: Shahjee11c77@gmail.com Fax: _____

Name of Property Owner: BRIAN SHAW Manager SHAH JEE, LLC

Mailing Address: 2656 W. James Anderson Hwy, Gladstone VA 24553

Daytime Phone: _____ Cell Phone: 434-960-4842

Email: Shahjee11c77@gmail.com Fax: _____

Signature of Owner: Brian A. Shaw Date: 5-04-2022

Signature of Applicant: Brian A. Shaw Date: 5-04-2022

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☐ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: BRIAN SHAW

Mailing Address: 690 Glenmore Road Howardsville, VA 24562

Physical Address: 2656 W. James Anderson Hwy Gladstone VA 24553

Tax Map Section: _____ Parcel: 132-4 Lot: _____ Subdivision: _____

2. Name: Weyerhaeuser company

Mailing Address: 100 Professional center, BRUNSWICK GA 31525

Physical Address: _____

Tax Map Section: 131-22 Parcel: _____ Lot: 6591 ^{Acres} Subdivision: _____

3. Name: Jamerson Tony c & Brenda

Mailing Address: 2645 W. James Anderson Hwy, Gladstone, VA 24553

Physical Address: As above

Tax Map Section: 132-3-A Parcel: _____ Lot: 2.12 ^{Acres} Subdivision: _____

4. Name: Richard Traylor

Mailing Address: 597 Lauras Ln Gladstone, VA 24553

Physical Address: _____

Tax Map Section: 131-21 Parcel: _____ Lot: _____ Subdivision: _____

6. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

7. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 5th day of May, year 2022,

I BRIAN A. SHAW hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

SHAW JEE LLC Brian A. Shaw

(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF Virginia

Subscribed and sworn to me on the 5th day of May,

of the year 2022. My Commission expires on June 30, 2024.

Notary Public Signature: [Signature]
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 5th day of May, of the year 2022,

I BRIAN A. SHAW (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

SHAW TREE, LLC Brian A. Shaw

Signature of Owner: (to be signed in front of notary public)

Brian A. Shaw

NOTARY PUBLIC

COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 5th day of May,

of the year 2022. My commission expires June 30, 2024.

Notary Public Signature: [Signature]

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Current Use of the Property

The subject Property is currently vacant, i.e.: no longer in operation; however, was previously utilized as the *Spear Mountain Grocery Facility*, a convenience store facility engaged in the retail sale of petroleum-based products.

County Records Check (describe the history of this property):

The subject Property is currently developed with an approximate Two
Thousand one Hundred sixty square Foot Convenience store facility constructed
in 1974-75 for utilization as a convenience store and petroleum based Product.
Prior to commercial development, the subject Property was undeveloped vacant wooded
land.

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No ✓

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No ✓
If yes, please explain any impact:

SHAW JEE, LLC

Owner/Applicant Signature: Brian A. Shaw Date: 5-4-2022

Printed Name: BRIAN A. SHAW Title: OWNER - Manager.

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: SHAHJEE LLC BRIAN A. SHAW

Location: 2626 W. James Anderson Hwy, Gladstone VA 24553

Proposed Use: SAME AS PREVIOUSLY USED. CONVENIENCE STORE & GAS STATION.
SPRUE MOUNTAIN GROCERY,

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

☒ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?
Yes ☒ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: [Signature]

Printed Name: Charles D. Edwards Date: 5-5-22

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I BRIAN A. SHAW the owner of 132-4
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

*Please see
next page for
written narrative.*

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

WRITTEN NARRATIVE

The subject property is located within a mainly rural residential land use area along west James Anderson Highway-U.S. Route 60 along the southwestern extent of Buckingham County, Virginia. Properties/Parcels which are not residential and/or agricultural in utilization do not exist within the immediate vicinity surrounding the subject property.

The property is bound to the north by an asphalted roadway (West James Anderson Hwy-U.S. Route 60), beyond which exist multiple residential properties; to the east by a residential property/parcel identified as 2656 W. James Anderson Highway; and, to the west and south by a large, wooded tract encompassing greater than six thousand (6000) acres owned by *Weyerhaeuser Company*.

This is not a new project, but the revival of existing convenience and gasoline store. The store was operating from 1974 to 2017 and was closed upon the death of the owners. Shah Jee, LLC has purchased this property and wish to remodel/repairs and re-open the business for the convenience of local population. Currently, the residents in Four mile radius of the store either travel to Amherst or Dillwyn for their house hold daily needs. They are travelling Fifteen miles to West or East to get their Gasoline needs. Opening the business back will provide them more convenience to get beer, cigarettes, Grocery, Gasoline and Food items. They will save on travel time plus the money they spent on driving for long distance to get those items.

The Business will create few employment opportunities for the local residents at their door step. That will certainly be an economic incentive as well.

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: Brian A. Shaw

Date: 5-4-2022

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

- | | |
|-------------|--|
| January 25 | Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22. |
| February 22 | Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. |
| March 8 | Case is introduced to Board of Supervisors. |
| April 12 | Board of Supervisors may approve / deny / table for more information. |

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.



**HURT &
PROFFITT**

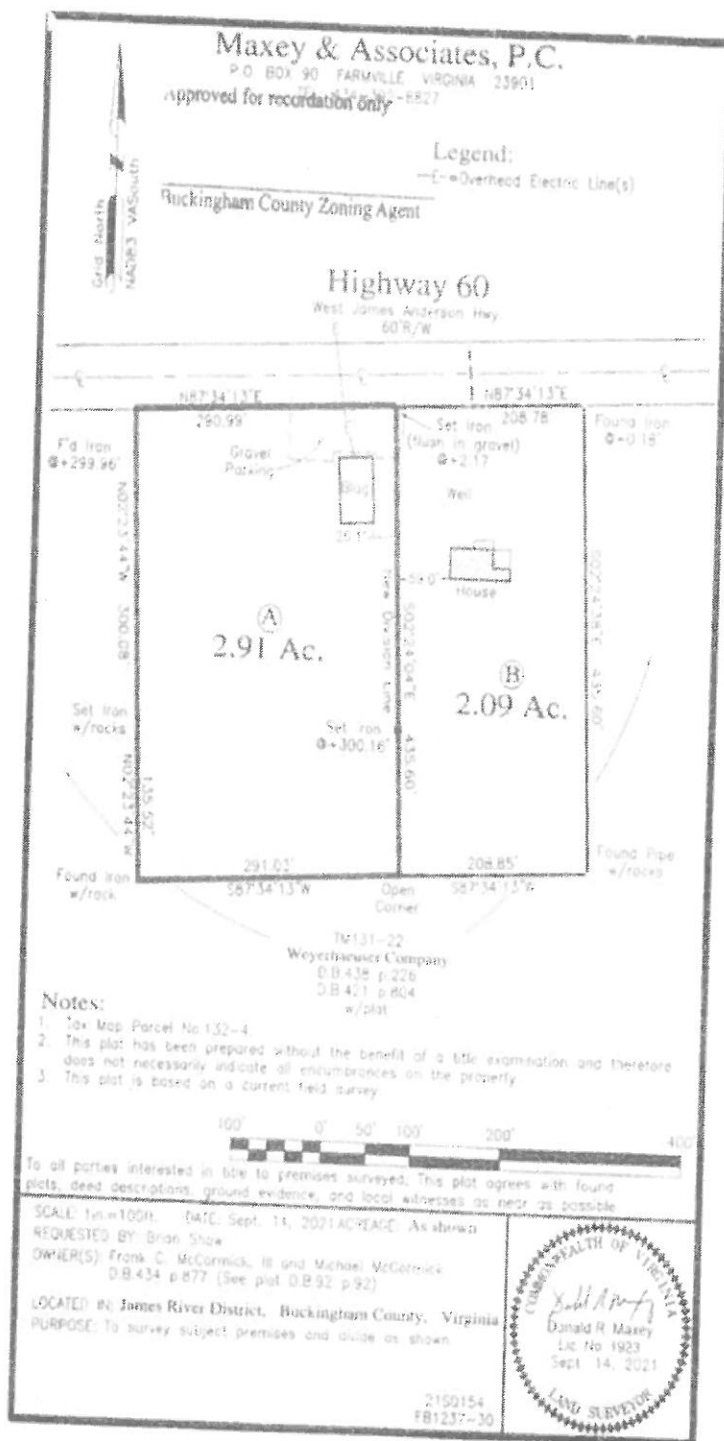
2524 LANGHORN ROAD
LYNCHBURG, VA 24501
800.242.4906 TOLL FREE
434.887.7796 MAIN
434.887.0047 FAX
WWW.HANDP.COM

Source: Maxey & Associates, P.C.

Spear Mountain Grocery
2626 W. James Anderson Hwy
Gladstone, Virginia 24553

Site Location
Map

Figure
1



T A X R E C E I P T

BUCKINGHAM COUNTY
 CHRISTY L CHRISTIAN
 (434) 969-4744
 POST OFFICE BOX 106
 BUCKINGHAM VA 23921

SPECIAL USE PERMIT - ZONING
 132 4

SHAH JEE LLC

Ticket #:00001470001 @@

Date : 5/06/2022
 Register: TC4/TC1
 Trans. #: 11947
 Dept # : SPUSE
 Acct# :

Previous Balance	\$.00
Principal Being Paid	\$	200.00
Penalty	\$.00
Interest	\$.00
Amount Paid	\$	200.00
*Balance Due	\$.00

Pd by SHAH JEE LLC
 BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 5/2022 Check 200.00 # FRSTBNK 1011

Buckingham County Planning Commission

May 23, 2022

Administration Building

7:00 PM

Introduction Case 22-SUP311

Owner/Applicant: Landowner Elam Stoltzfus, Emma Stoltzfus
Jacob Stoltzfus, Eli Stoltzfus
25766 N James Madison Hwy
New Canton VA 23123

Applicant Elam Stoltzfus
25766 N James Madison Hwy
New Canton VA 23123

Property Information: Tax Map 69, Parcel 49, containing approximately 99.6 acres, located at 25766 N James Madison Hwy New Canton VA 23123, Marshall Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating an Agricultural Based Business, Feed and Supplies. The Applicant is asking the Planning Commission to hold a public hearing to hear this request.

Background/Zoning Information: This property is located at 25766 N James Madison Hwy New Canton VA 23123, Marshall Magisterial District. The landowners are Elam Stoltzfus, Emma Stoltzfus, Jacob Stoltzfus, and Eli Stoltzfus and the applicant is Elam Stoltzfus. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit an Agricultural Based Business, Feed and Supplies as a Permitted by Right Use Agricultural A1 Zoning District. However, Within the A-I Agricultural District, an Agricultural Based Business, Feed and Supplies may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if the Special Use Permit is approved.

Below are conditions that you may consider attaching to the request if approved:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. Right of ways and roadway shoulders shall not be used for parking.

3. The property shall be kept neat and orderly.
4. That commencement of the facility shall begin within two years of the approval by the Board of Supervisors or this special use permit shall be null and void.
5. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
6. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
7. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
8. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
9. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable
10. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
11. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

What are the wishes of the Planning Commission?

Set a hearing date and time?

June 27, 2022 7pm?

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _____

Special Use Permit Request: using agricultural zoned property for
commercial use of selling feed and farm supplies

Purpose of Special Use Permit: Feed and Farm Supplies

Zoning District: Marshall Number of Acres: 99.6

Tax Map Section: 69.49 Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: Marshall

Street Address: 25766 N. James Madison Hwy

Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Elm G. Stoltzfus

Mailing Address: 25766 N. James Madison Hwy New Canton V.A. 23123

Daytime Phone: 717-409-4969 Cell Phone: _____

Email: _____ Fax: _____

Name of Property Owner: Same as above

Mailing Address: _____

Daytime Phone: _____ Cell Phone: _____

Email: _____ Fax: _____

Signature of Owner: Elm G. Stoltzfus Date: May 6 - 2022

Signature of Applicant: Elm G. Stoltzfus Date: May 6 - 2022

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☐ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Central V.A. Community Health

Mailing Address: 25892 N. James Madison Hwy New Canton V.A. 23123

Physical Address: Same as above

Tax Map Section: _____ Parcel: #6944 Lot: _____ Subdivision: _____

2. Name: Central V.A. Community Health

Mailing Address: P.O. Box 220 New Canton V.A. 23123

Physical Address: _____

Tax Map Section: _____ Parcel: #69-45 Lot: _____ Subdivision: _____

3. Name: Lacy B wood

Mailing Address: 1790 Melita Rd, Arvonia VA, 23004

Physical Address: _____

Tax Map Section: _____ Parcel: 84-1 Lot: _____ Subdivision: _____

4. Name: W Curtis wood + Courtney R - CO-TR of

Mailing Address: 24502 N. James Madison Hwy New Canton V.A. 23123

Physical Address: Same as above

Tax Map Section: _____ Parcel: 84-3 Lot: _____ Subdivision: _____

6. Name: Latha Shumaker, Davis L E+ ALS, Joy Hampton

Mailing Address: 25446 N. James Madison Hwy New Canton VA 23123

Physical Address: Same as above

Tax Map Section: _____ Parcel: 68-41 Lot: _____ Subdivision: _____

7. Name: Francis Allen

Mailing Address: 25475 N. James Madison Hwy New Canton VA 23123

Physical Address: _____

Tax Map Section: 68.36 Parcel: _____ Lot: _____ Subdivision: _____

8. Name: Francis Allen

Mailing Address: 25475 N. James Madison Hwy New Canton VA 23123

Physical Address: _____

Tax Map Section: 68.37 Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Vacant land

County Records Check (describe the history of this property):

Farm land

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No ☒

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No ☒

If yes, please explain any impact:

Owner/Applicant Signature: Elam G. Stoltzfus Date: March 30, 2022

Printed Name: Elam G. Stoltzfus Title: Owner

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Elam & Stoltzfus "TAX MAP 69-49"

Location: 37.635454 -78.361900 N. James Madison Hwy.

Proposed Use: _____

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

☒ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No ☒ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

A VDOT Standard Moderate Volume Commercial Entrance will need to be installed prior to allowing public access. Applicant has been informed that depending the construction of a proposed business on adjacent property, he may be required to relocate his entrance to accommodate entrance spacing standards.

Signature of VDOT Resident Engineer: [Signature]

Printed Name: Charles D. Edwards Date: 4-28-22

Moderate Volume Commercial Entrance Design along Highways with Shoulders

MODERATE VOLUME COMMERCIAL ENTRANCE DESIGN ALONG HIGHWAYS WITH SHOULDERS

Site Requirements For This Design

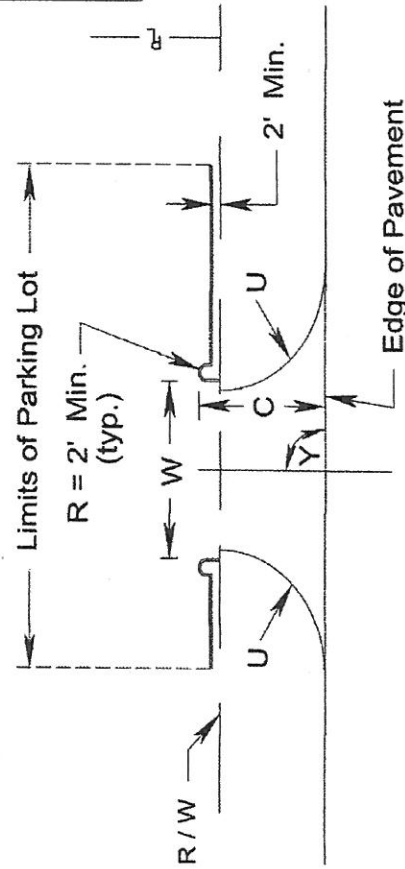
Maximum Highway VPD : 5,000

Maximum Entrance VPD : 200

Maximum Entrance VPD

Truck Trips : 10%

SINGLE TWO - WAY ENTRANCE



LETTER SYMBOL

DIMENSIONS

C	25' Minimum
U *	25' Minimum. Curb and Gutter or Curbing is not required. 30' Min. radius required when channelization island is used.
W *	18' Minimum 30' Maximum
Y *	90° Preferred 60° Minimum

* For Subdivision Streets and Alleys, radii, width and angle should be in accordance with Subdivision Street Design Guide in the Road Design Manual, Appendix B.

Notes:

Entrance details shown on this sheet may be modified to meet specific site requirements as directed or approved by the Engineer at the Residency or District, when based on sound engineering principles.

FIGURE 4-15 MODERATE VOLUME COMMERCIAL ENTRANCE DESIGN ALONG HIGHWAYS WITH SHOULDERS*

Note: All entrance design and construction shall accommodate pedestrian and bicycle users of the highway in accordance with the Commonwealth Transportation Board's "Policy for Integrating Bicycle and Pedestrian Accommodations".

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this 2nd day of May, in the year of 2022

I Jacob R Stoltz the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint Elam Stoltz
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day 2nd of the month May in the year of 2022 and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

J.R. Stoltz

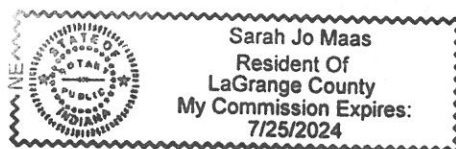
NOTARY PUBLIC

County of LaGrange State of Indiana

Subscribed and sworn before me on the 2 day of
May, 2022

in the year 2022. My commission expires 7/25/2024.

Signature of Notary Public: Sarah Jo Maas
Stamp:



SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this 3rd day of May, in the year of 2022

I Emma S. Stoltzfus the owner of 69-49
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint Elam G. Stoltzfus
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day 3 of the month May in the year of 2022 and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

Emma S. Stoltzfus



Lisa Edwards Biggers
Commonwealth of Virginia
Notary Public
Commission No. 2722051
My Commission Expires 8/31/22

NOTARY PUBLIC

County of Buckingham State of Virginia

Subscribed and sworn before me on the 3rd day of May

in the year 2022. My commission expires 8/31/2022

Signature of Notary Public: Lisa E. Biggers
Stamp:

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 6th day of May, year 2022,

I Elam G. Stoltzfus hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

Elam G. Stoltzfus

(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF Virginia

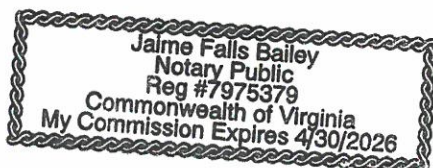
Subscribed and sworn to me on the 6th day of May,

of the year 2022. My Commission expires on 4/30/2026.

Notary Public Signature:

Stamp:

Jaime Bailey



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 6th day of May, of the year 2022,

I Elam G. Stoltzfus (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

El G

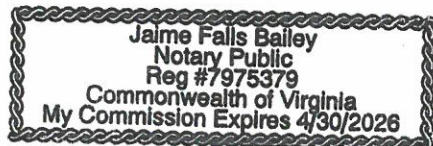
Signature of Owner: (to be signed in front of notary public)

El G Stoltzfus

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 6th day of May
of the year 2022. My commission expires 4/30/2026.

Notary Public Signature: Jaime Bailey
Stamp:



SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this 6th day of May, in the year of 2022

I Eli B. Stoltzfus III the owner of 69.49
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint Elam G. Stoltzfus
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day 10th of the month May in the year of 2022 and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

Eli B. Stoltzfus III

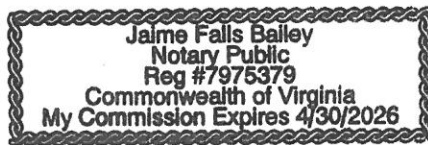
NOTARY PUBLIC

County of Buckingham State of Virginia

Signature of Notary Public:

Stamp:

Jaime Bailey



WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use —
2. Community Design
3. Cultural Resources - employees
4. Economic Development -
5. Environment flood zone
6. Fire and Rescue, Law Enforcement fire extinguishers
7. Housing Buildings
8. Libraries
9. Parks and Open Spaces
10. Potable Water — existing well — in future
11. Sewage — New drain field — in future
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste - trash disposal

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: Edna G. Self

Date: March 30, 2022

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

- | | |
|-------------|--|
| January 25 | Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22. |
| February 22 | Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. |
| March 8 | Case is introduced to Board of Supervisors. |
| April 12 | Board of Supervisors may approve / deny / table for more information. |

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

N. James Madison Hwy

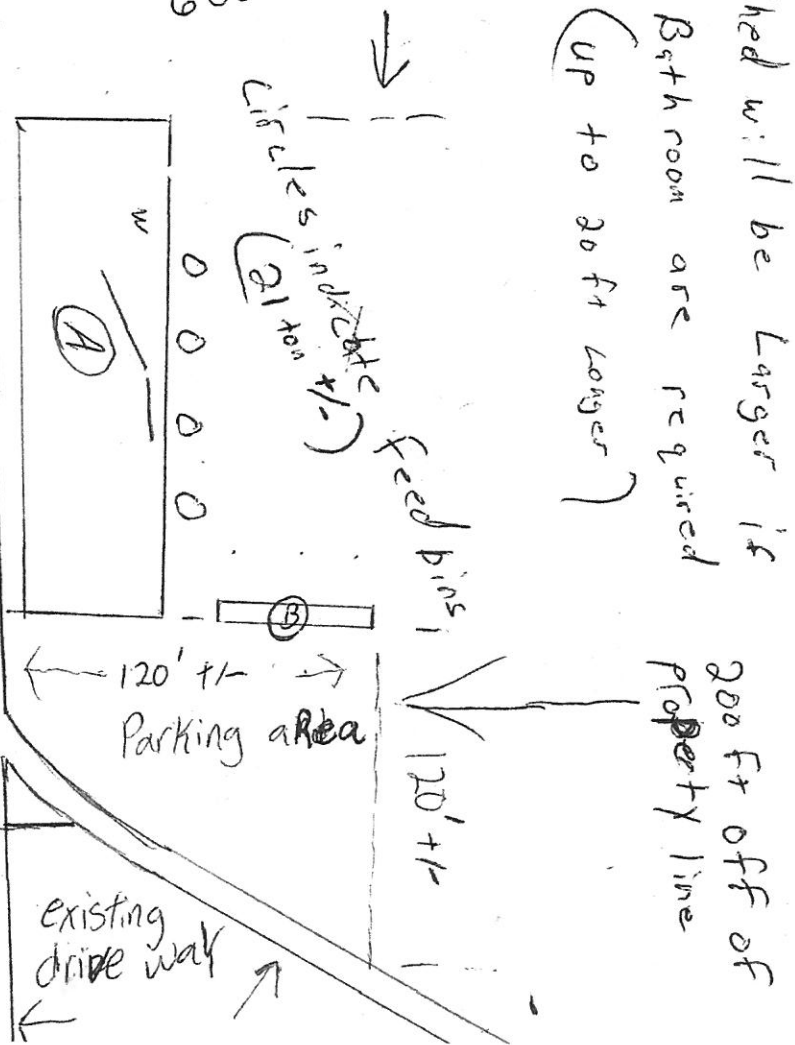
Driveway entrance will be changed
to VDOT specs

(A) (Warehouse)
Existing
30' x 60' Fabric Hoop Barn
Placed upon 2' x 2' x 6' Block wall
with concrete floor

North

(B) (Office) ϕ
12' x 28' shed
Built By owner
No plumbing or electric
0 & well 150'
(distance is approx)

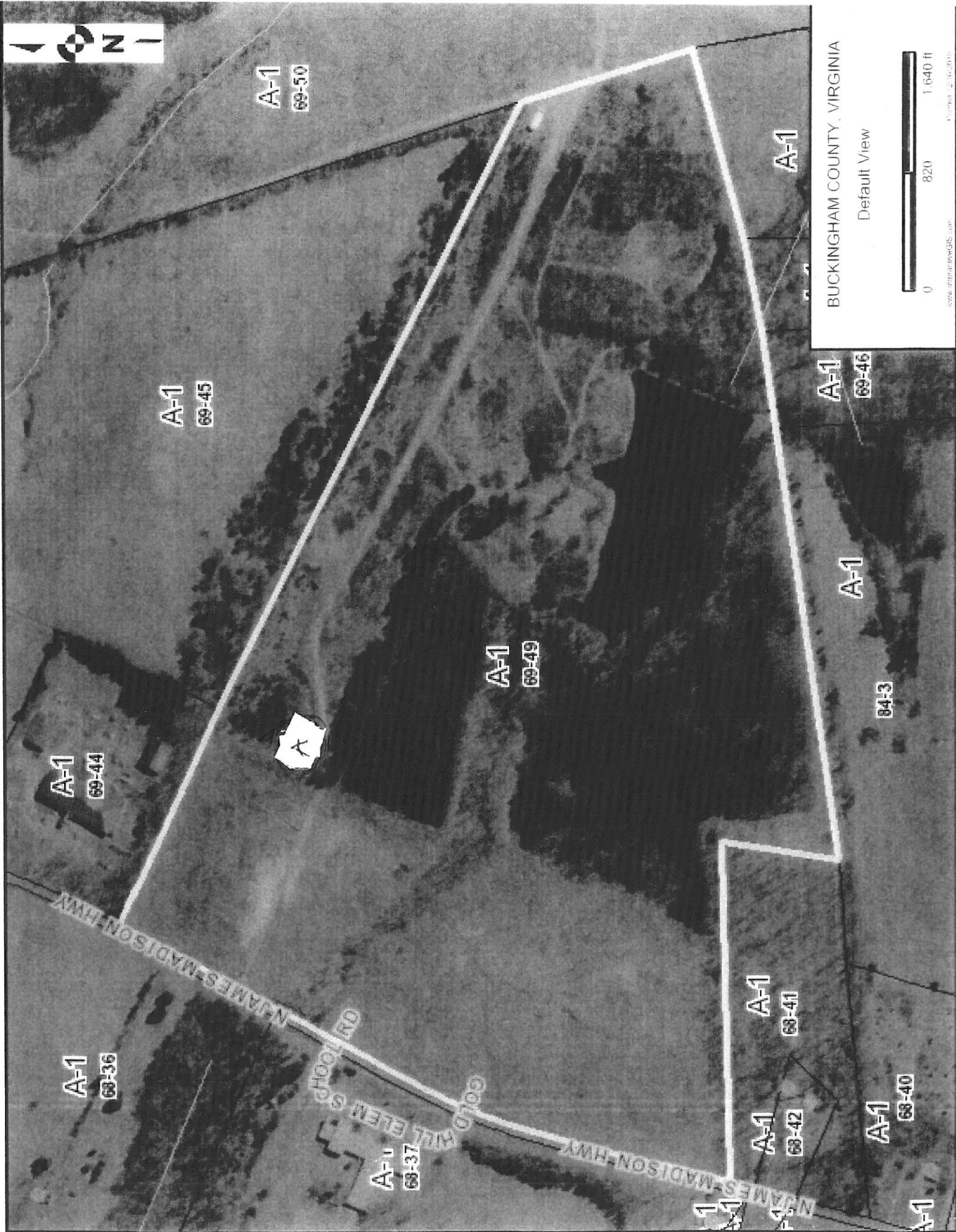
Shed will be larger if
Bathroom are required
(up to 20 ft longer)
600 ft off of Highway



Flam G. Stoltzfus

total sq ft 35,000

A-1 is area used



Our objective is to own a family run Hay Grain Feed and Farm Supply Business. Hours of operation to be from 5:00 A.M. - 6:00 P.M. Monday - Friday.

Employees will consist of one driver / employee to deliver Hay, Feed, and Farm Supply with possibility of one other employee outside of family.

Primary Plans are to buy, manufacture, deliver, and sell Grain, Hay, Livestock Feed, Small animal Feed, and Farm Supplies.

Storage / Warehouse will be in existing Fabric Hoop Building we plan to zone commercial once we receive special use permits. Manufacturing of feed will be with a grinder / mixer.

Primary Plans are to build a 12' x 28' shed for office and showroom. Bathroom facility will be a portable toilet onsite. Unless Bathroom is required inside, office / showroom will be upgraded with plumbing and larger dimension. Water will be supplied by existing well on property.

Owner is also planning to install 5 21 ton +/- Grain bins for individual storage of Grain for the use of manufacturing our own livestock + Small animal Feed.

Solid Waste will be kept in an onsite dumpster supplied by local trash disposal.

ATTEST:

John H. Hearn

CLERK

#205

#205

*amended and
revised to
Boatwright
Kettles,
4-26-46*

THIS DEED, Made this 8th day of April, 1946, between the CLARENFORD COMPANY, INCORPORATED, party of the first part and F. H. Boatwright, party of the second part;

WITNESSETH, that for and in consideration of the sum of \$10.00 cash in hand paid and other valuable consideration, the receipt whereof is hereby acknowledged, the said party of the first part doth grant with general warranty unto the said party of the second part all of that certain lot or parcel of land, lying in Marshall District of Buckingham County, Virginia, containing ninety-nine and six-tenths (99.6) acres, be the same more or less, bounded on the north by the Warsing property, now owned by Chas. Moseley; on the east by the Coghill tract, now owned by the party of the second part, on the south by the lands of Doc Moseley and Mrs. Edmonia Smith, and on the west by the road known as U. S. Highway #15; the land hereby conveyed being a part of the Pardee Tract, conveyed unto the party of the first part by deed from R. R. Farr Substituted Trustee, on the 18th day of December, 1937, by deed of record in the Clerk's Office of Buckingham County in deed book #38, page 479; the land hereby conveyed being fully described by a plat made by Edward S. Coles, C. E. in Feb. and March, 1938; beginning at a point on said Highway at the Warsing corner, thence S. 59° E. 2670 feet to a corner black oak; thence S. 12° E. 609 feet to a gum; thence S. 85.30° W. 1247 feet to a hickory; thence S. 87° W. 909 feet to a stone; thence on same bearing 168 feet to a corner; thence N. 20° E. 418 feet, thence N. 87.35° W. 1076 feet to U. S. Highway #15; thence N. 20° E. 642 feet with road; thence N. 29.40° E. 324 feet with road; thence N. 34.40° E. 1039 feet with road to the point of beginning.

In testimony whereof the party of the first part, pursuant to a resolution of its Board of Directors, has hereto caused its corporate name and seal to be affixed on its behalf by Ada M. Ford, President, duly attested by Mary Vernon Beale its Secretary the day and year first aforesaid.

CLARENFORD COMPANY, INCORPORATED

By Ada M. Ford President

(SEAL)

ATTEST: Mary Vernon Beale Secretary

State of Maryland;

Talbot County. to-wit:

I, Sara Smith Keene, a notary public in and for the state and Co. aforesaid, do hereby certify that Ada M. Ford President of the Clarenford Company, Incorporated personally appeared before me in my said Co. and on behalf of the said corporation acknowledged the aforesaid deed, dated April 6th, 1946, and the said Secretary whose name appears thereon affixed the corporate seal and both the said president and secretary acknowledged their signatures before me.

Given under my hand and official seal this 15th day of April, 1946.

(SEAL)

SARA SMITH KEENE, Notary Public

WITNESSES my hand and official seal this 15th day of April, 1946.

THIS DEED, made this 30th day of November, 2016, by and between H. CURTIS PEARSON, JR. and JEFFERSON M. CATLETT, parties of the first part (grantors), and ELAM G. STOLTZFUS, EMMA S. STOLTZFUS, JACOB R. STOLTZFUS and ELI B. STOLTZFUS, III, parties of the second part (grantees).

WITNESSETH, that for and in consideration of the sum of \$20.00 and other valuable consideration paid by the parties of the second part to the parties of the first part, the receipt of which is hereby acknowledged, the parties of the first part do hereby bargain, sell, grant and convey, with General Warranty and, except as hereinafter set forth, English Covenants of Title, unto the parties of the second part, as joint tenants with the right of survivorship as at common law and NOT as tenants in common, all the following described real estate, to-wit:

PARCEL A: All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District of Buckingham County, Virginia, containing Ninety-Nine and six/tenths (99.6) acres, more or less, being bounded on the west by U. S. Route #15 (N. James Madison Hwy.) on the north by lands now or formerly of Charles Moseley, on the east by PARCEL B hereinafter described, and on the south by lands now or formerly of Doc Moseley, now or formerly of Edmonia Smith and possibly lands of others. Said lands are more particularly described as to metes and bounds by a survey thereof prepared by Edward S. Cole, C.E., dated February and March, 1938, which description is incorporated in a deed conveying said lands from Clarenford Company, Incorporated to F. H. Boatwright dated April 8, 1946 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Deed Book 45, at page 460 et seq., to which metes and bounds description reference is hereby made for a more complete and accurate description of said lands.

Consideration: \$925,000.00

TM #s 69-49 & 50
and 84-2

Assessed Value: \$532,600.00

Title Ins. Fidelity
National

Return to: J. Robert Snoddy, III

Prepared By:
J. ROBERT SNODDY, III
Attorney and Counselor at Law
P. O. BOX 325
DILLWYN, VIRGINIA 23936
YSB No. 13494

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4

PARCEL B: All those two certain tracts or parcels of land, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District of Buckingham County, Virginia, containing in aggregate Two Hundred Thirty-Nine (239) acres, more or less, said lands being more particularly described as the aggregate of two parcels containing "12 acres" and "227 acres", respectively, depicted by a plat of survey prepared by Edward S. Cole, C. E., dated March 6, 1924 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Deed Book 31, at page 335, to which plat reference is hereby made for a more complete and accurate description of said lands. LESS AND EXCEPT a cemetery lot 17' 8" by 19' 8" for the Perkins family cemetery which was conveyed to W. W. Perkins by deed dated April 29, 1940 and recorded in the aforesaid Clerk's Office in Deed Book 40, at page 370 et seq.


PARCELS A & B are also conveyed LESS AND EXCEPT that portion of said lands, said to contain 0.59 of an acre (see Highway Plat Book 3, at pages 244 through 247), taken by the Commonwealth of Virginia for improvement of the aforesaid Route #15 by certificate of take dated September 12, 1977 and recorded in the aforesaid Clerk's Office in Deed Book 106, at page 184 et seq.

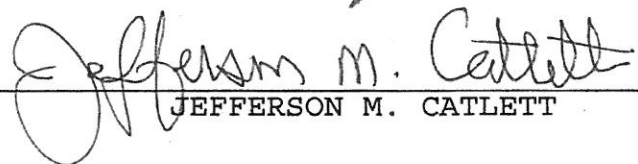
PARCEL C: All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District of Buckingham County, Virginia, containing Thirty-Seven and eighty-nine/hundredths (37.89) acres, more or less, said lands being more particularly described by a plat of survey prepared by Michael Ray Goin, L.S. dated August 30, 2016 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Plat Cabinet A, at slide 256F, to which plat reference is hereby made for a more complete and accurate description of said lands.

PARCELS A, B & C being the same lands conveyed unto H. Curtis Pearson, Jr. and Jefferson M. Catlett, as tenants in common in equal shares, from Robert O. Turner et al by deed dated November 2, 2016 and recorded in the aforesaid Clerk's Office in Deed Book 437, at page 213 et seq.

This conveyance is made expressly subject to any and all easements, restrictions, conditions and reservations which are: contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the property hereby conveyed that have not expired by limitation of time contained therein or have not otherwise become ineffective; or, apparent upon inspection of the premises.

WITNESS the following signatures and seals.

 (SEAL)
H. CURTIS PEARSON, JR.

 (SEAL)
JEFFERSON M. CATLETT

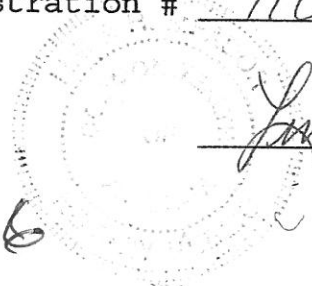
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

I, Linda H Meador, a notary public in and for the county aforesaid, State of Virginia, do hereby certify that H. CURTIS PEARSON, JR. and JEFFERSON M. CATLETT, whose names are signed to the writing above, have acknowledged the same before me in my county aforesaid.

Given under my hand this 5th day of December, 2016.

My commission expires 8-31-2018.

Notary registration # 110434.


Linda H Meador
NOTARY PUBLIC

42 Building Permits were issued in the amount of \$14,560.43 for the month of April 2022

Permit No.	District	Name	Purpose	Cost of Construction	Cost of Permit
18931	James River	MT Rush Structures	New Dwelling	\$330,000.00	\$1,004.82
18932	James River	Radha Metro Midkiff	Addition Residential	\$75,420.00	\$51.00
18933	Maysville	Clayton Homes	Mobile Home Doublewide	\$210,000.00	\$381.36
18934	Francisco	Mitchell Homes	New Dwelling	\$243,622.00	\$565.61
18935	Maysville	Vickie Moss	Detached Garage	\$34,000.00	\$361.90
18936	Slate River	J Moore Construction	Addition Residential	\$25,000.00	\$77.56
18937	Maysville	William J Price	Addition Residential	\$65,000.00	\$129.14
18938	Maysville	John Zeh	Electrical	\$4,500.00	\$25.50
18940	Slate River	Parker Oil Company	Mechanical	\$1,100.00	\$25.50
18941	James River	Mills Heating and Air	Electrical	\$2,600.00	\$25.50
18942	Curdsville	Clark Home Solutions	Electrical	\$15,400.00	\$25.50
18943	Curdsville	Clark Home Solutions	Electrical	\$1,000.00	\$25.50
18944	James River	Southern Air	Electrical	\$11,518.50	\$25.50
18945	James River	Southern Air	Electrical	\$11,518.80	\$25.50
18947	James River	Southern Air	Electrical	\$12,724.00	\$25.50
18948	James River	Leakeco Services	Electrical	\$1,700.00	\$25.50
18949	Slate River	Drinkard Electrical	Electrical	\$4,500.00	\$25.50
18950	James River	Ellington Energy	Mechanical	\$3,611.00	\$25.50
18951	James River	Ellington Energy	Mechanical	\$3,566.00	\$25.50
18952	Francisco	Top Notch Contracting	New Dwelling	\$350,000.00	\$529.42
18953	Curdsville	Wayne Robertson	Mobile Home Doublewide	\$5,000.00	\$254.27
18954	Marshall	Robert Gibson	Addition Residential	\$40,000.00	\$346.19
18955	Curdsville	AT&T Co Corinne Fear	Addition Comemrical	\$30,000.00	\$153.00
18956	James River	Verizon Wireless	Addition Comemrical	\$30,000.00	\$76.50
18957	Slate River	John Nichols	Detached Garage	\$160,000.00	\$364.55
18958	Slate River	John Nichols	New Dwelling	\$580,000.00	\$1,973.48
18959	James River	Christian Gathright	Residential Addition	\$70,000.00	\$122.61
18960	Curdsville	JES Construction	Residential Addition	\$11,800.00	\$51.00
18961	Maysville	Rock River	New Dwelling	\$380,000.00	\$729.80
18962	Marshall	Alan Smith	New Dwelling	\$400,000.00	\$839.77
18963	Curdsville	Aztec Rental	Tent	\$3,110.00	\$35.50
18964	Maysville	Joshua Seay	Electrical	\$0.00	\$25.50
18965	James River	Nick Fraykor	Electrical	\$7,500.00	\$25.50
18966	Curdsville	Nick Fraykor	Electrical	\$2,500.00	\$25.50
18967	Curdsville	Rock Wood of Dillwyn	Commerical Construction	\$661,545.00	\$4,934.56
18969	James River	Mary Jane Burgess	Farm Building- Exempt	\$32,000.00	\$10.00
18968	Francisco	Camila Scott	Mobile Home Singlewide	\$1,400.00	\$261.94
18970	Marshall	Clayton Homes Elva Shifflet	Mobile Home Singlewide	\$150,000.00	\$277.42
18971	Marshall	Elam Stoltzfus	Detached Garage	\$20,000.00	\$228.79
18973	Marshall	Virignia Propane	Mechanical	\$715.00	\$25.50
18974	Slate River	Chris Anderson	New Dwelling	\$100,000.00	\$296.74
18976	James River	Shah Jee LLC	Electrical	\$1,800.00	\$25.50
42					
18917		Tmobile	Payment		\$20.00
18733		Yates Homes	Re-Inspection Fee		\$50.00
Cost of permit is calculated based on square footage of structure				\$4,094,150.30	\$14,560.43