



Buckingham County Planning Commission Agenda  
Monday, January 22, 2024 6:00PM  
County Administration Building  
Peter Francisco Meeting Room  
[www.buckinghamcountyva.org](http://www.buckinghamcountyva.org)

**You may view the meeting by logging on to**

<https://youtube.com/live/BG3169-LKC8?feature=share>

1. Call to Order by Zoning Administrator
2. Invocation
  - Pledge of Allegiance
  - Establishment of Quorums
3. Consider Vote for 2024 Seating of the Chairman
4. Consider Vote for 2024 Seating of the Vice Chairman
5. Approval of the 2024 By Laws and Rules of Procedure
  1. Code of Conduct (as submitted by Commissioner Gooden, example document included in packet)
6. Approval of Agenda
7. Approval of Minutes
  1. November 20, 2023 Work Session-Pending
  2. December 18, 2023 Regular Meeting-Pending
8. Old Business
  1. Public Hearing Case 23-SUP337 Jonathan King
  2. Public Hearing Case 23-SUP338 Eli Stoltzfus
  3. Public Hearing Case 23-SUP339 Verizon Wireless
9. New Business
  - No New Business at this time

10. Reports

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

11. Commission Matters and Concerns

12. Adjournment

**BY-LAWS**  
**BUCKINGHAM COUNTY PLANNING COMMISSION**

**Article 1 – Objectives**

- 1-1. The Buckingham County Planning Commission was established in conformance with a resolution adopted by the Buckingham County Board of Supervisors on February 5, 1962. The present Commission has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Chapter 22, Article 2, of the 1950 Code of Virginia, as amended.
- 1-2. The official title of this Commission shall be the “Buckingham County Planning Commission.”

**Article 2 – Members**

- 2-1. The Planning Commission shall consist of not less than five, nor more than fifteen members, all of whom shall be residents of the County. One member shall be one of the Board of Supervisors and the remaining members shall be County citizens appointed by the Board of Supervisors.
- 2-2. The term of the member from the Board of Supervisors shall be at the pleasure of the Board of Supervisors. Members are appointed for terms of four (4) years by the Board of Supervisors. Any vacancy in membership shall be filled by appointment by the Board of Supervisors and shall be for an unexpired term only. Any appointed member may be removed by the Board of Supervisors for malfeasance in office. The Board of Supervisors may provide for the payment of expenses incurred by the performance of their official duties.
- 2-3. The term of a Commissioner member shall expire immediately prior to the beginning of the regular meeting at which meeting his successor’s term of office shall begin.

**Article 3 – Officers and Their Selection**

- 3-1. The officers of the Planning Commission shall consist of a Chairman, a Vice Chairman, and a Secretary. The elected officers shall be the Chairman and the Vice Chairman.
- 3-2. The Nomination of officers shall be based on nominations of the members for the consideration of Chairman and Vice Chairman.

Any Chairman or Vice Chairman may decline and allow further nominations until the Offices are filled. Official action of election of officers shall follow immediately.

- 3-3. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected. They shall take office immediately and serve for one (1) year or until their successor shall take office.

- 3-4. Vacancies in office shall be filled immediately by the rotation election procedures listed above.

#### **Article 4 – Duties of Officers**

- 4-1. The Chairman shall be a citizen member of the committee and shall:
- 4-1-1. Preside at all meetings.
  - 4-1-2. Appoint committees, special and/or standing.
  - 4-1-3. Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote by the members present.
  - 4-1-4. Be informed immediately of any official communication and report same at the next regular meeting.
  - 4-1-5. Carry out other duties as assigned by the Commission.
- 4-2. The Vice Chairman shall be a citizen member of the Commission and shall:
- 4-2-1. Act in the absence or inability of the Chairman to act.
  - 4-2-2. Have the power to function in the same capacity as the Chairman in cases of the Chairman's inability to act.
- 4-3. The Secretary shall:
- 4-3-1. Be the County Administrator or his/her designee.
  - 4-3-2. Keep a written record of all business transacted by the Commission.
  - 4-3-3. Notify all members of all meetings.
  - 4-3-4. Keep a file of all official records and reports of the Commission.
  - 4-3-5. Certify all maps, records, and reports of the Commission.
  - 4-3-6. Give notice of all hearings and public meetings.
  - 4-3-7. Attend to the correspondence of the Commission.
  - 4-3-8. Prepare and be responsible for the publishing of advertisements relating to public hearings.

#### **Article 5 – Standing and Special Committees**

- 5-1. Any committee necessary in the function of the Commission shall be appointed by the Chairman, who will specify their purpose and tenure, subject to majority approval by the Commission.

#### **Article 6 – Meetings**

- 6-1. Regular meetings of the Commission shall be held on the fourth Monday of every month beginning with January at 7:00 p.m. Special meetings shall be called, as needed. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless otherwise designated by the Commission.
- 6-2. Special meetings of the Commission shall be called by the Chairman or by two members upon written request to the Secretary. The Secretary shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof.



- 6-3. All regular and special meetings, hearings, records, and accounts shall be open to the public.
- 6-4. A majority of the membership of the Commission shall constitute a quorum. No action of the Commission shall be valid unless authorized by a majority vote of those present and voting. Voting may be by roll call, in which case a record shall be kept as a part of the minutes.
- 6-5. Any request for consideration by the Commission shall be presented to the Secretary of the Commission and/or the County Administrator at least ten (10) days prior to the scheduled meeting or the Commission shall not be obligated to consider the matter at its next scheduled meeting.
- 6-6. For record keeping purposes, the Secretary of the Commission or other appointed staff will provide a sheet for all public commenters to write their name and address after they have finished their comments.
- 6-7. The Commission reserves the right to require that public comment and public hearing participants, with the exclusion of presenters, applicants and staff, sign up on a sign-up sheet prior to a meeting. The person chairing the meeting will have a last call for any additional names to be added directly before the scheduled public comment time or scheduled hearing. Then the Chair or appointed member shall call the individuals with preference given to the Buckingham County citizens and landowners to speak first.
- 6-8. During public comments and public hearings there shall be no discussion between the public and the Commission unless granted by the Chairman.
- 6-9. The following statement will be on all public comment and public hearing sign-up sheets and may be read by the Planning commission as a reminder to citizens to uphold the truth: *The Planning Commission would like to remind all speakers that they have a First Amendment right to speak. However, speakers do not have indemnification if the statement(s) are made with actual or constructive knowledge that they are false, or with reckless disregard for whether they are false. We ask all speakers to keep to what they know to be the truth and by signing up for comment you are acknowledging your understanding and agreement with the above.*
- 6-10. In the event of inclement weather, the regularly scheduled Planning Commission meeting will be held on the following Monday of the month.

6-11 Meetings held through electronic communications:

This policy is adopted pursuant and consistent with §2.2-3708.2 of the 1950 Code of Virginia, as amended. A. The following provisions shall apply to the Planning Commission for Buckingham County (Planning Commission):

- 1. Subject to the requirements of Section 6, the Planning Commission may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on or before the day of the meeting, a member of the Planning Commission holding the meeting notifies

the Chair of the Planning Commission that: a. Such member is unable to attend the meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance; or b. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision b is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

2. If participation by a member through electronic communication means is approved pursuant to subdivision 1, the Planning Commission holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision 1 a, the Planning Commission shall also include in its minutes the fact that the member participated through electronic communication means due to (i) a temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision 1 b, the Planning Commission shall also include in its minutes the specific nature of the personal matter cited by the member. If a member's participation from a remote location pursuant to subdivision 1 b is disapproved because such participation would violate the policy adopted pursuant to Section B, such disapproval shall be recorded in the minutes with specificity.

3. Any Planning Commission, or any joint meetings thereof, may meet by electronic communication means without a quorum of the Planning Commission physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the Planning Commission or the discharge of its lawful purposes, duties and responsibilities. The Planning Commission convening a meeting in accordance with this subdivision shall: a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the Planning Commission conducting the meeting; b. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the Planning Commission; c. Provide the public with the opportunity to comment at those meetings of the Planning Commission when public comment is customarily received; and d. Otherwise comply with the provisions of this policy. The nature of emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

The provisions of this subdivision 3 shall be applicable only for the duration of the emergency declared pursuant to §44-146-17 or 44-146.21. B. Participation by a member of the Planning Commission in a meeting through electronic communication means pursuant to subdivisions A 1 and 2 shall be authorized only if the following conditions are met: 1. The member gives proper notice of the member's inability to attend the meeting and the reasons the member is unable to attend; 2. The Chair shall make a preliminary determination if the non-attending member is able to participate through electronic means and shall announce that determination at the beginning of the meeting, setting forth when the request was received and why the member so requested; 3. If any member present disagrees with the determination of the Chair, the disagreeing member may request a vote of the Planning Commission members present on the Chair's decision. Each member shall be allowed, if the member so desires, to speak one time, for no more than 2 minutes, on the determination. The Chair may vote and a majority of members present and voting shall prevail.

4. The minutes shall reflect those items required by this policy. 5. A quorum of the Planning Commission is physically assembled at one primary or central meeting location; and  
6. The Planning Commission makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location. Nothing in this policy shall be construed to prohibit the use of interactive audio or video means to expand public participation. This policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation of the matters that will be considered or voted on at the meeting.

#### **ARTICLE 7 – ORDER OF BUSINESS**

- 7-1. The order of business for a regular meeting shall be:
  - 7-1-1. Call to order by the Chairman.
  - 7-1-2. Invocation.
  - 7-1-3. Pledge of Allegiance.
  - 7-1-4. Determination of a quorum.
  - 7-1-5. Adoption of agenda.
  - 7-1-6. Consideration of minutes.
  - 7-1-7. Public Participation.
  - 7-1-8. Old Business.
  - 7-1-9. New Business.
  - 7-1-10. Report of officers, committees, and staff.
  - 7-1-11. Adjournment.
- 7-2. Executive sessions may be held as needed
- 7-3. Parliamentary procedure in Commission meetings shall be guided by Robert’s Rules of Order Amended for Small Groups.
- 7-4. The Planning Commission shall keep a set of minutes of all meetings, and these minutes shall become a public record.
- 7-5. The Secretary and Chairman shall sign all minutes.

#### **ARTICLE 8 – HEARINGS**

- 8-1. In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.
- 8-2. Notice of a special hearing shall be published once a week for two successive weeks in a newspaper of general circulation in the area not less than five (5) days before the time of the public hearing.
- 8-3. The order for public hearings shall be:
  - 8-3-1. The Chairman will request the Planner/Zoning Administrator to call the specific case being heard.

8-3-2. After hearing the specific case item, the Chairman will ask staff to present its report. Staff reports are available on the Friday prior to the public hearing.

8-3-3. The Chairman asks the applicant to present their case. Applicants may be limited on time at the discretion of the Chairman.

8-3-4. Following the staff's report and applicant's presentation, the Chairman will open the public hearing and call for public speakers. When called upon to speak, speakers must be recognized by the Planning Commission Chairman and must state name, address, and district. Spontaneous questions, comments and applause from the audience will not be acknowledged. Public speakers are allowed to speak for three (3) minutes. However, the Chairman reserves the right to set new speaking times at the start of each meeting. Commissioners should refrain from asking questions until the party addressing the Commission completes his or her entire presentation. For purposes of this guideline, the term "party" refers to staff, applicants and individual public speakers addressing the Commission. Once all speakers are heard, the public hearing will be closed. Applicant may have the opportunity to address the Commission on issues that arose during the public comment. At the discretion of the Chairman, additional questions from the public may be submitted to the Chairman and the applicant shall submit his/her responses to the questions through the Chairman.

8-3-5. At some point during the Commission discussion, a Commissioner may offer a motion that will be voted on by the Commission.

8-3-6. A letter (Letter of Recommendation) which accurately portrays the Commission's action in sufficient detail, including the motion and vote, is sent to the Board of Supervisors.

8-4. A record shall be kept for those speaking before the Commission at the hearing.

#### **Article 9 – Correspondence**

9-1. It shall be the duty of the Secretary to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.

9-2. It shall be the duty of the Secretary to communicate as appropriate when necessary to make communications that cannot be carried out as rapidly through direct correspondence.

9-3. All official papers and plans involving the authority of the Commission shall bear the signature of the Chairman or Vice Chairman together with the certification signed by the Secretary.

#### **Article 10 – Amendments**

10-1. These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days' prior notice.

Adopted February 1962  
Revised March 1998

Revised October 2018

Revised	January 2009
Revised	January 2014
Revised	January 2016
Revised	January 2017

**BY-LAWS**  
**BUCKINGHAM COUNTY PLANNING COMMISSION**

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- 1-2. The official title of this Commission shall be the “Buckingham County Planning Commission.”

**Article 2 – Members**

- 2-1. The Planning Commission shall consist of not less than five, nor more than fifteen members, all of whom shall be residents of the County. One member shall be one of the Board of Supervisors and the remaining members shall be County citizens appointed by the Board of Supervisors. The members shall be referred to as Commissioners. The term
- 2-2. The term of the member from the Board of Supervisors shall be at the pleasure of the Board of Supervisors. Members are appointed for terms of four (4) years by the Board of Supervisors. Any vacancy in membership shall be filled by appointment by the Board of Supervisors and shall be for an unexpired term only. Any appointed member may be removed by the Board of Supervisors for malfeasance in office. The Board of Supervisors may provide for the payment of expenses incurred by the performance of their official duties.
- 2-3. The term of a Commissioner member shall expire immediately prior to the beginning of the regular meeting at which meeting his successor’s term of office shall begin.

**Article 3 – Officers and Their Selection**

- 3-1. The officers of the Planning Commission shall consist of a Chairman, a Vice Chairman, and a Secretary. The members of the Planning Commission shall elect the Chairman and the Vice Chairman. The Chairman shall be elected first.
- 3-2. The election of the Chairman and Vice Chairman shall occur at the first regular meeting of each year.
- 3-3. Members shall nominate candidates for the position. A candidate receiving a majority of the vote of the entire membership of the Planning Commission shall be declared elected. The elected candidate shall take office immediately and serve for one (1) year or until their successor shall take office.

- 3-4. Vacancies in office shall be filled immediately by the election procedures listed above.

#### **Article 4 – Duties of Officers**

- 4-1. The Chairman shall be a member of the Commission and shall:
- 4-1-1. Preside at all meetings.
  - 4-1-2. Appoint committees, special and/or standing.
  - 4-1-3. Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote by the members present.
  - 4-1-4. Be informed immediately of any official communication and report same at the next regular meeting.
  - 4-1-5. Carry out other duties as assigned by the Commission.
- 4-2. The Vice Chairman shall be a citizen member of the Commission and shall:
- 4-2-1. Act in the absence or inability of the Chairman to act.
  - 4-2-2. Have the power to function in the same capacity as the Chairman in cases of the Chairman's inability to act.
- 4-3. The Secretary shall:
- 4-3-1. Be the County Planner/Zoning Administrator or his/her designee.
  - 4-3-2. Keep a written record of all business transacted by the Commission.
  - 4-3-3. Notify all members of all meetings.
  - 4-3-4. Keep a file of all official records and reports of the Commission.
  - 4-3-5. Certify all maps, records, and reports of the Commission.
  - 4-3-6. Give notice of all hearings and public meetings.
  - 4-3-7. Attend to the correspondence of the Commission.
  - 4-3-8. Prepare and be responsible for the publishing of advertisements relating to public hearings.

#### **Article 5 – Standing and Special Committees**

- 5-1. Any committee necessary in the function of the Commission shall be appointed by the Chairman, who will specify their purpose and tenure, subject to majority approval by the Commission.

#### **Article 6 – Meetings**

- 6-1. Regular meetings of the Commission shall be held on the fourth Monday of every month beginning with January at 6:00 p.m. Special meetings shall be called, as needed. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless otherwise designated by the Commission.
- 6-2. Special meetings of the Commission shall be called by the Chairman or by two members upon written request to the Secretary. The Secretary shall mail to all members, at least

five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof.

- 6-3. All regular and special meetings, hearings, records, and accounts shall be open to the Public, as provided by law.
- 6-4. A majority of the membership of the Commission shall constitute a quorum. No action of the Commission shall be valid unless authorized by a majority vote of those present and voting. Voting may be by roll call, in which case a record shall be kept as a part of the minutes.
- 6-5. Any request for consideration by the Commission shall be presented to the Secretary of the Commission and/or the County Administrator at least ten (10) days prior to the scheduled meeting or the Commission shall not be obligated to consider the matter at its next scheduled meeting.
- 6-6. For record keeping purposes, the Secretary of the Commission or other appointed staff will provide a sheet for all public commenters to write their name and address after they have finished their comments.
- 6-7. The Commission reserves the right to require that public comment and public hearing participants, with the exclusion of presenters, applicants and staff, sign up on a sign-up sheet prior to a meeting. The person chairing the meeting will have a last call for any additional names to be added directly before the scheduled public comment time or scheduled hearing. Then the Chair or appointed member shall call the individuals with preference given to the Buckingham County citizens and landowners to speak first.
- 6-8. During public comments and public hearings there shall be no discussion between the public and the Commission unless granted by the Chairman.
- 6-9. The following statement will be on all public comment and public hearing sign-up sheets and may be read by the Planning commission as a reminder to citizens to uphold the truth: *The Planning Commission would like to remind all speakers that they have a First Amendment right to speak. However, speakers do not have indemnification if the statement(s) are made with actual or constructive knowledge that they are false, or with reckless disregard for whether they are false. We ask all speakers to keep to what they know to be the truth and by signing up for comment you are acknowledging your understanding and agreement with the above.*
- 6-10. In the event of inclement weather, the regularly scheduled Planning Commission meeting will be held on the following Monday of the month.
- 6-11. Meetings held through electronic communications:  
This policy is adopted pursuant and consistent with §2.2-3708.2 of the 1950 Code of Virginia, as amended. A. The following provisions shall apply to the Planning Commission for Buckingham County (Planning Commission):



1. Subject to the requirements of Section 6, the Planning Commission may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on or before the day of the meeting, a member of the Planning Commission holding the meeting notifies the Chair of the Planning Commission that: a. Such member is unable to attend the meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance; or b. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision b is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

2. If participation by a member through electronic communication means is approved pursuant to subdivision 1, the Planning Commission holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision 1 a, the Planning Commission shall also include in its minutes the fact that the member participated through electronic communication means due to (i) a temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision 1 b, the Planning Commission shall also include in its minutes the specific nature of the personal matter cited by the member. If a member's participation from a remote location pursuant to subdivision 1 b is disapproved because such participation would violate the policy adopted pursuant to Section B, such disapproval shall be recorded in the minutes with specificity.

3. Any Planning Commission, or any joint meetings thereof, may meet by electronic communication means without a quorum of the Planning Commission physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the Planning Commission or the discharge of its lawful purposes, duties and responsibilities. The Planning Commission convening a meeting in accordance with this subdivision shall: a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the Planning Commission conducting the meeting; b. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the Planning Commission; c. Provide the public with the opportunity to comment at those meetings of the Planning Commission when public comment is customarily received; and d. Otherwise comply with the provisions of this policy. The nature of emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

The provisions of this subdivision 3 shall be applicable only for the duration of the emergency declared pursuant to §44-146-17 or 44-146.21. B. Participation by a member of the Planning Commission in a meeting through electronic communication means pursuant to subdivisions A 1 and 2 shall be authorized only if the following conditions are met: 1. The member gives proper notice of the member's inability to attend the meeting and the reasons the member is unable to attend; 2. The Chair shall make a preliminary determination if the non-attending member is able to participate through electronic means and shall announce that determination at the beginning of the meeting, setting forth when the request was received and why the member so requested; 3. If any member present disagrees with the determination of the Chair, the disagreeing member may request a vote of the Planning Commission

members present on the Chairs decision. Each member shall be allowed, if the member so desires, to speak one time, for no more than 2 minutes, on the determination. The Chair may vote and a majority of members present and voting shall prevail.

4. The minutes shall reflect those items required by this policy.

5. A quorum of the Planning Commission is physically assembled at one primary or central meeting location; and

6. The Planning Commission makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location. Nothing in this policy shall be construed to prohibit the use of interactive audio or video means to expand public participation. This policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation of the matters that will be considered or voted on at the meeting.

#### **ARTICLE 7 – ORDER OF BUSINESS**

7-1. The order of business for a regular meeting shall be:

7-1-1. Call to order by the Chairman.

7-1-2. Invocation.

7-1-3. Pledge of Allegiance.

7-1-4. Determination of a quorum.

7-1-5. Adoption of agenda.

7-1-6. Consideration of minutes.

7-1-7. Public Participation.

7-1-8. Old Business.

7-1-9. New Business.

7-1-10. Report of officers, committees, and staff.

7-1-11. Closed session, as needed

7-1-12 Adjournment

7-2. Closed sessions may be held as needed and allowed by law.

7-3. Parliamentary procedure in Commission meetings shall be guided by Robert's Rules of Order Amended for Small Groups.

7-4. The Planning Commission shall keep a set of minutes of all meetings, and these minutes shall become a public record.

7-5. The Secretary and Chairman shall sign all minutes.

#### **ARTICLE 8 – HEARINGS**

8-1. In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.

8-2. Notice of a special hearing shall be published once a week for two successive weeks in a newspaper of general circulation in the area not less than five (5) days before the time of the public hearing.

8-3. The order for public hearings shall be:

8-3-1. The Chairman will request the Planner/Zoning Administrator to call the specific case being heard.

8-3-2. After hearing the specific case item, the Chairman will ask staff to present its report. Staff reports are available on the Friday prior to the public hearing.

8-3-3. The Chairman asks the applicant to present their case. Applicants may be limited on time at the discretion of the Chairman.

8-3-4. Following the staff's report and applicant's presentation, the Chairman will open the public hearing and call for public speakers. When called upon to speak, speakers must be recognized by the Planning Commission Chairman and must state name, address, and district. Spontaneous questions, comments and applause from the audience will not be acknowledged. Public speakers are allowed to speak for three (3) minutes. However, the Chairman reserves the right to set new speaking times at the start of each meeting. Commissioners should refrain from asking questions until the party addressing the Commission completes his or her entire presentation. For purposes of this guideline, the term "party" refers to staff, applicants and individual public speakers addressing the Commission. Once all speakers are heard, the public hearing will be closed. Applicant may have the opportunity to address the Commission on issues that arose during the public comment. At the discretion of the Chairman, additional questions from the public may be submitted to the Chairman and the applicant shall submit his/her responses to the questions through the Chairman.

8-3-5. At some point during the Commission discussion, a Commissioner may offer a motion that will be considered by the Commission.

8-3-6. A letter (Letter of Recommendation) which accurately portrays the Commission's action in sufficient detail, including the motion and vote, is sent to the Board of Supervisors.

8-4. A record shall be kept for those speaking before the Commission at the hearing.

### **Article 9 – Correspondence**

9-1. It shall be the duty of the Secretary to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.

9-2. It shall be the duty of the Secretary to communicate as appropriate when necessary to make communications that cannot be carried out as rapidly through direct correspondence.

9-3. All official papers and plans involving the authority of the Commission shall bear the signature of the Chairman or Vice Chairman together with the certification signed by the Secretary.

### **Article 10 – Amendments**

10-1. These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days' prior notice.

Adopted	February 1962	Revised	October 2018
Revised	March 1998		
Revised	January 2009		
Revised	January 2014		
Revised	January 2016		
Revised	January 2017		
Revised	January 2022		

## **Mathews County Planning Commission CODE OF ETHICS**

Adopted August 16<sup>th</sup>, 2022

Recognizing that persons who have been appointed to public office have been given a public trust which demands the highest levels of ethical and moral conduct, any person serving on the Mathews County Planning Commission will adhere to the following Code of Ethics.

1. Uphold the Constitution, laws, and regulations of the United States and of the State of Virginia and County of Mathews therein and never knowingly be a party to their evasion.
2. Put loyalty to the highest moral principles and to the citizens of Mathews County above loyalty to individuals, districts, or particular groups.
3. Give a full measure of effort and service to the position of trust which has been granted, giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that do not discriminate against any citizens, and which support the rights and recognize the needs of all citizens regardless of race, sex, age, religion, creed, country of origin or disability.
6. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act.
7. A Planning Commission member should never accept for himself or herself or for family members, favors or benefits under circumstances that might be construed by reasonable persons as influencing the performance of governmental duties-or personal gain.
8. Make no private promises of any kind, since a public servant has no private word that can be binding on public duty.

9. Create a positive environment in meetings of the Planning Commissions.
10. Be open-minded and patient. Allow all citizens, employees, colleagues or staff sufficient opportunity to present their views.
11. Avoid comments, body language or distrusting activity that conveys a message of disrespect or lack of interest.
12. Prepare in advance all scheduled meetings relevant to the office.
13. Respect the rights of colleagues to have different opinions. Enter into constructive and factual discussions when attempting to resolve issues or reach a consensus, refraining from disparaging remarks.
14. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit.
15. When any misconduct, neglect of duty, or corruption is discovered, the members of the Commission, as a body, shall. Notify the Board of Supervisors and pursue their direction.
16. Avoid using the position of public trust to criticize colleagues or citizens by impugning their integrity or vilifying their personal beliefs in public or through the media.
17. Make sure, when responding to the media and public, that a clear distinction is made between personal opinion or belief in a recommendation made by the Planning Commission.
18. Review orally and in public session at an annual meeting each of these principles.
19. Pledge to honor and uphold these principles, ever conscious that appointed office is a public trust.

*Document Source:*  
[www.mathewscountyva.gov/DocumentCenter/View/1038](http://www.mathewscountyva.gov/DocumentCenter/View/1038)

# **Mathews County Planning Commission**

## **Code of Conduct**

**Adopted February 17, 2009**

Recognizing that persons holding a position of public trust are under constant observation, and recognizing that maintaining the integrity and dignity of the public is essential for maintaining high levels of public confidence in our institutions of government, every member of the Mathews County Planning Commission pledges to adhere to the following Code of Conduct.

1. Perform all professional responsibilities with the highest sense of integrity, maintain objectivity and freedom from conflicts of interest in discharging professional responsibilities, and avoid knowingly misrepresenting facts or inappropriately subordinating judgment to others.
2. Exercise sensitive professional and moral judgment in all activities.
3. Act in a way that serves the public interest, honors the public trust, and demonstrates commitment to professionalism.
4. Do not engage in any activity that is false, misleading, or deceptive.
5. Create a positive environment in meetings of the Planning Commission.
6. Maintain an attitude of courtesy and consideration toward colleagues, citizens, and staff during all discussions and deliberations.
7. Be open minded and patient. Allow all citizens, employees, or colleagues and staff sufficient opportunity to present their views.
8. Avoid, during either public or private meetings and during the performance of public duties, the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens or staff.

9. Avoid comments, body language or distracting activity that conveys a message of disrespect and lack of interest.
10. Prepare for and attend all scheduled meetings relevant to the office.
11. Respect the rights of colleagues to have different opinions. Enter into constructive and factual discussions when attempting to resolve issues or reach a consensus, refraining from disparaging remarks.
12. Respect all local, state and federal laws, rules and other regulations.
13. Publicly acknowledge the adopted position when asked about a decision of the Planning Commission.



**Buckingham County Planning Commission**  
**January 22, 2024**  
**Administration Building**  
**6:00 PM**  
**Public Hearing Case 23-SUP337**

**Applicant:** Jonathan King  
328 Johnson Station Road  
Dillwyn VA 23936

**Property Information:** Tax Map 99, Parcel 18 containing approximately 47.057 acres, located at 1008 Little Creek Road Dillwyn VA 23936, Marshall Magisterial District.

**Zoning District:** Agricultural District (A-1)

**Request:** The Applicant wishes to Obtain a Special Use Permit for the Purpose of Building and Operating a Private School, Amish Parochial School.

**Background/Zoning Information:** This property is located at 1008 Little Creek Road Dillwyn VA 23936, Marshall Magisterial District. 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.

**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: \_\_\_\_\_

Special Use Permit Request: Amish Parochial School

Purpose of Special Use Permit: build and operate parochial school

Zoning District: 1 Number of Acres: \_\_\_\_\_

Tax Map Section: 99 Parcel: 18 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Magisterial Dist.: Marshall

Street Address: 1008 Little Creek Rd Dillwyn VA  
Directions from the County Administration Building to the Proposed Site: Rt 60 E to

Rt 15 N to right on Trents Mill Rd to left on Little Creek Rd to property on right approx. 1.5 mi.

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: Leon + Catherine Smucker

Mailing Address: 1008 Little Creek Rd Dillwyn VA 23936

Daytime Phone: 434-983-1254 Cell Phone: \_\_\_\_\_

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

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Applicant: Jonathan Z King Jr Date: 11-22-23

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: Daryl L Gregory

Mailing Address: 240 Little Creek Rd Dillwyn VA 23936

Physical Address: same

Tax Map Section: 99 Parcel: 3 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

2. Name: Adelle G Johnson

Mailing Address: ~~Adelle G Johnson~~ 298 Little Creek Rd Dillwyn VA 23936

Physical Address: same

Tax Map Section: 99 Parcel: 2 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

3. Name: Christopher C Davis

Mailing Address: 1024 Little Creek Rd Dillwyn VA 23936

Physical Address: \_\_\_\_\_

Tax Map Section: 99 Parcel: 1 Lot: 1A Subdivision: \_\_\_\_\_

4. Name: Christopher C Davis

Mailing Address: ~~Christopher C Davis~~ 1024 Little Creek Rd Dillwyn VA 23936

Physical Address: ~~1024~~

Tax Map Section: 99 Parcel: 1 Lot: 1 Subdivision: \_\_\_\_\_

6. Name: Frank Ray Large Jr c/o Allan Wallace Steen TR

Mailing Address: 145 Piscataway Dr Tappahannock VA 22560

Physical Address: vacant

Tax Map Section: 99 Parcel: 43 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

7. Name: Frank R Large c/o Frankie R. Large Jr

Mailing Address: 3702 Trents Mill Rd Dillwyn VA 23936

Physical Address: \_\_\_\_\_

Tax Map Section: 99 Parcel: 42 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

8. Name: Frankie R Large Jr

Mailing Address: 3702 Trents Mill Rd Dillwyn VA 23936

Physical Address: \_\_\_\_\_

Tax Map Section: 99 Parcel: 19 Lot: A Subdivision: \_\_\_\_\_

9. Name: RLP Investments LLC

Mailing Address: PO Box 559 Amelia CH VA 23002

Physical Address: \_\_\_\_\_

Tax Map Section: 99 Parcel: 19 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 1<sup>st</sup> day of Dec., year 2023,

I Jonathan Z 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 Z 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 1<sup>st</sup> day of December,  
of the year 2023. My Commission expires on 8/31/24.

Notary Public Signature: Sarah R. Haines  
Stamp:





## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 30<sup>th</sup> day of November, of the year 2023,

I Leon Riehl Smucker (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)

\_\_\_\_\_

NOTARY PUBLIC

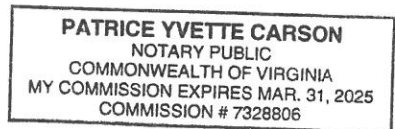
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 30<sup>th</sup> day of November,

of the year 2023. My commission expires March 31, 2025.

Notary Public Signature: Patrice Yvette Carson

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):

timber / farm / home X - X X J2K

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

timber / farm

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: 11-22-23

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: Leon Smucker

Location: 1008 Little Creek Rd.

Proposed Use: Amish Schoolhouse

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: 11/27/23

## 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:

## 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: 11-24-23

## **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.

## Written Narrative

1. One room Amish Parochial School
2. building size 30 x 42 schoolhouse  
12 x 25 Privy / horse shelter
3.  $\frac{3}{4} + \frac{1}{2}$  acre fenced playground
4. up to 30 pupils
5. school usually starts the last week of Aug.  
and closes 2nd or 3rd week of May
6. hours of operation 8:00 AM to 2:30 PM Mon -
7. transportation provided by hired drivers  
with closest ones walking ———





scale 1" = 30'

300' to property line

To Little Creek Rd  
approx. 800'

existing driveway

more than  
300' to proper  
line

192'

44'

20'

12' x 26'  
vault privy

Schoolhouse  
30' x 47'

10'

812'

more than  
300' to  
property  
line

170'

approximate area of  
disturbance 9500 sq' ft.

228'

contains approx 1 ac.

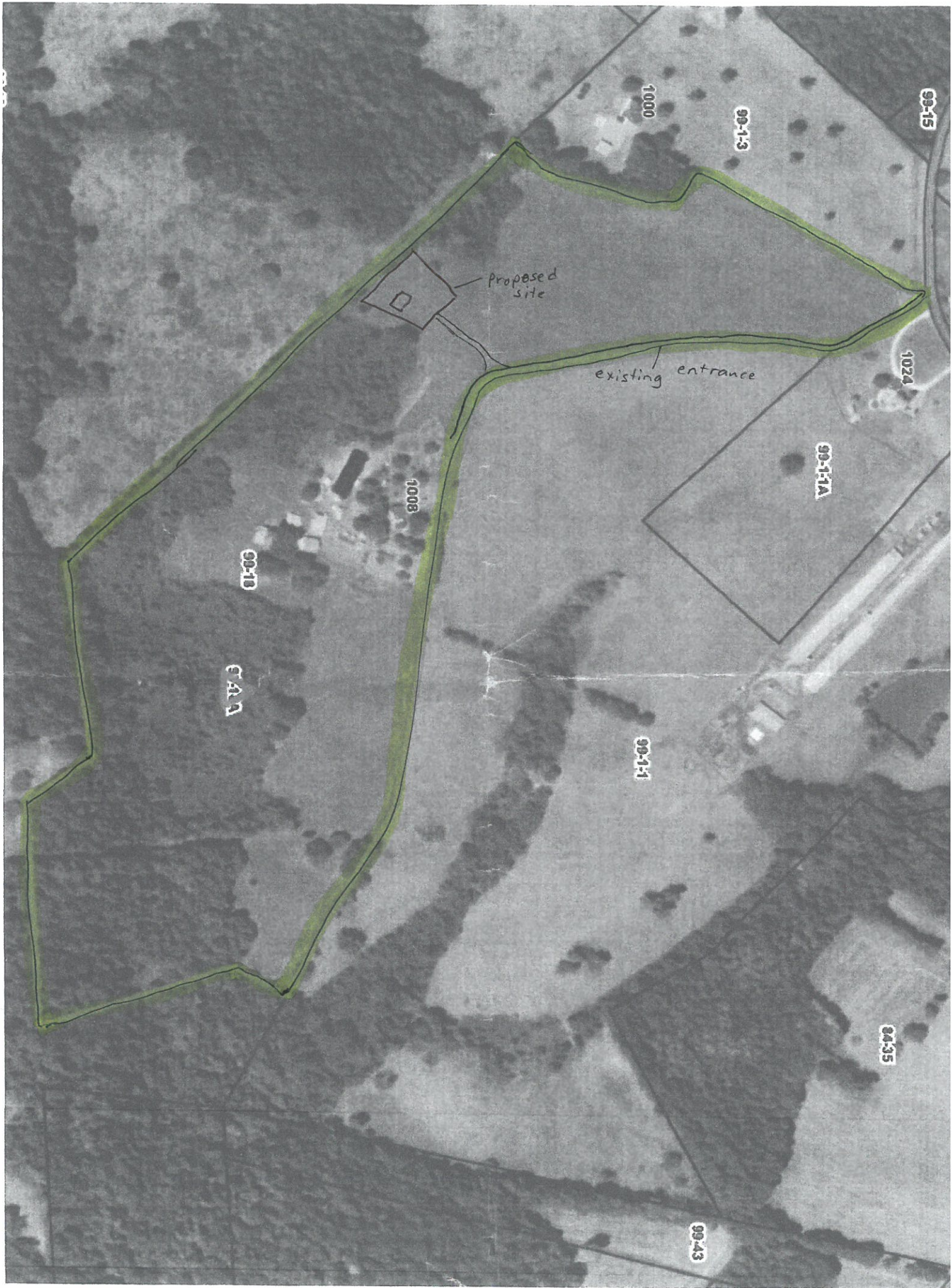
Woven wire fence around lot

130' from property line











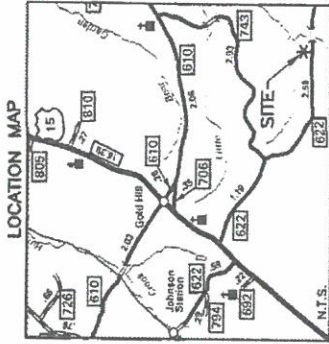




Back of Property

# DICKERSON SURVEYING LLC

500 Court Street P.O. Box 112  
Appomattox, Virginia 24522  
434-352-8560  
Michael Roy Goin  
Land Surveyor



- NOTES: 1. ALL ELEMENTS, ENCROACHMENTS, AND/OR IMPROVEMENTS MAY NOT BE SHOWN. THIS PLAT HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
2. THIS PLAT IS BASED ON A CURRENT SURVEY OF THE GROUND WITH THE PHYSICAL MONUMENTS INDICATED.
3. PART OF T.M. NO. 99-18
4. 4.825 ACRES, PART OF T.M. NO. 99-18, TO BE ADDED TO T.M. NO. 99-18 FOR A NEW TOTAL OF 88.170
5. REFERENCE PLAT: P.C.A.-18 (P.B.1 P.88)

CHRISTOPHER C. DAVIS  
D.B.455 P.217  
P.B.1 P.117  
T.M. NO. 99-1-1

FRANKIE RAY LARCE, JR.  
D.B.412 P.45  
PLAT: D.B.48 P.12  
T.M. NO. 99-43

FRANKIE R. LARCE, SR.  
GAY R. LARCE &  
FRANKIE R. LARCE, JR.  
D.B.455 P.220  
PLAT DESCRIPTION: D.B.201 P.214  
T.M. NO. 99-42

JULIE K. FOLLOMER AND  
JACK B. CROWTHER  
D.B.455 P.220  
PLAT: D.B.72 P.26  
T.M. NO. 99-18  
4.825 ACRES  
BY T.M. RECORDS

4.825 AC.  
PART OF T.M. NO.  
99-18

## BOUNDARY LINE ADJUSTMENT SURVEY

SCALE 1 IN. = 100 FT.  
4.825 ACRES

SURVEYED FOR: FRANKIE R. LARCE, JR.  
SOURCE OF TITLE: JULIE K. FOLLOMER AND  
JACK B. CROWTHER  
D.B.455 P.220  
MARSHALL DISTRICT, BUCKINGHAM COUNTY  
VIRGINIA  
SEPTEMBER 11, 2020



FRANKIE R. LARCE, JR. &  
SARAH F. LARCE  
D.B.455 P.221  
P.C.A.-2800  
T.M. NO. 99-19A

DE 475 P.3 YES  
#2020 - 2.018

VERIFIED: In the Court of the Clerk of the Court of Buckingham County  
the foregoing is a true and correct copy of the original survey and is subject to the provisions of the Virginia Surveying Act of 1960, as amended.

By: Justin D. Michalek, Clerk

APPROVED: [Signature]  
JULIE K. FOLLOMER AND JACK B. CROWTHER  
BUCKINGHAM COUNTY

FB 1408124

PLAT CABA 291-D

NOTES: 1. ALL EASEMENTS, ENCROACHMENTS, AND/OR IMPROVEMENTS MAY NOT BE SHOWN  
2. THIS PLAT HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE REPORT  
3. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY MARKED ON THE GROUND WITH THE PHYSICAL MONUMENTS INDICATED

4. PART OF T.M. NO. 99-18 & PART OF T.M. NO. 99-1-1A
5. 0.033 ACRES, PART OF T.M. NO. 99-1-1A, OWNED BY CHRISTOPHER C. DAVIS TO BE ADDED TO T.M. NO. 99-18, OWNED BY JULIE K. POUDRIER & JACK B. CRONGEYER, VACATING COMMON LINE FOR A NEW TOTAL OF 51.882 ACRES BY TAX RECORD
6. 0.051 ACRES, PART OF T.M. NO. 99-1-1A, OWNED BY JULIE K. POUDRIER & JACK B. CRONGEYER TO BE ADDED TO T.M. NO. 99-1-1A, OWNED BY CHRISTOPHER C. DAVIS, VACATING COMMON LINES FOR A NEW TOTAL OF 9.988 ACRES BY TAX RECORD
7. LINES A TO B TO BE AGREED UPON BY DEED BETWEEN ERIC WAYNE WOOD & ASHLEY RENEE WOOD AND JULIE K. POUDRIER & JACK B. CRONGEYER TO BE THE BOUNDARY LINES BETWEEN THEIR PROPERTIES
8. POINT A IS SET ON OLD FENCE AND MAY OR MAY NOT BE ON PROPERTY LINE BETWEEN JULIE K. POUDRIER & JACK B. CRONGEYER AND RLP INVESTMENTS, LC

THE PLATTING OR DEDICATION OF THIS LAND IS WITH THE FREE CONSENT AND ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

Eric Wayne Wood 12-7-20  
ERIC WAYNE WOOD DATE  
Ashley Renee Wood 12/7/20  
ASHLEY RENEE WOOD DATE

STATE OF Virginia  
CITY/COUNTY OF Buchanan  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 11th DAY OF December, 2020  
BY Christopher C. Davis, Notary Public  
NOTARY PUBLIC  
REGISTRATION NO. 7510475  
MY COMMISSION EXPIRES: 12-31-23



RLP INVESTMENTS, LC  
D.B.455 P.220  
PLAT P.C.A-18  
T.M. NO. 99-19

THE PLATTING OR DEDICATION OF THIS LAND IS WITH THE FREE CONSENT AND ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

Julie K. Poudrier 12-15-2020  
JULIE K. POUDRIER DATE  
Jack B. Crongeyer 12-15-2020  
JACK B. CRONGEYER DATE

STATE OF Virginia  
CITY/COUNTY OF Buchanan  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 11th DAY OF December, 2020  
BY Julie K. Poudrier & Jack B. Crongeyer  
NOTARY PUBLIC  
REGISTRATION NO. 7350650  
MY COMMISSION EXPIRES: 8/31/22

APPROVED: [Signature]  
ZONING AGENT-BUCHANAN COUNTY  
FB 1408224



THE PLATTING OR DEDICATION OF THIS LAND IS WITH THE FREE CONSENT AND ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

Christopher C. Davis 12-11-20  
CHRISTOPHER C. DAVIS DATE  
STATE OF Virginia  
CITY/COUNTY OF Buchanan  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 11th DAY OF December, 2020  
BY Christopher C. Davis  
NOTARY PUBLIC  
REGISTRATION NO. 7350650  
MY COMMISSION EXPIRES: 8/31/22

# DICKERSON SURVEYING LLC

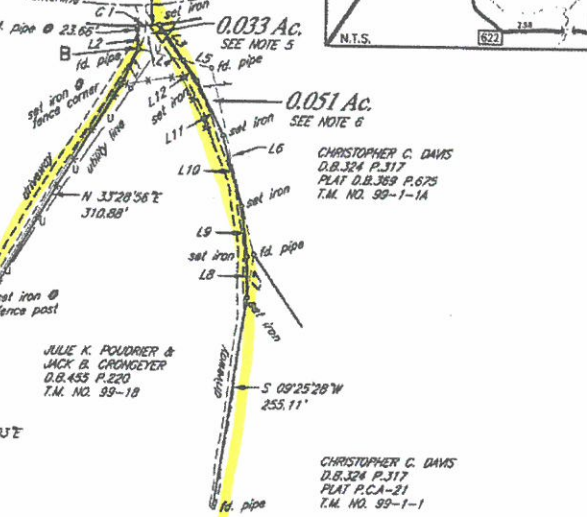
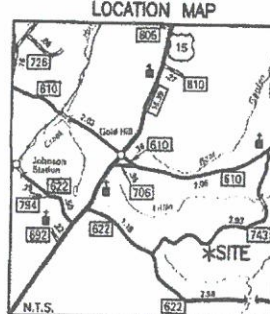
500 Court Street P.O. Box 112  
Appomattox, Virginia 24522  
434-352-8560  
Michael Ray Goin  
Land Surveyor



## STATE ROUTE NO. 743 LITTLE CREEK ROAD

D.B.53 P.302 & D.B.589 P.675

1 mi. to Rte. 622



Curve	Radius	Length	Delta	Chord	Chord Bear.
G1	519.70'	28.68'	3°11'02"	28.87'	N 85°59'41" E

Course	Bearing	Distance
L1	N 27°30'41" E	48.56'
L2	N 04°36'44" W	27.50'
L3	S 37°43'56" E	53.69'
L4	N 77°39'24" W	60.83'
L5	S 77°39'24" E	58.13'
L6	S 15°25'18" E	230.82'
L7	S 09°25'28" W	51.53'
L8	N 01°13'02" W	48.16'
L9	N 06°52'53" W	61.28'
L10	N 17°58'30" W	68.72'
L11	N 29°41'13" W	73.25'
L12	N 37°43'56" W	32.60'



## BOUNDARY AND BOUNDARY LINE ADJUSTMENT SURVEY

SCALE: 1 IN. = 100 FT.

0.084 ACRES

SURVEYED FOR: JULIE K. POUDRIER  
SOURCE OF TITLE: JULIE K. POUDRIER & JACK B. CRONGEYER D.B.455 P.220

CHRISTOPHER C. DAVIS  
D.B.324 P.317

MARSHALL DISTRICT BUCHANAN COUNTY VIRGINIA

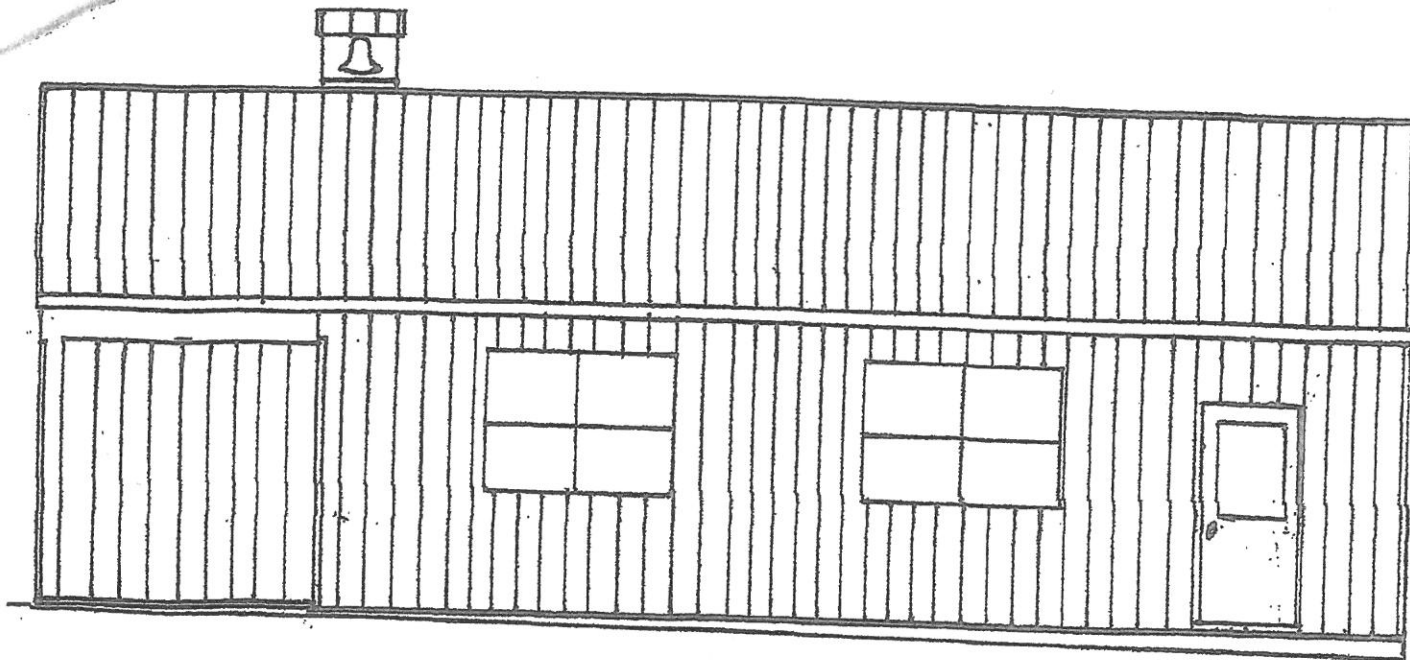
NOVEMBER 11, 2020



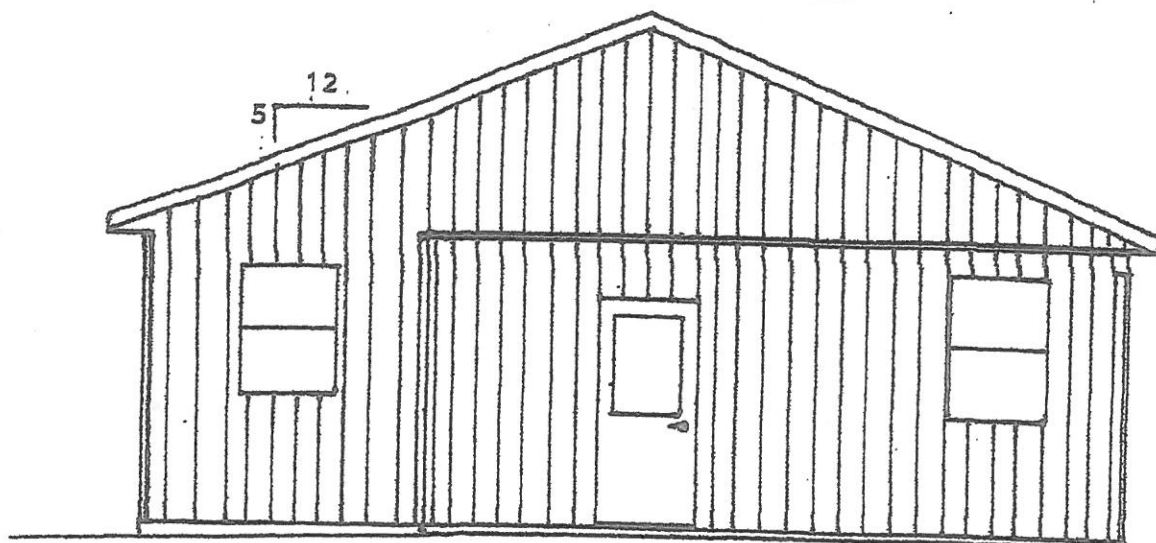
CADA SLIDE 291C

Front of Property



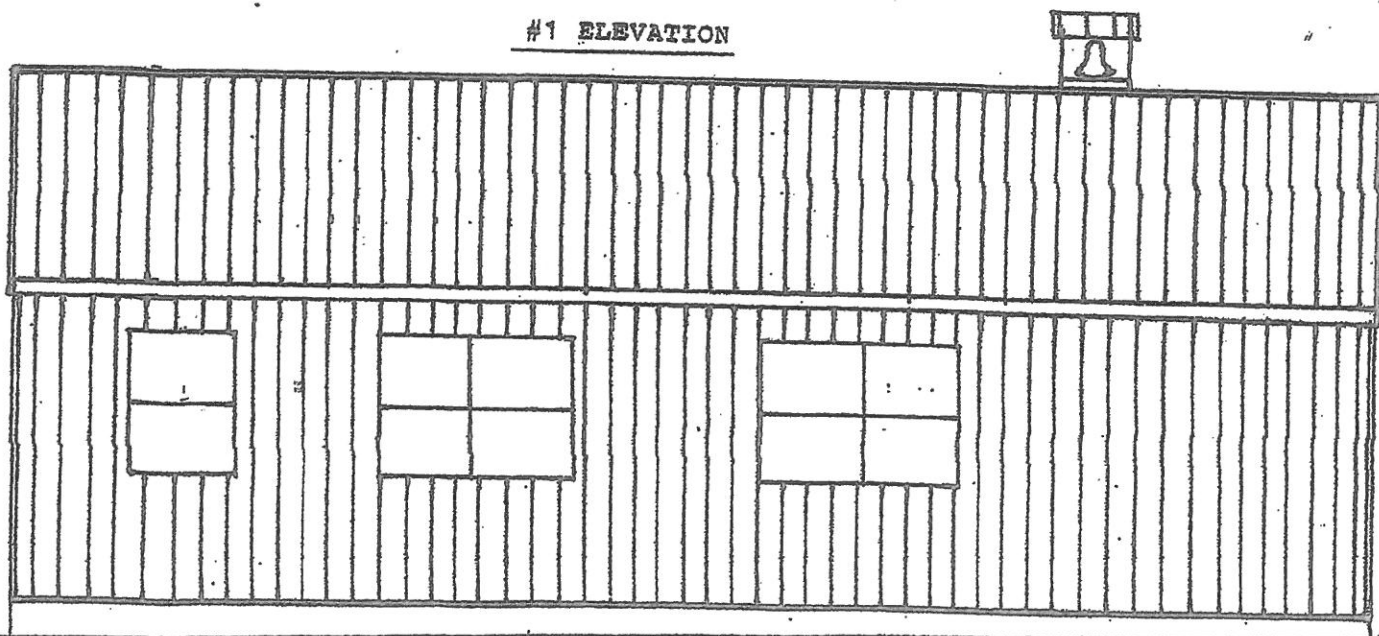


#2 ELEVATION



Post 911 #

#1 ELEVATION



#4 ELEVATION

Elevations 2 of 11

2020-2099

BOOK 478 PAGE 489

Consideration: \$325,000.00

Parts of T.M. #99-18 &  
99-1-1A

Assessed Value: Not Separately Assessed

Title Ins.: Fidelity National  
Title Insurance Co.

Return To: J. Robert Snoddy, III

**THIS DEED**, made this 21<sup>st</sup> day of December, 2020, by and between **JULIE K. POUDRIER** and **JACK B. CRONGEYER**, both unmarried, parties of the first part (grantors), and **LEON R. SMUCKER** and **CATHERINE B. SMUCKER**, husband and wife, parties of the second part (grantees).

WITNESSETH: that for and in consideration of the sum of \$20.00 and other good and valuable consideration paid by the parties of the second part to the parties of the first part, the receipt and sufficiency of which are 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 tenants by the entireties with the right of survivorship as at common law, all the following described real estate, to-wit:

SEE SCHEDULE A HERETO ATTACHED WHICH IS INCORPORATED HEREIN VERBATIM, BY THIS REFERENCE THERETO, FOR A COMPLETE DESCRIPTION OF THE SUBJECT LANDS.

With respect to the physical condition of the aforesaid lands, including all improvements thereon and appurtenances thereunto belonging, the same are hereby conveyed "As Is, Where Is, With All Faults", and without any representations or warranties, either express or implied, as to the fitness of the same for any purpose whatsoever.

Prepared By:  
**J. ROBERT SNODDY, III**  
Attorney and Counselor at Law  
P. O. Box 325  
DILLWYN, VIRGINIA 23936  
VSB No. 13494

This conveyance is made expressly subject to any and all easements, restrictions, conditions and reservations which are: contained in duly recorded deeds, plats, and/or other instruments constituting constructive notice in the chain of title to the property hereby conveyed which 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 signature and seal of Julie K. Poudrier,

*Julie K. Poudrier* (SEAL)  
JULIE K. POUDRIER

STATE OF VIRGINIA  
CITY/COUNTY OF Richmond to-wit:

I, J. Robert Snoddy, a notary public in and for the aforesaid jurisdiction, do hereby certify that Julie K. Poudrier, whose name is signed to the foregoing instrument, has this day acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 28<sup>th</sup> day of December, 2020.

My commission expires 8/31/22.

My registration# 7350650.

*J. Robert Snoddy*  
NOTARY PUBLIC





WITNESS the following signature and seal of Jack B. Crongeyer.

 (SEAL)  
JACK B. CRONGEYER

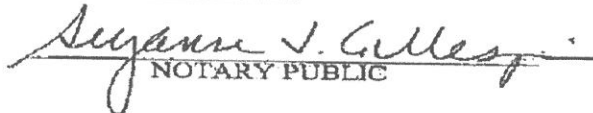
STATE OF MICHIGAN  
CITY/COUNTY OF MACOMB, to-wit:

I, Suzanne J. Gillespie, a notary public in and for the aforesaid jurisdiction, do hereby certify that Jack B. Crongeyer, whose name is signed to the foregoing instrument, has this day acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 22nd day of December, 2020.

My commission expires January 10, 2027.

My registration# N/A.

  
NOTARY PUBLIC

*Macomb*

Grantee's Address:

1614 Rawlinsville Rd.

Holtwood, PA 17532

SCHEDULE A

Attached to a deed dated December 21, 2020 from Julie K. Poudrier and Jack B. Crongeyer, both unmarried, unto Leon R. Smucker and Catherine B. Smucker, as tenants by the entireties, to-wit:

PARCELA: All that certain tract or parcel, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District, Buckingham County, Virginia, containing Fifty-three and nine/tenths (53.9) acres, more or less, said lands being more particularly described as to metes and bounds as follows: beginning at a concrete monument, thence N. 37° 50' 10" W. for 885.52 feet to a monument; thence N. 32° 51' E. for 1,205.19 feet to the center of Route #743; thence S. 76° 48' 15" E. for 100 feet to the intersection of Route #743 and a farm road; thence along the center of the farm road S. 15° 03' 15" E. for 228.48 feet to a pipe; thence S. 9° 02' 45" W. for 304.34 feet to a pipe; thence S. 3° 48' 15" E. for 713.00 feet to a pipe; thence S. 20° 03' 30" E. for 46.34 feet to center of curve in farm road; thence S. 45° 05' 30" E. for 39.87 feet to a pipe; thence S. 64° 40' 15" E. for 405.09 feet to a pipe; thence S. 79° 45' 15" E. for 425.67 feet to a pipe; thence S. 75° 13' 45" E. for 478.33 feet to a pipe at the end of farm road; thence S. 55° 37' E. for 1,070.12 feet to a stone, the corner of the McMillan property; thence along the McMillan line S. 11° 42' 15" W. for 544.78 feet to a monument, the corner of the Walker property; thence along the Walker line N. 86° 59' 30" W. for 877.00 feet to a monument; thence N. 30° 03' W. for 240.00 feet to a stake; thence S. 87° 10' W. for 612.00 feet to a pine stump; and, thence N. 37° 50' 10" W. for 2069.99 feet to the point of beginning. LESS & EXCEPT a parcel of 2.0 acres off-conveyed therefrom by a metes and bounds description to Kenneth W. Wood for life with remainder to Kenneth W. Wood, Trustee for Eric Wayne Wood by deed dated November 3, 1998 and recorded in the aforesaid Clerk's Office in Deed Book 237, at page 616 et seq. Said lands being the same conveyed unto Julie K. Poudrier and Jack B. Crongeyer, as joint tenants with the right of survivorship, from Shirley C. Wood (unmarried, a widow) by deed dated September 27, 2018 and recorded in the aforesaid Clerk's Office in Deed Book 455, at page 220 et seq. ALSO LESS & EXCEPT: a parcel of 0.051 of an acre off-conveyed unto Christopher C. Davis by deed of exchange dated December 3, 2020 and recorded in the aforesaid Clerk's Office in Deed Book 478, at page 482 et seq., said parcel being more particularly described as "0.051 Ac." by a plat of survey prepared by Michael Ray Goin, L.S., dated November 11, 2020 and recorded in the aforesaid Clerk's Office in Plat Cabinet A, at slide 291C (hereinafter "the Goin plat"); an apparent off-conveyance of a long very narrow strip of land contained in a boundary line adjustment agreement with Eric Wayne Wood et ux dated December 1, 2020 and recorded in the aforesaid Clerk's Office in Deed Book 478, at page 477 et seq.; and, an off-conveyance of 4.825 acres unto Frankie R. Large, Jr. et ux dated December 16, 2020 and recorded in the aforesaid Clerk's Office in Deed Book 478, at page 485 et seq., said 4.825 acre parcel being depicted by a boundary line adjustment survey prepared by Michael Ray Goin, L.S., dated September 11, 2020 and recorded in the aforesaid Clerk's Office in Plat Cabinet A, at slide 291D.

**PARCEL B:** All that certain lot or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District, Buckingham County, Virginia, containing thirty-three/thousandths (0.033) of an acre, more or less, said lands fronting on Virginia Secondary Route #743 (Little Creek Rd.) and being more particularly described as "0.033 Ac." by the Goin plat which was prepared and is dated and recorded as aforesaid. Said lands being the same conveyed unto Julie K. Poudrier and Jack B. Crongeyer, as joint tenants with the right of survivorship as at common law, from Christopher C. Davis ~~et ux~~ by the aforesaid deed of exchange dated December 3, 2020 and recorded in the aforesaid Clerk's Office in Deed Book 478, at page 482 et seq. It is noted that, as is set forth in "NOTE 5" on the Goin plat, this 0.033 of an acre was added to and became an integral part of T.M. #99-18 (PARCEL A hereinabove described) by virtue of the aforesaid deed of exchange and the Goin plat.

035 Rec Fee	3.00	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	912.50	
Co. R. Tax	210.93	
Transfer	1.00	The foregoing instrument with acknowledgement
Clerk	14.00	was admitted to record on 12/28 20 20,
Lib.(145)	2.50	at 4:10 P.M. in D.B. 478 Page(s) 482-493
T.T.F.	5.00	Teste: JUSTIN D. MIDKIFF, CLERK
Grantor Tax	325.00	BY: <u>Diana Garrison</u> , DEPUTY CLERK
036 Proc. Fee	25.00	
Total \$	1465.33	

T A X   R E C E I P T

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

SPECIAL USE PERMIT - ZONING  
 99 18

SMUCKER LEON  
 KING JONATHAN

Ticket #:00001730001 @@

Date : 12/01/2023  
 Register: TC4/TC1  
 Trans. #: 35496  
 Dept # : SPUSE  
 Acct# :

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

Pd by KING JONATHAN Z JR  
 BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 12/2023  
 Check 200.00 # 3375 FARMERS

**Buckingham County Planning Commission**  
**January 22, 2024**  
**Administration Building**  
**6:00 PM**  
**Public Hearing Case 23-SUP338**

**Applicant:** Eli Stoltzfus  
161 Farmdale Road  
Kirkwood PA 17536

**Property Information:** Tax Map 69 Parcel 49 containing approximately 94.239 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 Building and Operating a Commercial Building to manufacture, repair, and sell parts, including but not limited to, water pumps, plumbing, heating, propane, gas, air and electrical appliances and parts, supplies with space for deli and sandwiches, and a food truck for food sales.

**Background/Zoning Information:** This property is located at 25766 N James Madison Hwy New Canton VA 23123, Marshall Magisterial District. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Commercial Building to manufacture, repair, and sell parts, including but not limited to, water pumps, plumbing, heating, propane, gas, air and electrical appliances and parts, supplies with space for deli and sandwiches, and a food truck for food sales, as Permitted by Right Uses in the Agricultural A1 Zoning District. However, Within the A-1 Agricultural District, these activities/uses 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.

**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: \_\_\_\_\_

Special Use Permit Request: Work Shop to Manufacture and repair

water pumps, plumbing, heating, propane gas a/c and  
electrical appliances and parts, place food trailer on property  
Purpose of Special Use Permit: for food sales, and retail plumbing and farm  
Supply store with deli and or sandwiches  
Multiple Buissnesses

Zoning District: \_\_\_\_\_ Number of Acres: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Magisterial Dist.: \_\_\_\_\_

Street Address: \_\_\_\_\_

Directions from the County Administration Building to the Proposed Site: \_\_\_\_\_

Name of Applicant: Eli B. Stoltzfus, Jr

Mailing Address: 161 Farmdale Rd. Kirkwood, Pa. 17536

Daytime Phone: 717 529 0169 x1 Cell Phone: None

Email: None Fax: None

Name of Property Owner: Don B. Stiff

Mailing Address: 25766 N. James Madison Hwy New Canton V.A. 23123

Daytime Phone: 434. 414 - 6369 Cell Phone: \_\_\_\_\_

Email: goldhill Farm Supply @ Jby fax. com Fax: \_\_\_\_\_

Signature of Owner: [Signature] Date: Nov. 21 2023

Signature of Applicant: Eli B. Stoltzfus Jr Date: Oct 14 2023

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: Piedmont Companies Inc.

Mailing Address: N. James Madison Hwy. NewCenton VA 23123

Physical Address: 2671 E. Main St. Lincolnton NC 28092

Tax Map Section: \_\_\_\_\_ Parcel: 69-49A Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

2. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

3. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

4. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

## 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, New Canton Va 23123

Tax Map Section: \_\_\_\_\_ Parcel: #69-44 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: 25766 N. James Madison Hwy. New Canton Va 23123

Physical Address: 25766 N. James Madison Hwy New Canton Va 23123

Tax Map Section: \_\_\_\_\_ Parcel: #69-50 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

4. Name: Elam G. Stoltzfus, Emma Stoltzfus, Jacob R Stoltzfus

Mailing Address: 25766 N. James Madison Hwy New Canton VA 23123

Physical Address: 25766 N- James Madison Hwy New Canton Va 23123

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: #84-2 Subdivision: \_\_\_\_\_

6. Name: Lacey B Wood

Mailing Address: 1790 Melita Rd. Arvonia, Va 23004

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: <sup>#</sup>84-1 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

7. Name: W Curtis Wood + Courtney K - Co-Prop

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: <sup>#</sup>84-3 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

8. Name: Letha Schumaker, Davis, LET 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: <sup>#</sup>68-41 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

9. Name: In House Pharmacy

Mailing Address: 287 Boxwood Dr. Arvonia

Physical Address: 25475 N James Madison Hwy. New Canton, VA 23123

Tax Map Section: \_\_\_\_\_ Parcel: <sup>#</sup>68-36 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

10. Name: David Hailmann

Mailing Address: 12 Sycamore Cir. Mineral, Va 23117

Physical Address: 25805 N James Madison Hwy New Canton Va 23123

Tax Map Section: \_\_\_\_\_ Parcel: <sup>#</sup>68-36 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

11. Name: Frances E. Allen

Mailing Address: 25475 N James Madison Hwy New Canton Va 23123

Physical Address: 25475 N James Madison Hwy New Canton Va 23123

Tax Map Section: \_\_\_\_\_ Parcel: <sup>#</sup>68-38 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_



ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This 21<sup>st</sup> day of November, year 2023,

I Elam G Stoltzhus 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

COUNTY OF Buckingham

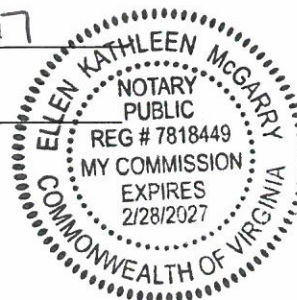
STATE OF Virginia

Subscribed and sworn to me on the 21<sup>st</sup> day of November,

of the year 2023. My Commission expires on 2/28/2027

Notary Public Signature: [Signature]

Stamp:



## ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This 28th day of November, year 2023

I Emma S. 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)

Emma S. 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 28th day of November

of the year 2023 My Commission expires on 2/28/2027

Notary Public Signature: Ellen McGarry

Stamp:



## ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This November day of 29, year 2023

I Jacob R 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)

Jacob R 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 29<sup>th</sup> day of November

of the year 2023. My Commission expires on 2/28/2027

Notary Public Signature: Ellen McGarry  
Stamp:



ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This November day of 29, year 2023

I Eli B Stoltzfus III 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)

Eli B. Stoltzfus III

( 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 November day of 29

of the year 2023 My Commission expires on 2/28/2027

Notary Public Signature: Ellen McGarry

Stamp:





## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this 28 day of November, of the year 2023,

I Emma S. 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)

Emma S. Stoltzfus

NOTARY PUBLIC  
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 28<sup>th</sup> day of November  
of the year 2023. My commission expires 2/28/2027.

Notary Public Signature:  
Stamp:

Ellen Mc Gary



## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this November day of 29, of the year 23

I El B. St 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. St III

NOTARY PUBLIC  
COUNTY OF Buckingham STATE OF VA

Subscribed and sworn to me on this November day of 29

of the year 2023 My commission expires 2/28/2027

Notary Public Signature: Ellen McHann  
Stamp:



## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this November day of 29, of the year 2023,

I Jacob R 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)

J R Stoltzfus

NOTARY PUBLIC  
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 29th day of November  
of the year 2023. My commission expires 2/28/2027.

Notary Public Signature: Ellen McGarry

Stamp:



## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this 21<sup>st</sup> day of November, of the year 2023,

I Elan G. Stolzfus (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:

Elan G. Stolzfus

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

Elan G. Stolzfus

NOTARY PUBLIC  
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 21<sup>st</sup> day of November,  
of the year 2023. My commission expires 2/28/2027.

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):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: Elan G. Stoltefus Date: 11-29-2023

Printed Name: Elan G. Stoltefus Title: Owner



## APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: \_\_\_\_\_

Applicant: El. B. Stoltzfus, Jr.

Location: \_\_\_\_\_

Proposed Use: Waterpump / Plumbing Repair Shop

### 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:

There is to be a (commercial) Entrance constructed to VDOT Standard to serve a Farm Feed Supply business on same property. Once entrance is complete, it will be adequate to serve both businesses.

Signature of VDOT Resident Engineer: Ch. Edmunds

Printed Name: Charles Edmunds Date: 11/13/23

## SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

On this 1st day of December, in the year of 2023,

I Jacob R Stoltzfus the owner of \_\_\_\_\_  
(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 1st of the month Dec in the year of 2023 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):

Jacob R Stoltzfus

NOTARY PUBLIC  
County of Buckingham State of Virginia

Subscribed and sworn before me on the 1st day of December

in the year 2023. My commission expires 2/28/2027.

Signature of Notary Public: Ellen McGarry

Stamp:



## SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

On this 30 day of November, in the year of 2023,

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 30th of the month November in the year of 2023 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

NOTARY PUBLIC

County of Buckingham State of VA

Subscribed and sworn before me on the 30<sup>th</sup> day of November

in the year 2023 My commission expires 2/28/2027

Signature of Notary Public: Ellen McGarry

Stamp:





## SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

On this November day of 30<sup>th</sup>, in the year of 2023  
I Eli B. Stoltz the owner of 69-49  
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint Elam 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 30<sup>th</sup> of the month November in the year of 2023 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. Stoltz

NOTARY PUBLIC

County of Buckingham State of VA

Subscribed and sworn before me on the November day of 30<sup>th</sup>  
in the year 2023. My commission expires 2/28/27.

Signature of Notary Public: Ellen Kathleen McGarry  
Stamp:



## SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

On this 24<sup>th</sup> day of November, in the year of 2023

I Eli B. Stoltzfus Jr the owner of \_\_\_\_\_  
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint Eli B. Stoltzfus Jr  
(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):

Eli B. Stoltzfus Jr

NOTARY PUBLIC  
County of Lancaster State of PA

Subscribed and sworn before me on the 24<sup>th</sup> day of Nov.

in the year 2023. My commission expires Jan 25 2023

Signature of Notary Public:

Stamp:

Commonwealth of Pennsylvania - Notary Seal  
Angela L. Lemmon, Notary Public  
Lancaster County  
My commission expires January 25, 2027  
Commission number 1230453

## **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



## **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.

Written narrative for proposed project  
for Eli B. Stoltzfus Jr 25764 N. James Madison Hwy,  
New Canton VA 23123. Our objective is to build  
an 18' x 20' (360 sqft.) work shop to manufacture  
and repair water pumps. Also repair plumbing, heating,  
propane gas, air and electrical appliances and parts.  
Well water will be supplied via Hydrant and gray  
water will go into a tank to be used for irrigation.  
Solid Waste will go into dumpster.

Also Elam and Emma Stoltzfus 25766 N. James  
Madison Hwy, want to have a food trailer certified  
by VA Health Department.

Future proposal for Retail plumbing and Farm  
Supply Store with deli and or sandwich shop in  
a 10,000 - 15,000 Square foot building built to all  
County and State requirements with onsite well and  
septic.

If required by VDOT commercial driveway entrance  
would be adjusted for additional traffic or get  
engineered specs.

Thank-you for your consideration and assistance.

T A X   R E C E I P T

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

Ticket #:00001740001 @@

Date : 12/01/2023  
 Register: KJ1/KJ1  
 Trans. #: 12962  
 Dept # : SPUSE  
 Acct# :

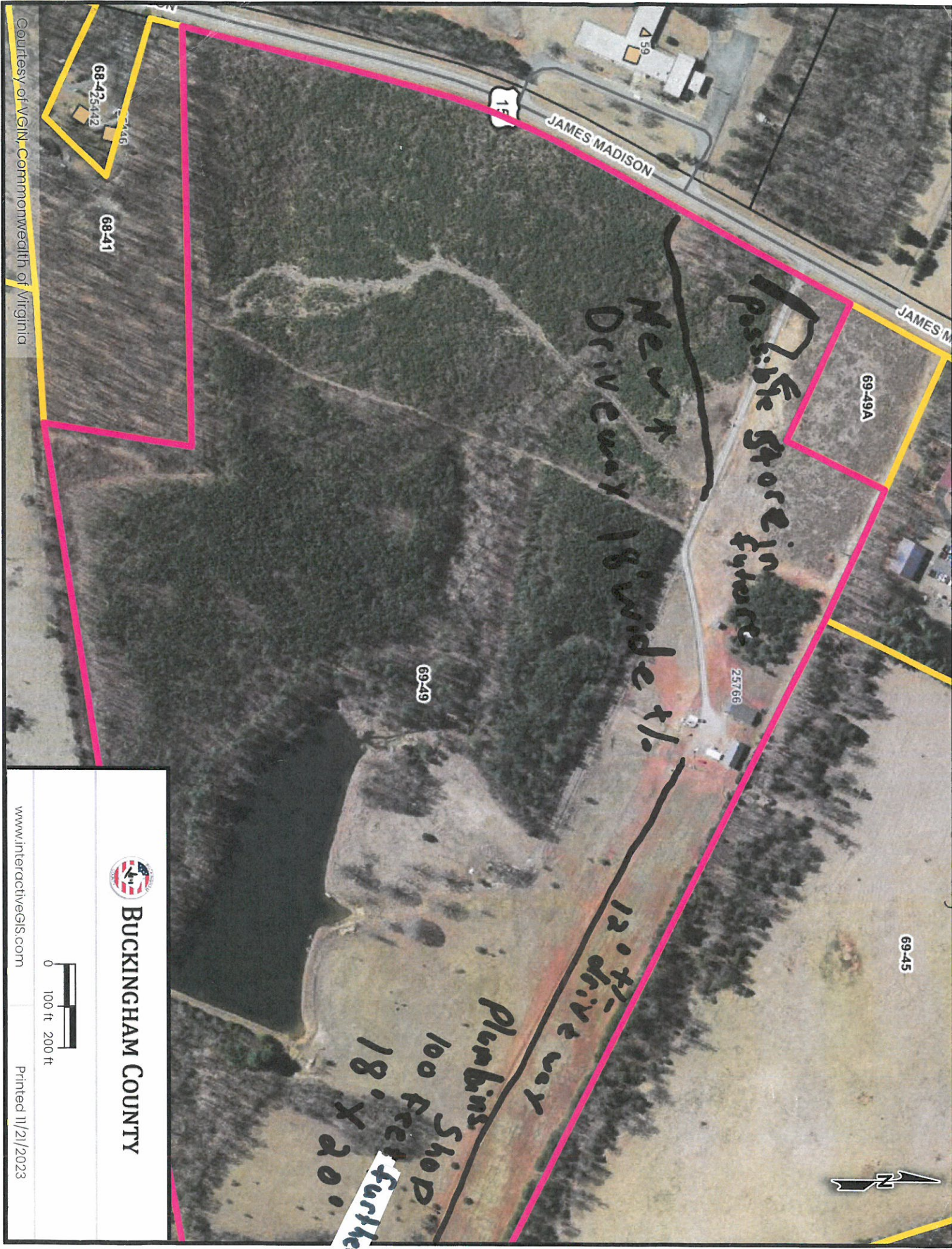
SPECIAL USE PERMIT - ZONING  
 69-49

STOLTZFUS ELAM

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

Pd by STOLTZFUS ELAM  
 BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 12/2023





Courtesy of VGIN, Commonwealth of Virginia



BUCKINGHAM COUNTY



www.interactiveGIS.com

Printed 11/21/2023



**Buckingham County Planning Commission**  
**January 22, 2024**  
**Administration Building**  
**6:00 PM**  
**Public Hearing Case 23-SUP339**

**Applicant:** Verizon Wireless  
Lloyd McCarthy, Agent  
2610 Wycliff Road, Suite 410  
Raleigh NC 27607-3073

**Property Information:** Tax Map 99, Parcel 46, containing approximately 83.55 acres, located at or near 3702 Trents Mill Road Dillwyn VA 23936, Marshall Magisterial District.

**Zoning District:** Agricultural District (A-1)

**Request:** To Obtain a Special Use Permit for the Purpose of Constructing a 199' Monopole Communications Tower.

**Background/Zoning Information:** This property is located at or near 3702 Trents Mill Road Dillwyn VA 23936, Marshall Magisterial District, Tax Map 99-46, containing approximately 83.55 acres. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Communications Tower as a Permitted Use. However, Within the A-1 Agricultural District, Radio Stations, Television Stations, and Cable TV Facilities, Communication Station and/or Tower or Related Facilities in Accordance with Article 9 of this Ordinance 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. CityScape, as the Wireless Telecommunications Expert for the County of Buckingham, concludes there is a preponderance of evidence that the construction of a new personal wireless communications facility in the area is technically justified and is essential for the Applicant to achieve its objective of seamless service in the County. CityScape also believes the location and height proposed are technically appropriate. Therefore, CityScape recommends approval of a new wireless facility with Verizon as the anchor tenant at the proposed location and tower height of one hundred ninety-nine (199) feet. The choice of the monopole's color is at the discretion of the County.

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



- 1) Prior to permitting, Applicant shall provide a determination of no hazard from the FAA indicating the proposed tower shall not require lighting/markings; and,
- 2) Prior to issuance of building permits, the Applicant shall submit satisfactory SHPO and NEPA documentation; and,
- 3) Prior to permitting, the Applicant shall submit a signed letter stating that the tower will be designed with breakpoint technology to have a fall radius of 40 feet or less; and,
- 4) All vertical feedlines shall be installed within the monopole shaft and all access ports shall be sealed to prevent wildlife access; and,
- 5) Prior to permitting, the Applicant shall submit an engineering report, signed by a Professional Engineer licensed in the Commonwealth of Virginia, certifying that the tower will have the structural capacity for the proposed Verizon Wireless equipment and similar installations of five other wireless providers; and,
- 6) The Applicant shall submit final construction drawings for the facility which shall be certified by a Virginia Professional Engineer and include breakpoint technology in its tower design; and,
- 4) If an emergency power backup generator is used, its noise level shall not exceed 65dBA at the nearest property edge. Testing shall be limited to the hours between 9:00A.M. and 4:00P.M, (Monday through Friday); and,
- 5) Should the highest antennas arrays be lowered in the future for capacity needs, the unused top portion of the tower shall be removed; and,
- 6) No advertising shall be installed on the fencing near the ground compound; and,
- 7) That all federal, state and local regulations, ordinances and laws be strictly adhered to.
- 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 Planning Commission or Board of Supervisors.
- 10) 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.

11) If the building permit is not obtained within six (6) months from the date of approval then the Special Use Permit shall be null and void.

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

13) Tower shall not be constructed until a tenant is ready to locate on the tower immediately after building.

14) The construction of the tower must be complete within 2 years from the date of approval or this permit will be null and void.

15) At the County's discretion, if concealment is not an option, the tower, antennas and all other ancillary equipment mounted on the tower shall be painted a color deemed the least visually obtrusive.



Dewberry Engineers Inc. | 919.881.9939  
2610 Wycliff Road, Suite 410 | 919.881.9923 fax  
Raleigh, NC 27607-3073 | [www.dewberry.com](http://www.dewberry.com)

November 27, 2023

Buckingham County Administration  
Atten: Nicci Edmondston, Zoning Administrator/Economic Development  
13380 West James Anderson Hwy  
Buckingham VA 23921

**RE: Cellco Partnership d/b/a Verizon Wireless Special Use Permit ("SUP") Application  
For Construction of a Wireless communications Facility  
At 3702 Trents Mill Rd, Dillwyn VA 23936/ PID: 99-46  
Applicant's Site Name: 16991550-NUCKOLS**

Dear Nicci:

Cellco Partnership d/b/a submits this application for a Special Use Permit ("SUP") in accordance with the provision of Article 9 and other sections of the Zoning Ordinance ("ZO"), and other relevant federal, state, and local regulations. The application is for the construction of a 199-foot monopole tower and supporting facilities on non-publicly owned property.

Included with the complete submission and the application statement (or narrative) are eleven (11) Exhibits as required by the ZO. After you have had a chance to review the application package, confirmed its acceptance for review and determined the application fee due, we will speedily make arrangement for the amount to be paid by credit card using the [county's online payment service](#).

If you have any question regarding the application, please do not hesitate to contact me by phone or text at (919) 539-4338 and/or by email: [lmccarthy@Dewberry.com](mailto:lmccarthy@Dewberry.com). You may also contact Lori Schweller at (434) 951-5728 /email: [lschweller@williamsmullen.com](mailto:lschweller@williamsmullen.com).

Sincerely,

A handwritten signature in black ink that reads "Lloyd McCarthy".

Lloyd McCarthy, Project Manager  
Dewberry-Telecommunications Market Segment  
For the Applicants  
2610 Wycliff Road, Suite 410  
Raleigh, NC 27607-3073  
Phone: (919) 539-4338  
Email: [lmccarthy@Dewberry.com](mailto:lmccarthy@Dewberry.com)

**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

Payment to be made following confirmation of fees due with the Zoning Administrator and agreement of application's for processing.. Payment to be made by credit card.  
**Note:** County Treasurer advised that fees can be paid by CC with 2.5% processing fee.

**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

**Note:** Zoning administrator advised that their system in place allows electronic submission, which is preferred

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

The Tax Map is provided as an Exhibit along with the application.

**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: 9/12/2023

Special Use Permit Request: Application of Cellco Partnership (Verizon Wireless)  
for the construction of a wireless communications tower and facilities.

Purpose of Special Use Permit: To construct, maintain, and operate a wireless communications  
Facility with a 195-monopole tower to serve the customers of the applicant's customers with wireless  
communication services

Zoning District: Agricultural District (A-1) Number of Acres: 83.55

Tax Map Section: 99 Parcel: 46 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Magisterial Dist.: \_\_\_\_\_

Street Address: 3702 Trent Mills Road

Directions from the County Administration Building to the Proposed Site: \_\_\_\_\_  
From: 13380 W James Anderson Hwy, Buckingham, VA 23921. Head northeast toward US-60 E (348'). Turn right onto US-60 E (3.7 mi). Turn left onto US-15 N (9.2 mi). Turn right onto State Rte 622 (3.6 mi). Turn (4d13'). Arrive at site at 3702 Trents Mill Rd, Dillwyn, VA 23936.

Name of Applicant: Cellco Partnership (Verizon Wireless) with Lloyd McCarthy of Dewberry as Applicant's agent.  
Mailing Address: 2610 Wycliff Road, Suite 410, Raleigh, NC 27607-3073

Daytime Phone: 919-539-4338 Cell Phone: 919-539-4338

Email: lmccarthy@dewberry.com Fax: \_\_\_\_\_

Name of Property Owner: LARGE, FRANK R & GAY R LARGE  
Mailing Address: C/O FRANKIE R LARGE JR, 3702 TRENTS MILL RD, DILLWYN VA 23936

Daytime Phone: 804-240-6662 Cell Phone: \_\_\_\_\_

Email: cherryhillfarmva@gmail.com Fax: \_\_\_\_\_

Signature of Owner: [Signature] Date: 9/13/23

Signature of Applicant: [Signature] Date: 9/25/2023  
For Verizon Wireless

Please indicate to whom correspondence should be sent:  
\_\_\_\_ Owner of Property \_\_\_\_ Contractor Purchaser / Lessee ☒ Authorized Agent \_\_\_\_ Engineer  
\_\_\_\_ Applicant





**Buckingham County, Virginia  
Payments**

**Credit Card Payment Address Information**

Transaction Number      **11744324**  
Customer Name            **DEI TELECOM**  
Email Address            **kshearin@dewberry.com**  
Address                    **8401 Arlington Boulevard  
Fairfax, VA 22031**  
  
Credit Card Number      **4XXXXXXXXXX3228**  
Credit Card Type        **Visa**  
Expiration Date          **0126**  
Operator Name  
Transaction Time        **11/28/2023 4:07:02 PM**  
Authorization Code      **062936**  
Convenience Fee         **042845**  
Authorization Code  
Agency Total            **4200.00**  
Flat Convenience Fee    **105.00**  
Total Amount Charged to Card   **4305.00**

**Transaction Details**

Buckingham Payment  
**MISC**  
Account/Map/Bill Number  
**Property ID: 99 46**  
Name  
**Verizon Wireless-Nuckols**  
Tax Year being paid  
  
Parcel Number #2 (If applicable)  
  
Parcel Number #3 (If applicable)  
  
Parcel Number #4 (If applicable)  
  
Vehicle Year Make and Model  
  
Vehicle Year Make and Model 2  
  
Vehicle Year Make and Model 3  
  
Vehicle Year Make and Model 4

\_\_\_\_\_  
Signature      Merchant Copy

**I agree to pay above total amount  
according to card issuer agreement.**

**ONE OR BOTH CHARGES WILL APPEAR AS  
PAYGOV.US ON YOUR CARD STATEMENT.**

## 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: Lloyd McCarthy  
Date: 11/27/2023 Lloyd McCarthy  
For Verizon Wireless /Owner



Dewberry Engineers Inc. | 919.881.9939  
2610 Wycliff Road, Suite 410 | 919.881.9923 fax  
Raleigh, NC 27607-3073 | [www.dewberry.com](http://www.dewberry.com)

September 29, 2023

NEW CINGULAR WIRELESS SERVICES, INC.  
ATTEN: CECIL J MATHEW/ AT&T  
208 S. AKARD ST. 20F  
DALLAS, TX 75202

**Verizon Site Name: 16991550-NUCKOLS**

SUBJ: NOTICE OF OUR INTENT TO MEET WITH THE BUCKINGHAM COUNTY STAFF IN A PRE-APPLICATION CONFERENCE TO DISCUSS THE LOCATION OF A FREE-STANDING WIRELESS COMMUNICATIONS FACILITY AT 3702 TRENTS MILL RD, DILLWYN VA 23936, LATITUDE N 37.595728° AND LONGITUDE W -78.320403°

Pursuant to the requirements of the Buckingham County Zoning Ordinance, Article 9 is hereby providing you with notice of our intent to meet with the county staff in a pre-application conference to discuss the location of a free-standing wireless communications facility that would be located at 3702 TRENTS MILL RD, DILLWYN VA 23936 and (NAD 83) Latitude N 37.595728° and Longitude W -78.320403°.

In general, we plan to construct a support structure of 195 feet in height for the purpose of providing wireless telecommunication services.

Please inform the County Staff if you have any desire for placing additional wireless facilities or Equipment within 2 miles of our proposed facility.

Please provide us and Buckingham Planning Department with this information within twenty business days after the date of this letter.

Your cooperation is sincerely appreciated.

Sincerely,

Lloyd McCarthy, Project Manager  
For Cellco Partnership (Verizon Wireless)  
Dewberry—Telecommunications Market Segment  
2610 Wycliff Road, Suite 410  
Raleigh, NC 27607-3073

Mobile: (919) 539-4338 /Email: [lmccarthy@dewberry.com](mailto:lmccarthy@dewberry.com)  
[www.dewberry.com](http://www.dewberry.com)



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Suite 410  
Raleigh, NC 27607-3073

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NEW CINGULAR WIRELESS SERVICES, INC.  
ATTN: CECIL J MATHEW/ AT&T  
208 S. AKARD ST. 20F  
DALLAS, TX 75202

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City, State, ZIP+4® <b>Dallas, TX 75202</b>	
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2610 Wycliff Road, Suite 410 | 919.881.9923 fax  
Raleigh, NC 27607-3073 | [www.dewberry.com](http://www.dewberry.com)

September 27, 2023

AMERICAN TOWERS LLC  
ATTEN: AMERICAN TOWER CORPORATION  
10 PRESIDENTIAL WAY  
WOBURN , MA 01801

**Verizon Site Name: 16991550-NUCKOLS**

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Dewberry—Telecommunications Market Segment  
2610 Wycliff Road, Suite 410  
Raleigh, NC 27607-3073

Mobile: (919) 539-4338 /Email: [lmccarthy@dewberry.com](mailto:lmccarthy@dewberry.com)  
[www.dewberry.com](http://www.dewberry.com)



2610 Wycliff Road  
Suite 410  
Raleigh, NC 27607-3073

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7022 2410 0003 1817 4170

AMERICAN TOWERS LLC  
ATTEN: AMERICAN TOWER  
CORPORATION  
10 PRESIDENTIAL WAY  
WOBBURN, MA 01801



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2610 Wycliff Road, Suite 410 | 919.881.9923 fax  
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September 27, 2023

CROWN ATLANTIC COMPANY LLC  
ATTEN: CROWN CASTLE INTERNATIONAL  
2000 CORPORATE DRIVE  
CANONSBURG , PA 15317

**Verizon Site Name: 16991550-NUCKOLS**

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Raleigh, NC 27607-3073

Mobile: (919) 539-4338 /Email: [lmccarthy@dewberry.com](mailto:lmccarthy@dewberry.com)  
[www.dewberry.com](http://www.dewberry.com)



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2610 Wycliff Road, Suite 410 | 919.881.9923 fax  
Raleigh, NC 27607-3073 | [www.dewberry.com](http://www.dewberry.com)

September 27, 2023

DISH WIRELESS L.L.C.  
ATTN: DISH WIRELESS/ ALISON A. MINEA  
9601 S. MERIDIAN BLVD.  
ENGLEWOOD, CO 80112

**Verizon Site Name: 16991550-NUCKOLS**

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For Cellco Partnership (Verizon Wireless)  
Dewberry—Telecommunications Market Segment  
2610 Wycliff Road, Suite 410  
Raleigh, NC 27607-3073

Mobile: (919) 539-4338 /Email: [lmccarthy@dewberry.com](mailto:lmccarthy@dewberry.com)  
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Postage \$ <b>0.63</b>	
Total Postage and Fees \$ <b>4.98</b>	
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Street and Apt. No., or PO Box No. <b>1601 S. meridian Blvd.</b>	
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September 27, 2023

SBA TOWERS X, LLC  
ATTENTION: EDWARD G. ROACH/ SBA  
8051 CONGRESS AVE  
BOCA RATON, FL, 33487, USA

**Verizon Site Name: 16991550-NUCKOLS**

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Suite 410  
Raleigh, NC 27607-3073

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Dewberry Engineers Inc. | 919.881.9939  
2610 Wycliff Road, Suite 410 | 919.881.9923 fax  
Raleigh, NC 27607-3073 | www.dewberry.com

September 29, 2023

T-MOBILE LICENSE LLC  
ATTEN: T-MOBILE  
12920 SE 38TH STREET  
BELLEVUE, WA 95835

**Verizon Site Name: 16991550-NUCKOLS**

SUBJ: NOTICE OF OUR INTENT TO MEET WITH THE BUCKINGHAM COUNTY STAFF IN A PRE-APPLICATION CONFERENCE TO DISCUSS THE LOCATION OF A FREE-STANDING WIRELESS COMMUNICATIONS FACILITY AT 3702 TRENTS MILL RD, DILLWYN VA 23936, LATITUDE N 37.595728°AND LONGITUDE W -78.320403°

Pursuant to the requirements of the Buckingham County Zoning Ordinance, Article 9 is hereby providing you with notice of our intent to meet with the county staff in a pre-application conference to discuss the location of a free-standing wireless communications facility that would be located at 3702 TRENTS MILL RD, DILLWYN VA 23936 and (NAD 83) Latitude N 37.595728°and Longitude W -78.320403°.

In general, we plan to construct a support structure of 195 feet in height for the purpose of providing wireless telecommunication services.

Please inform the County Staff if you have any desire for placing additional wireless facilities or Equipment within 2 miles of our proposed facility.

Please provide us and Buckingham Planning Department with this information within twenty business days after the date of this letter.

Your cooperation is sincerely appreciated.

Sincerely,

Lloyd McCarthy, Project Manager  
For Cellco Partnership (Verizon Wireless)  
Dewberry—Telecommunications Market Segment  
2610 Wycliff Road, Suite 410  
Raleigh, NC 27607-3073

Mobile: (919) 539-4338 /Email: lmccarthy@dewberry.com  
www.dewberry.com



2610 Wycliff Road  
Suite 410  
Raleigh, NC 27607-3073

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BELLEVUE, WA 95835

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Dewberry Engineers Inc. | 919.881.9939  
2610 Wycliff Road, Suite 410 | 919.881.9923 fax  
Raleigh, NC 27607-3073 | www.dewberry.com

September 27, 2023

USCC SERVICES, LLC  
ATTN: UNITED STATES CELLULAR CORPORATION  
8410 WEST BRYN MAWR AVENUE  
CHICAGO, IL 60631-3486

**Verizon Site Name: 16991550-NUCKOLS**

SUBJ: NOTICE OF OUR INTENT TO MEET WITH THE BUCKINGHAM COUNTY STAFF IN A PRE-APPLICATION CONFERENCE TO DISCUSS THE LOCATION OF A FREE-STANDING WIRELESS COMMUNICATIONS FACILITY AT 3702 TRENTS MILL RD, DILLWYN VA 23936, LATITUDE N 37.595728° AND LONGITUDE W -78.320403°

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Please provide us and Buckingham Planning Department with this information within twenty business days after the date of this letter.

Your cooperation is sincerely appreciated.

Sincerely,

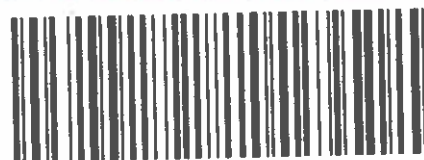
Lloyd McCarthy, Project Manager  
For Cellco Partnership (Verizon Wireless)  
Dewberry—Telecommunications Market Segment  
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Mobile: (919) 539-4338 /Email: lmccarthy@dewberry.com  
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2610 Wycliff Road  
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USCC SERVICES, LLC  
ATTN: UNITED STATES CELLULAR CORP.  
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Street and Apt. No., or PO Box No. <b>8410 West Bryn Mawr Avenue</b>	
City, State, ZIP+4® <b>Chicago, IL 60631-3486</b>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

# COLLOCATION AND ALTERNATIVE SITES STATEMENT AFFIDAVIT

APPLICANT'S SITE ID: 16991550-NUCKOLS

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

On this 8<sup>th</sup> day of December, of the year 2023,

I Lloyd D. McCarthy (printed name ) hereby make oath that the Collocation and Alternative Structures Statement, provided as **Exhibit E.**, in the Application and Narrative for Special Use Permit for a proposed wireless communications facility, submitted before Buckingham County, its Planning Commission and Board of Supervisors, is true and correct as signed and attached to this affidavit.

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

Lloyd D. McCarthy

NOTARY PUBLIC

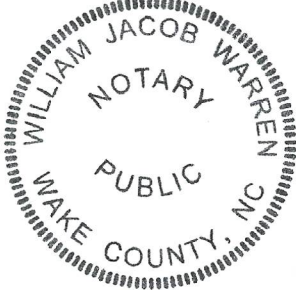
COUNTY OF Wake STATE OF North Carolina

Subscribed and sworn to me on this 8<sup>th</sup> day of December,

of the year 2023. My commission expires August 10<sup>th</sup> 2024.

Notary Public Signature: William Jacob Warren

Stamp:





**VERIZON WIRELESS-16991550-NUCKOLS**  
**COLLOCATION AND ALTERNATIVE STRUCTURES STATEMENT**

IN THE MATTER OF THE APPLICATION FOR A COMMUNICATIONS TOWER SPECIAL USE PERMIT  
SUBMITTED TO THE BUCKINGHAM COUNTY BOARD OF SUPERVISORS

**Verizon's Site name:** NUCKOLS

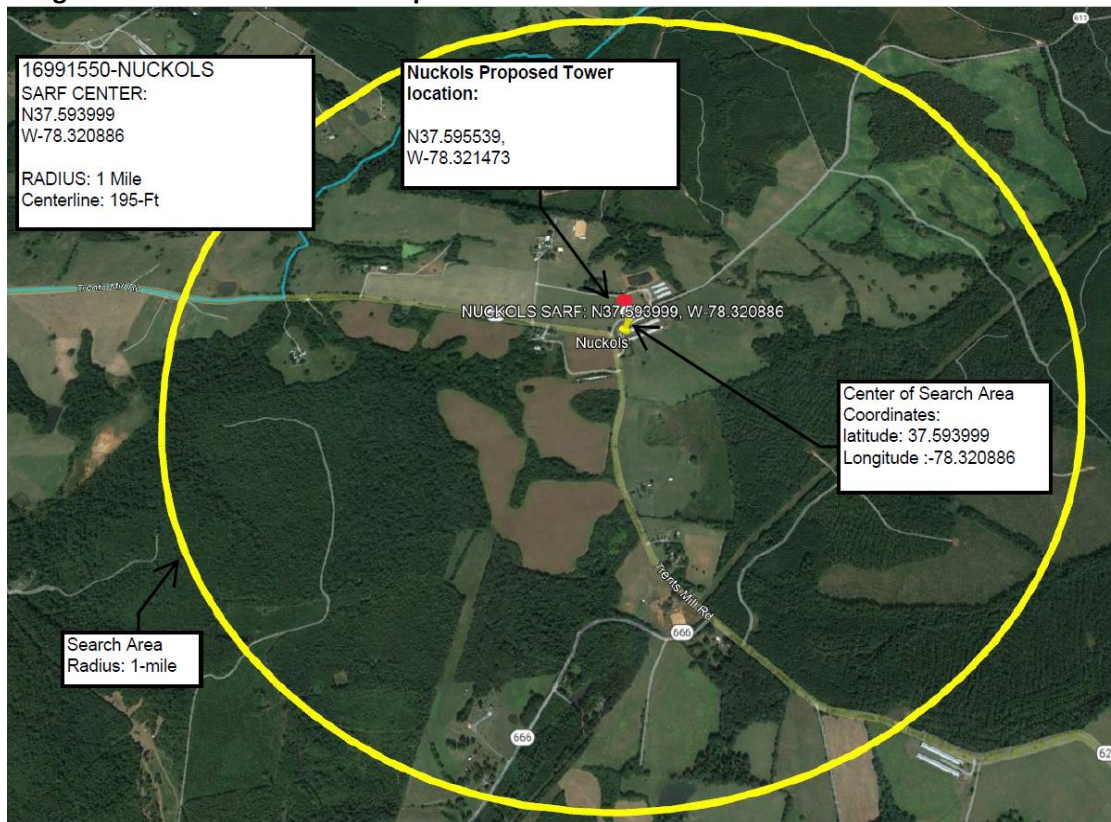
**Site Address:** Part of 3702 Trents Mill Rd, Dillwyn, VA/ PID: 99-46

**1.0 SEARCH AREA PARAMETERS: NO EXISTING APPROPRIATE TALL STRUCTURES FOUND**

Dewberry submits this testimonial in accordance with the requirements, purpose, and objectives of Buckingham County code to address the question of the availability of suitable alternative existing towers and structures for collocation in the Verizon Wireless issued search area.<sup>1</sup> Dewberry was hired by Verizon Wireless to search the area for an appropriate site—An existing cell tower, an alternative suitable tall structure, or a greenfield site. No existing tower, suitable tall structure or Buckingham County-owned property was found in the search area.

The search parameters provided by Verizon Wireless were: (i). A 1-mile radius area , (ii) An antenna mounting height ("RAD. Center") of 195 feet AGL. A depiction of the search area is shown in **image 1**.

**Image 1: Nuckols Search Area Map.**

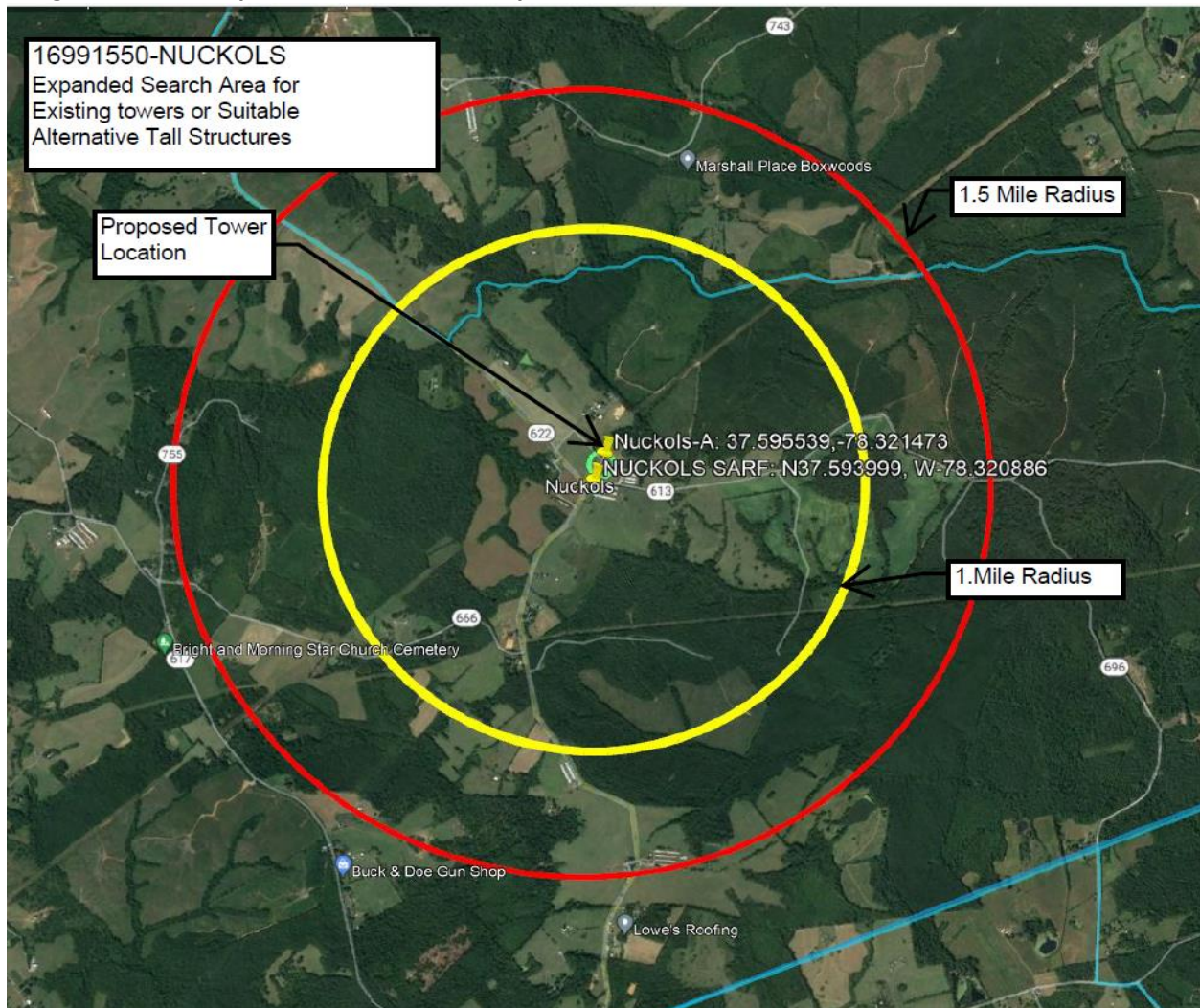




## 2.0 EXPANDED AREA OF SEARCH: NO EXISTING APPROPRIATE TALL STRUCTURES FOUND

Dewberry conducted a search within an expanded area of radius of 1.5-mile of the Verizon issued search area. No existing towers or other tall structures fitting Verizon's requirement and coverage objectives were found. **Image 2.**, below, depicts the expanded search area examined by Dewberry.

**Image 2: Nuckols Expanded Search Area Map.**

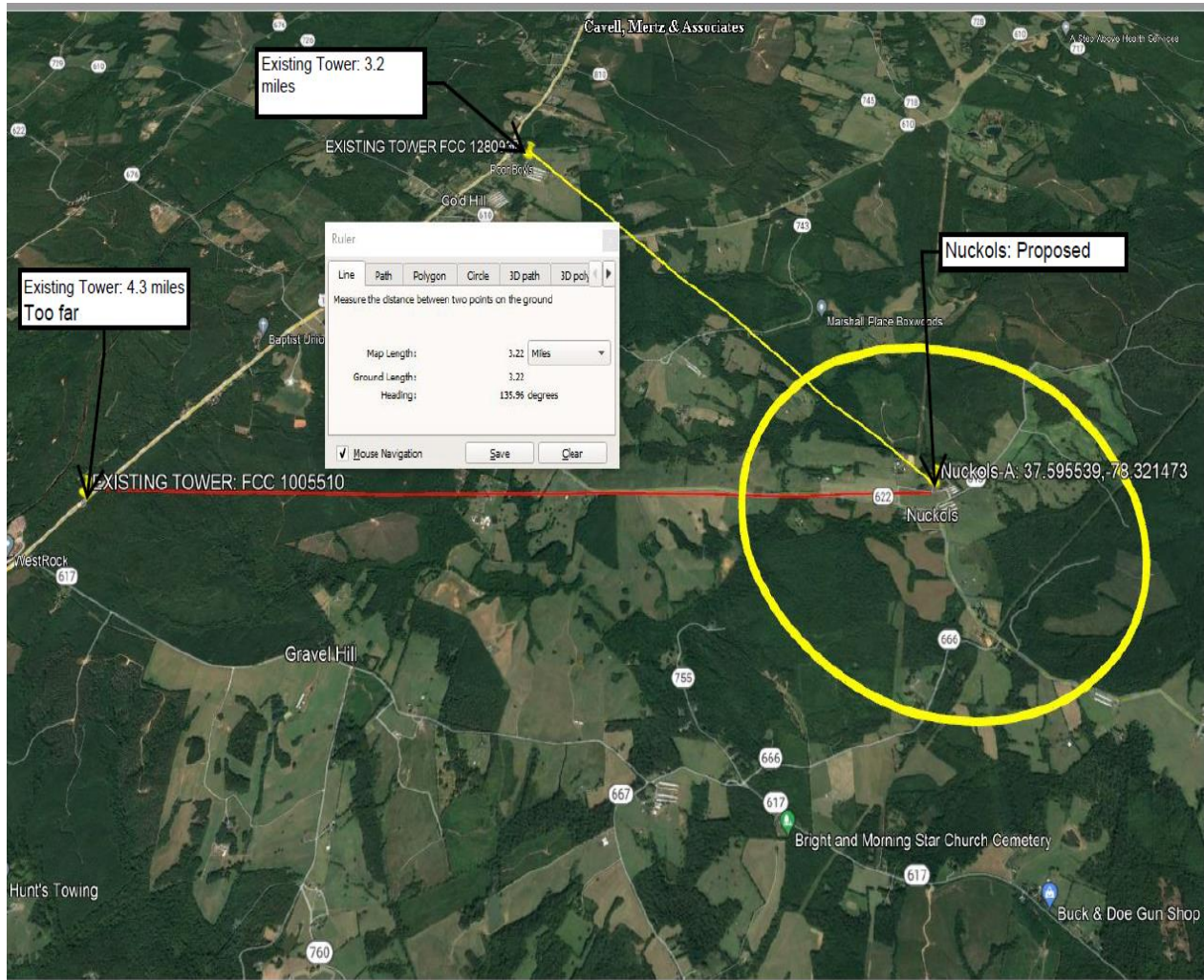


## 2.0 OTHER EXISTING TOWERS EXAMINED

Two (2) existing towers located 3.2 miles and 4.3 miles Northwest and West respectively were determined to be unsuitable for Verizon's Nuckols coverage objectives.<sup>2</sup> **Image 3**, below, shows the approximate location of these existing towers.

The existing transmission towers in the utility easement 0.8-mile East of the proposed site were also determined to be unsuitable—They are not tall enough, typically ranging from 65 feet to about 90 feet in height and having other critical constraints.

**Image 3: Existing Towers West and Northwest: Unsuitable**

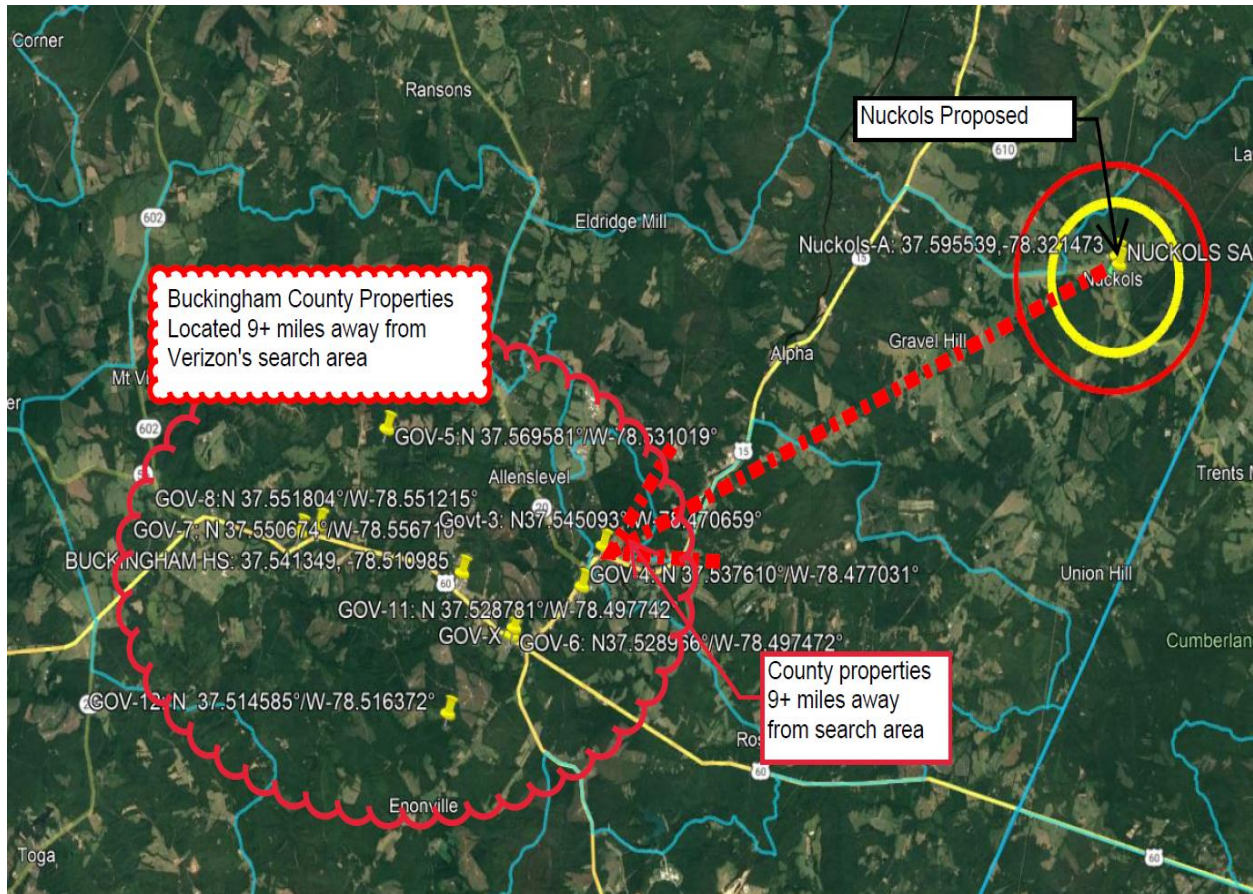


#### 4.0 BUCKINGHAM COUNTY-OWNED PROPERTIES: NOT SUITABLE

Dewberry considered the Buckingham County owned properties suggested by the County in Supplemental Document to Article 9. Section One: Uses of County-owned lands.<sup>3</sup> The properties were found to be unsuitable, located over 9 miles from the Verizon issued search area. Therefore the proposed location is a greenfield site on non publicly-owned property.<sup>4</sup>



**Image 4: Buckingham County-owned Properties: Unsuitable—Too Far**



Verizon Wireless and Dewberry used a site selection procedure that is consistent with the general process used for selecting all other existing and proposed mobile telecommunication facilities location within Verizon's proprietary existing and proposed network design space. The search area boundaries used to select the proposed site was based on the Applicant's determination of the optimum setting for the installation of the facility based on elevation and location to provide the best quality of service in the county and to the customers of the Applicant.

Page 4 of 5



Dewberry Engineers Inc.  
2610 Wycliff Road, Suite 410  
Raleigh, NC 27607-3073

919.881.9939  
919.881.9923 fax  
www.dewberry.com

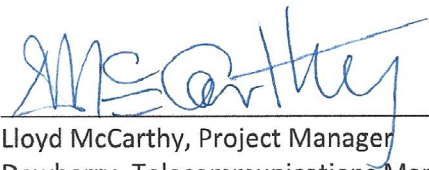
Nuckols search area, neither a suitable existing tower nor an appropriate alternative structure was found for collocation.

#### CONCLUSION:

The proposed tower WCF site and tower height are required to provide the necessary service to wireless communications users in the service area. It is the most appropriate site for Verizon Wireless. No existing tower or suitable alternative tall structure for collocation was found in the search area. Dewberry searched an expanded area beyond the boundaries provided by Verizon and similarly found no suitable existing structure on Verizon could collocate. County owned properties were considered but were determined to be unsuitable by being located too far away from the area in which Verizon requires a site to improve mobile coverage in the county and for its customers.

We certify that the foregoing statement is true and Correct.

Date: September 7, 2023



Lloyd McCarthy, Project Manager  
Dewberry- Telecommunications Market Segment  
2610 Wycliff Road, Suite 410  
Raleigh, NC 27607-3073  
D 984.232.6798 /C 919.539.4338

Paul Robnett Site  
Acquisition Specialist for  
Dewberry

Digitally signed by Paul Robnett Site Acquisition  
Specialist for Dewberry  
DN: cn=Paul Robnett Site Acquisition Specialist for  
Dewberry, o=Dewberry, ou,  
email=Probneth@gmail.com, c=US  
Date: 2023.09.08 10:55:41 -0400

Paul Robnett, Site Acquisition Consultant  
For Dewberry/Verizon  
Dewberry-Telecommunications Market Segment  
4805 Lake Brook Drive, Suite 200  
Glen Allen, VA 23060-9278  
Phone: 208-660-6010

#### ENDNOTES

<sup>1</sup> Buckingham County code. Radio, Television and Wireless Communication Tower, §9.1., §9.8.(4). and Supplemental Document to Article 9, Supple §1., and §2.(2).(b). Regarding the requirement at Supplemental Document to Article 9, §6.2.(2).(b)., the Applicant humbly submits that requiring an affidavit to justify a facility is not permissible under VA. Code § 15.2-2316.4:2.A.2.

<sup>2</sup> The two unsuitable existing towers, NW and West over 3 miles away were identified as (i) An SBA lattice tower, FCC ASR# 1280937, 195 ft and (i) AT&T Corp Tower, 250' lattice tower.

<sup>3</sup> Buckingham County code. Supplemental Document to Article 9. Section One: Uses of County-owned lands.

<sup>4</sup> §9.5.(5).(b).(i).

<sup>5</sup> §9.1.

[COLLOCATION AND ALTERNATIVE SITES STATEMENT AFFIDAVIT FOLLOW THIS PAGE]

# COLLOCATION AND ALTERNATIVE SITES STATEMENT AFFIDAVIT

APPLICANT'S SITE ID: 16991550-NUCKOLS

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

On this 8<sup>th</sup> day of December, of the year 2023,

I Lloyd D. McCarthy (printed name ) hereby make oath that the Collocation and Alternative Structures Statement, provided as **Exhibit E.**, in the Application and Narrative for Special Use Permit for a proposed wireless communications facility, submitted before Buckingham County, its Planning Commission and Board of Supervisors, is true and correct as signed and attached to this affidavit.

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

Lloyd D. McCarthy

NOTARY PUBLIC

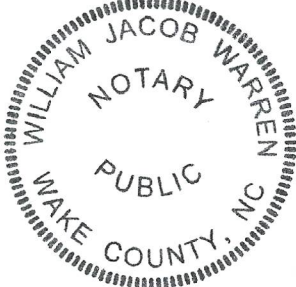
COUNTY OF Wake STATE OF North Carolina

Subscribed and sworn to me on this 8<sup>th</sup> day of December,

of the year 2023. My commission expires August 10<sup>th</sup> 2024.

Notary Public Signature: William Jacob Warren

Stamp:





## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this 13th day of September, of the year 2023,

I Frankie Long Large (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)

Frankie Long

NOTARY PUBLIC

COUNTY OF

Panhandle

STATE OF

Virginia

Subscribed and sworn to me on this 13<sup>th</sup> day of September

of the year 2023. My commission expires 9/30/2023.

Notary Public Signature:

David Warren Deal

Stamp:



## 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: CBAY-VA LLC

Mailing Address: 1408 ROSENEATH RD #B, RICHMOND VA 23230

Physical Address: 1928 LITTLE CREEK Rd

Tax Map Section: 84 Parcel: 34 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

2. Name: SNEAD ROSETTA K & KATHY ELLEN SNEAD

Mailing Address: 1036 RED BANK LN, FORK UNION VA 23055

Physical Address: \_\_\_\_\_

Tax Map Section: 100 Parcel: 0A Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

3. Name: REEVES, JOHN M III

Mailing Address: 3691 TRENTS MILL RD, DILLWYN, VA 23936

Physical Address: 324 PETERSVILLE CHURCH Rd

Tax Map Section: 100 Parcel: 1-0B Lot: 0B Subdivision: \_\_\_\_\_

4. Name: REEVES, JOHN M III

Mailing Address: 3691 TRENTS MILL RD, DILLWYN, VA 23936

Physical Address: \_\_\_\_\_

Tax Map Section: 100 Parcel: 1 Lot: 0A Subdivision: \_\_\_\_\_

6. Name: REEVES, JOHN M III & AMY M  
Mailing Address: 3691 TRENTS MILL RD, DILLWYN, VA 23936  
Physical Address: 3691 TRENTS MILL RD  
Tax Map Section: 99 Parcel: 48 Lot: Subdivision:

7. Name: HEIFNER JERRY C & BARBARA J  
Mailing Address: 3973 TRENTS MILL RD, DILLWYN, VA 23936  
Physical Address: 3973 TRENTS MILL RD  
Tax Map Section: 99 Parcel: 39 Lot: Subdivision:

8. Name: LARGE, FRANK R & GAY R LARGE  
Mailing Address: C/O FRANKIE R LARGE JR, 3702 TRENTS MILL RD, DILLWYN VA 23936  
Physical Address:  
Tax Map Section: 99 Parcel: 41 Lot: Subdivision:

9. Name: LARGE, FRANK R & GAY R LARGE  
Mailing Address: C/O FRANKIE R LARGE JR, 3702 TRENTS MILL RD, DILLWYN VA 23936  
Physical Address: 3702 TRENTS MILL RD  
Tax Map Section: 99 Parcel: 46 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 6th day of September, year 2023,

I Lloyd McCarthy 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)

Lloyd McCarthy

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

NOTARY:  
COMMONWEALTH OF VIRGINIA

COUNTY OF Wake

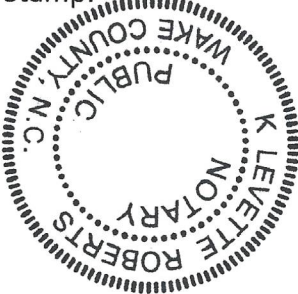
STATE OF North Carolina

Subscribed and sworn to me on the 6th day of September,

of the year 2023. My Commission expires on 06-12-2026.

Notary Public Signature: K Levette Roberts

Stamp:



## SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

On this 13th day of September, in the year of 2023,

I FRANKIE R. LARGE the owner of 99-46  
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint Lloyd McCarthy  
(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 13th of the month September in the year of 2023 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):

Frankie Large

NOTARY PUBLIC  
County of Poahatan State of Virginia

Subscribed and sworn before me on the 30<sup>th</sup> day of September  
Dub in the year 2023. My commission expires 9/30/2023

Signature of Notary Public: David Warren Deal  
Stamp:





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

**VERIZON WIRELESS-NUCKOLS: PROPOSED WIRELESS COMMUNICATIONS FACILITY**

Case Number / File Name: \_\_\_\_\_

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

Landlord's residential building, agricultural buildings, fields and woodland.

---

---

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

Being one of the parcels of ground which by Deed of Gift dated August 18, 2010 and recorded among the Land Records of Buckingham County, Virginia in Deed Book No. 404, Page 994, was granted and conveyed by Frank R. Large, a/k/a Frankie R. Large, Sr., and Gay R. Large to Frankie R. Large, a/k/a Frankie R. Large, Sr., Gay R. Large, and Frankie R. Large, Jr. The Land is assessed as containing 83.55 acres

---

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:

---

---

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Owner/Applicant Signature: Lloyd McCarthy Date: 11/27/2023

Printed Name: Lloyd McCarthy Title: Authorized Agent of Applicant

**Buckingham County Planning Commission**  
**2024 Monthly Meeting and Work Session Schedule**  
**All meetings and work sessions begin at 6pm**

**Meeting Schedule**

**Monday, January 22, 2024**

**Monday, February 26, 2024**

**Monday, March 25, 2024**

**Monday, April 22, 2024**

**Tuesday, May 28, 2024**

**Monday, June 24, 2024**

**Monday, July 22, 2024**

**Monday, August 26, 2024**

**Monday, September 23, 2024**

**Monday, October 28, 2024**

**Monday, November 25, 2024**

**Monday, December 23, 2024**

**Work Session Schedule**

**Tuesday, January 16, 2024**

**Tuesday, February 20, 2024**

**Monday, March 18, 2024**

**Monday, April 15, 2024** BOS

**Monday, May 20, 2024**

**Monday, June 17, 2024**

**Monday, July 15, 2024**

**Monday, August 19, 2024**

**Monday, September 16, 2024**

**Monday, October 21, 2024**

**Monday, November 18, 2024**

**Monday, December 16, 2024**