



Buckingham County Planning Commission Agenda
Monday, June 24, 2024 6:00PM
County Administration Building
Peter Francisco Meeting Room
www.buckinghamcountyva.org

You may view the meeting by logging on to

1. Call to Order by Chairman
2. Invocation
 - Pledge of Allegiance
 - Establishment of Quorums
3. Approval of Agenda
4. Approval of Minutes
 1. April 16, 2024 Work Session Minutes – Pending
 2. April 22, 2024 Regular Meeting Minutes
 3. May 20, 2024 Work Session Minutes - Pending
 4. May 28, 2024 Regular Meeting Minutes - Pending
5. Public Comment
6. Old Business
 1. Public Hearing 24-SUP342 Jonathan Zook
 2. Public Hearing 24-SUP343 Jessica Nicholas
 3. Discussion 24-ZTASUP341 Ivan Petersheim
7. New Business
 1. Introduction 24-SUP347 John DeMaio
8. Reports
 - A. Building Permits Report
 - B. Zoning Administrator Report
9. Commission Matters and Concerns
10. Adjournment

Buckingham County
Planning Commission
April 22, 2024

At a work session of the Buckingham County Planning Commission held on Tuesday April 22, 2024 at 6:00 p.m. in the Peter Francisco Auditorium located in the Buckingham County Administration Complex, the following members were present: John Bickford, Chairman; Ashley Shumaker, Vice-Chairman Dennis Davis, , Joyce Gooden, Pete Kapuscinski, Steve Dorrier, Calvin Bachrach Also present were Cheryl T. “Nicci” Edmondston, Zoning Administrator and E.M. Wright, Jr., County Attorney, James D. Crews III was absent

Re: Call to Order

Chairman Bickford called the meeting to order.

Re: Invocation and Pledge of Allegiance

The invocation was given by Commissioner Gooden. The Pledge of Allegiance was led by Commissioner Dorrier.

Re: Establishment of a Quorum

Chairman Bickford certified there was a quorum, seven of eight members were present and the meeting could continue.

Re: Approval of Agenda

Bickford: Nicci any changes to the agenda?

Edmondston: No sir Mr. Chairman.

Bickford: Seeing none Do I have a motion to approve as presented?

Kapuscinski: So moved.

Dorrier: second.

Bickford: Have a motion and a second any discussion? All favor Raise your right hand. It is unanimous. All right, brings us approval of minutes, we had the February 20th work. So if you've managed to have a motion approve as presented, or find any errors.

Commissioner	Yay	Nay
Kapuscinski	X	
Crews	Absent	
Dorrier	X	
Bickford	X	
Shumaker	X	
Gooden	X	
Bachrach	X	
Davis	X	

Commissioner Kapuscinski moved, Commissioner Dorrier seconded, and was carried by the Planning Commission to approve agenda as presented.

Shumaker: A couple of changes on the work session for February 20. And the intro paragraph is listed as being held on Monday but I believe that was Presidents Day. So that was on Tuesday. And then on the second page of the very first table of votes. I'm listed correctly in the votes with an absent but then I'm listed in the text as the One Who seconded the motion but I was not here for that meeting.

Bickford: Okay, any other changes so you're going to have a motion to approve the workstation minutes with the changes.

Shumaker: So moved.

Dorrier: Second.

Bickford: Approved. Okay, that brings us to our regular meeting on February 26 minutes. Any changes from it in the commissioners? Have no none. Do I have a motion and a second, please?

Commissioner	Yay	Nay
Kapuscinski	X	
Crews	Absent	
Dorrier	X	
Bickford	X	
Shumaker	X	
Gooden	X	
Bachrach	X	
Davis	X	

Commissioner Shumaker moved, Commissioner Dorrier seconded, and was carried by the Planning Commission to approve minutes with changes.

Edmondston: Before you move forward, I'm sorry to interrupt. There are some errors 26 That it's listed as February 25. The meeting actually took place on February 26.

Bickford: Okay, any other changes?

Edmondston: All the dates on the bottom of the on the footer of each page they're incorrect.

Bickford: Okay. I have a motion to approve with those changes.

Dorrier: Motion to approve

Shumaker: Second.

Bickford: Okay. That brings us to our March 18. work session. Any changes? Notice from the commissioners? None. Do I have a motion and a second please?

Edmondston: One change, Mr. Chairman, Mr. Commissioner Gooden And it says that you were absent yet you voted on page two? Were you indeed present or absent? March 18.

Gooden: That's a work session. I don't have my planner with me. So I can't tell you.

Shumaker: I think that was the meeting that she missed. I think we held up waiting for her before we did the code of conduct the next week.

Gooden: That was the week that we held up the code of conduct until the next. No, I have not participated virtually. Okay.

Edmondston: Couple places for the voting. So we'll have that removed correctly.

Bickford: I have a motion and second to approve with those changes.

Shumaker: Moved

Dorrier: Second.

Commissioner	Yay	Nay
Kapuscinski	X	
Crews	Absent	
Dorrier	X	

Bickford	X	
Shumaker	X	
Gooden	X	
Bachrach	X	
Davis	X	

Commissioner Shumaker moved, Commissioner Dorrier seconded, and was carried by the Planning Commission to approve minutes with changes.

Bickford: All right, the March 25. regular meeting those minutes are pending. At those bring us down to the 22nd of January the regular meeting which stated corrections by the planning commission. That's also pending correct?

Edmondston: I did receive those today. But that was too late for the packet. So they will be on the next month.

Bickford: Okay. Very good. All right. We'll move to old business. But we do need to public comment. Has anyone signed up for the public comment period?

Edmondston: I know sir. We actually had one individual sign up. But I've noticed this with our Vice Chairman. Just before the meeting. This individual Mr. Jones meant to sign up for the public hearings public. Okay. No one for public comment.

Bickford: All right. All right. I will then close the public comment period. And we'll move to our old business. The public hearing for John George.

Edmondston: Yes, sir. Mr. Chairman, members of the planning commission, we're holding a public hearing tonight for the case of 24 ZMA 340. The applicant is 3000 West clay LLC with John K. George. The property is tax map 31, parcel eights. Approximately two and a quarter acre is located near 31786. North James Madison highway, New Canton in the Marshall magisterial district. Of course, this case was introduced to you last month the zoning on this particular piece of property is agricultural a one and

the request is to rezone or have a zoning map amendment from agricultural a one to business B, one for commercial use, who have Mr. George available to address changes he has included some other documents that were included in the packet for everyone's review, and I'm sure he would be more than happy to address questions and concerns.

Bickford: Okay. Thank you. Before we open up the public hearing. Does anyone commissioners have any questions at this point for Mr. George? Mr. George has anything you would like to tell us prior to a public hearing? would you rather wait till after that, sir? Okay, well come on to the podium, sir. State full name, address.

John George: My name is John George. And I'm a builder and developer based out of Richmond, Virginia, and have much love family here in Buckingham County been coming here for 30 years. And, Jamie, can we just go quickly through my presentation I gave to the board last month so I can show the people assembled here, what I'm proposing. We can just start with the photo of the building as it is. That's in the application packet. The PDF. That's great. Thanks.

Bickford: Yes, sir.

Kapuscinski: Was there an issue as I recall with regard to the title or some other paperwork to bring?

George: Yeah, there were questions about the boundaries and size of the parcel. So what I did was sent in the title binder, I had the title search done. And so the title insurance company has confirmed the size of the parcel and the boundaries. And the county has that paperwork now. So when I'm ready to go to closing, there will be everyone in agreement of the size or location.

Kap: It's as you described?

George: It is. Also, I believe you asked a question about septic last time. And I also sent in to Nicci and Jamie the report by the soils engineer saying that there was ample capacity there for what we're proposing. Great.

Bachrach: I was reading the stuff you've added for this meeting. And on your title insurance binder. You've got to exhibit a description of the land. That's calling for a deed from 1944. But it's got a paragraph at the end of it. References Plate it being done in 2024.

George: That deed doesn't reference that the title binder does because the title company has the survey that I had done The compiled survey and they recommend that that survey be recorded when I close on the property the title binder does reference the 1944 deed but it also says that the plat is a 2024 plat and they are one in the same

Bachrach: I saw where it was added to the 1944 deed.

George: Right that's a good one. That's a good one. Let's get that one on the screen. Sorry about all this. Okay, so, to make that any bigger. Okay, is there anyone in the room that is not familiar with this particular building? Everybody's seen it. Can anyone remember the last business that it was? Gas Station. When do you think? So when do you think it lasts pumped gas wave? Okay, so pre eight. So 35 years? Yeah. First time I ever saw this building was when I first visited my girlfriend's parents Chuck and Carol Childress on Valentine's Day, some 30 years ago, and I saw that building and I thought, wow, that is a cool building needs to be made into something. But for a long time it was owned by somebody who wouldn't sell it. And then that person passed on and now I have an opportunity to buy the building. But in the meantime, Buckingham has moved forward and has instituted a zoning code. And so anything that wasn't an operating business, I guess in 1997 became an agricultural zoning. So this particular parcel, it sits on about five acres right there on the side of Route 15 As you come across the James River, it's an agricultural zoning just by default. So it was built as a business. Someone told me that it was a Nash automobile dealership was a new car dealership way back when the big excuse me the big window on the right was a showroom and they had a pretty Nash metropolitan probably sitting up there in the window for ready for y'all to buy. And then he did the auto repair in the bays. And I think it was also the hilltop garage for a while. It's always been automotive related business from the day it was built until the day it stopped, which one very long after that for some reason. So what I wish the commission to do is to put b one zoning in place on that five acre parcel so that this particular building can be made back into a business use. And Jamie if you'll put up the renderings, which are the I had an artist's do pictures of the building, if it were just restored to what it originally looked like. And maybe made into a row of small shops. And so I named that James River Landing because it's basically the second building on the right when you come across the James River. It's right at a major gateway to the county route 15 And I envision it being something very handsome, very nice full of businesses, little flurry of activity. And just good way of saying maybe Buckingham County is open for business. Can you show another

rendering of it? This is the simplest possible thing that could be done to of the building. I actually have ideas to put, you know awnings over them. And but it all remains to be seen at all remains to be seen what kind of businesses would want to occupy the building, once it had the proper zoning, like right now, no, almost no business. I mean, it could be a daycare, it could be a farm and garden store. And that's about it with its current agricultural zoning. Okay, and then if you could go to the PDF that shows what I envisioned for a second story. bottom of the PDF. In the b1, zoning district apartments are allowed as a secondary use if they're above businesses. So I thought I found this beautiful rustic hotel in Pennsylvania, and has kind of the same size and shape as the building. So I wanted to use this as an inspiration for nice apartments that could be built on the second floor of that building. You could provide as many as seven of them. And there is adequate parking available, there's adequate septic, and water, of course, everything that's needed to have some nice apartments there, and those would be one bedroom apartment. So it'd be suitable for, you know, couples or singles, maybe school teachers move into the area, maybe firefighters love to have a policeman in there in that kind of thing. So this is something that would be part of the plan, if we can get the business zoning there is a site plan Jamie, if you could pull that up, I'll point out in the parking and so on. Make that as big as we can. Okay, so basically, the parcels of five acre square with the back line is that meandering creek that's down in the valley. And then the diagonal swath that goes to the upper right corner is the Dominion Power Transmission Line. I guess it goes to bremono bluff. And so the vast majority of the acreage there is not involved in this particular site plan. What we want to do, the building is the shoe box in the lower right corner. And as you can see, it's very close to route 15 Because that's what they did back in the day, they did put the service stations right on the road. And but there's plenty of flat land to the left of the building, and I drew a 26 car parking lot there. And that parking lot meets all modern parking lot standards, it has LED lighting that has a sharp cut off, so it only lights the lot, it doesn't light the surrounding woods or roadways. It does have landscaping, it's got an enclosed dumpster in the lower left corner. We do show the two original driveway entrances for Rt 15. Going into the establishment. However, we've gotten some feedback since this drawing was made from v dot and they want us to reduce that to the one entrance for less confusion and less and more safety. So we will probably close off the right hand entrance and do something to their satisfaction with the left hand entrance and that brings cars directly into the parking lot. And there's a circulation in the parking lot for cars to come in and out. We show some landscaping out front and our septic system will be directly behind the building and it will be in an amongst to the hardwood that are there there's some really nice big tall trees and our septic engineers told us that we would not have to take down any the nice trees to put the septic system in because it's going to be one of these engineered septic systems that pressurizes the effluent and kind of pumps it out through these soaker hoses. So he said that type of septic system will be basically last a lifetime. And it has more than enough capacity for the businesses and apartments that we're showing in this application. And you can see the area that we have delineated in with those little squiggly lines around that rectangle, that's more than enough area for the septic system. So you can tell there's plenty of room elsewhere on

the property. Should we ever need another one or more. Do the commissioners have any additional questions?

Kapuscinski: How many apartments Did you say you'd like to think about putting on top

George: Floor plan wise, it works very well to have seven one bedroom apartments.

Kapuscinski: And how big is each one of those apartments square footed wise?

George: Well, I'm not very good at math, but I've got a calculator. So let me tell you, the building is 31 by 111. So 31 times 111 equals divided by seven 491 square feet.

Kapuscinski: Less than five would then include a bedroom and a housekeeping unit, like a kitchen or

George: Oh, yeah, so the floor plans for all the apartments would be about the same, you would come in off a big long front porch, that would have like those rocking chairs on it that I showed in the picture. And then you'd have your front door and you walk into your living room, dining kitchen area will be the whole front half of the apartment with a big window out to the front. And then there'll be a set of French doors about halfway down there would open into the bedroom. And then the bedroom has another set of French doors opens to a deck that looks out over that hardwood forest I told you about. To the left, there's going to be a walk in closet in the middle of the unit, and then a full bath in the back left corner, which would have a window out into the woods, and it would have a shower, tub, shower, toilet and sink. So it's it's a whole one-bedroom apartment with all the rooms.

Kapuscinski: To your knowledge. Is there some sort of a requirement when you're looking at an efficiency this way? With regard to minimum square feet?

George: Well, first it's not an it's not an efficiency because it has a separate bedroom. And no, there's no requirement for either FHA or in the building code for minimum square footage of a dwelling unit. So they're big enough. And I think the floor plan works well enough that it'll seem nice. It'll seem spacious and works. Well won't be cramped. It will have a lot of light in there.

Kapuscinski: All right. Thank you.

Bickford: Mr. George if I do recall, you indicated at the lower level where you're having planned office space? That if you had a renter that wanted the whole area that you were not opposed to that correct? Economically

George: Well, right. But beyond that, it would have to be I mean, I really think the apartments are good idea. I really want to do them. So would have to be a use that is compatible with apartments, the apartments couldn't be something that was noisy or smelly or messy. It has to be something that would people want to live above.

Bickford: Understand I was just asking in regards to the space below.

George: Yeah, and then see the way the buildings built now that is a possibility to have one tenant and also has so many doors and openings, that it could have as many as I have shown or more.

Bickford: Okay. Any other commissioner have any question before I do the public hearing? Okay, Mr George, you can sit down and we'll open up the public hearing for this application.

Edmondston: Yes, sir. Mr. Chairman, it looks like the first individual signed up to speak is Steve Leusuer and he will be followed by Marie Hill.

Bickford: Okay, please come forward to the podium state full name address and you'll have three minutes

Steve Leusuer: 38761 James Madison highway new canton I own the property right across the street and according to what I'm looking at the property, all the property that's around. Continue to make a reference to a five acre parcel. Every piece of paperwork I can find two and a quarter acre parcel. I own the rest of that five acres. It transferred ownership in 1966 to HM Watson. Watson held it until the 70s to Charlottesville Well created into Charlottesville reality when it closed. None of the rest of it is a problem. It's just that there isn't five acres.

Bickford: So, Mr. Leusuer just asking the question don't mean to interup but if you didn't have any more you're saying the front part is not yours the back part is that my understanding?

Leusuer: Yes down to the creek is my 11 acre parcel we use pretty much the entirety of that creek until we get to where Mr. Martin has by the river

Bickford: Okay, thank you sir

Edmondston: Marie Hill followed by Carol Childress.

Marie Hill: I'm Marie Hill and you want my address? Or for physical address or mailing 4419 Penlan road you get in Virginia 23123. And I think all of us have seen this as an eyesore coming into our county. It doesn't say a lot for us when we come into the county to see such a dilapidated building. It's been there. I used to buy gas there in the 70s. And I don't think it operated into the 80s. If we want business here, don't knock this down. Give it a chance. It's workable.

Edmondston: Thanks. Next will be Carol Childress followed by Mr. Donald Jones.

Carol Childress: I'm Carol Childress and 30435 North James Madison highway, like to speak in favor. Marie Hill and chick Childress and I had been down there and planted Ivy to try to cover it up. And it's been an eyesore, and I think when you come across the James River and you see that pretty slate sign and then the next thing you see is that dilapidated building its something and I think this will be a good opportunity to have something pretty thank you I have people here who agree they if you want them to stand.

Edmondston: Donald Jones

Donald Jones: I'm Don Jones 31471 North James Madison highway. And it's my property that is adjacent to the platting question for change and I appreciate Mr. George's vision. I don't disagree with Marie or Carol. But I do have some concerns. And again, I'm operating with limited information that I saw was a large structure what's the lights my property is very secluded *inaudible* acres, it's all mature hardwoods mixed with old growth trees. And I bought it because of the seclusion, the isolation. And I've

been there for 35 years. I think his eyes his vision is a good vision. But at the same time *inaudible I think his vision is a good vision And it is an eyesore when you come into Buckingham County and so im not in disagreement but I I do not want my seclusion to be void or or the property value go down because of something that's not gone what that I bought the property for. Thank you.

Bickford: Thank you, sir. Do we have anyone else? Okay. Well, I'll close the public comment period. Turn this over to commissioners. Commissioners have any question?

Kapuscinski: Mr. George May i?

Bickford: Yes, Mr. George would you come forward, sir?

Kapuscinski: So I have actually two questions. Let's start with the plant the land itself. When I looked at your plat, it appeared to me that that septic was down the slope.

George: It's actually on the slope.

Kapuscinski: Down the slope. Is that slope part of the disputed property?

George: I don't think so. Everything that I have planned to do. I plan to do on the triangular parcel two and a quarter acres that the city I mean, the county tax map shows everything. Okay.

Kapuscinski: So there's really you would never with regard to this construction? And I'm just asking, because with regard to what you plan, the parking lot, the building, the septic, none of that would bleed over into contested land, correct?

George: No, It wouldn't. I didn't have any idea of the true size and shape of the parcel until I got the survey done in the title work.

Kapuscinski: But if what you really if the rest of this property doesn't belong to you but someone else.

George: Wouldn't be a problem for what I'm proposing.

Kapuscinski: So you'd be far enough away from that boundary line, you wouldn't be you wouldn't be encroaching and they and that boundary line wouldn't encroach on wouldn't create a problem for you building what you need to build?

George: That's correct.

Kapuscinski: Okay. Second question is with regard to your second story, are you Are you determined to do that sort of thing?

George: I think it's a good idea, and I want to do it, and it helps make the whole project more economically viable.

Kapuscinski: Okay, so is your being a builder? I mean, I would obviously encourage you talking to your neighbors, but is there a way for you to? I guess the word is shade? The obvious to help your neighbor remain secluded?

George: Oh, yeah. I mean, I love the trees that are on the back half of the property. And I mean, and I've already, I've actually picked out the ones that I think are the most bet the best, the most perfect ones. And they are all going to be managed with proper forestry stewardship, so that they do survive and thrive. Because I think that the view out of the back of the building and the apartments above is greatly enhanced by the hardwood forest that's behind me.

Kapuscinski: But there's no way to hide those. The lighting from I guess you're concerned about the lighting from the builder.

George: Oh, well, the lighting in the inspiration pictures is the front of a hotel that's on a highway. Right. And I know, it's just an idea. And it's an inspiration. The only lights I show on the site plan are three parking lot lights that are cut off lights, and they're designed to not throw any light beyond the outer curb of the parking lot. And you don't actually see the source of the light. That's not like a street lamp, you know, in the center Goochland, where you see them on their shine in your eyes. They they're

very fancy modern LED boxes that just shoot the light down on the parking lot. And that's what I've that's what I've shown because in a rural area, you only need enough light for safety. You're not trying to advertise or light up your building for any other way. So the inspiration picture is a little misleading because their building is way more lit off. And then those apartments would be built on top of the building. And the back of the apartments and I take it your property is behind. So it'd be dark as pitch in the map. There wouldn't be any lights. Except if someone had a little light on their back porch. And parking lot lights you wouldn't see either, I don't think because it would only light the pavement.

Kapuscinski: And I appreciate it. I'm glad you're considering your neighbors. I think what I where I'm at, Mr. Chairman is the main question for me is, is the land still suitable to be used that way? Even if it's two and a half acres? And I think the answer to that question based on the answers we got here is it's fine.

Bickford: Okay, well, before we make a decision any other commissioners have any questions for the applicant? Go ahead Calvin

Bachrach: Looking at your septic drawn on the tax map, the aerial photo, and parking lot would be on that contested land. I'm in agreeance, anything you can do with this building would be wonderful. And the county needs to grow. I'm not anti growth the contested land. It's bothering me a lot. And I think that needs to get taken care of, or maybe you could have a site, visit a survey, actually done on site to take care of this problem. I think this needs to be tabled until you can figure it out this land discrepancies, the optics on that tax map, but your parking lot wouldn't be.

Kapuscinski: Chairman that was the question I was trying to ask is everything in this, I thought everything that was in your rendering, including a parking lot would be on the two and a half acres?

George: Well, the problem with the two and a half acres everybody is talking about is that there isn't any kind of a good map of where the two and a quarter acres is in existence, in the courthouse until you go back to the deed that my title company found. And they found that it wasn't two and a quarter acre. And there's some confusion in the county tax records about the size of the parcel, because at one point, Watson had an option to buy two and a quarter acres, which they never exercised. So that option expired. But that's the only time that option listing the land Watson could buy if they chose to do so the only time in the county records is listed as two and a quarter acres.

Kapuscinski: But is that is that the is that the contested part? Or is that the part that certain?

George: Well, it doesn't. It doesn't actually just it doesn't actually give any metes and bounds of that triangular tuna quarter acre parcel. So I don't know, none of the professionals I've hired can figure out where the tax map became a triangle, because the county and land records don't support that.

Kapuscinski: I have to agree, I think it'd be kind of difficult to you don't know what you're building on. And part of your part of what you want to use this land for is a parking lot. But if that lands, not there, that parking lot, can't be built.

George: But right. But the thing is, what more can be done? What are you asking me to do to establish the size and shape of the land? What more can be done?

Kapuscinski: I don't know the answer to that. I don't know how you get that fixed. I mean, it seems to me there's got to be some agreement between you.

George: Oh, yeah, there and there will be for sure. It's just that as part of this rezoning process, it's a requirement that I use a survey produced by a licensed Virginia surveyor, instead of the tax map. So the first thing I did is hire a surveyor to give me something to draw on. And when he came back with a different size and shape as the tax map. I said, Okay, well, I guess I got to use this, but I'm going to get a title search done as well, to see if they agree with the surveyor.

Kapuscinski: So really, the question for us, Mr. Chairman, is whether or not we want to rezone this property for the potential of having a bunch of commercial businesses, a few commercial businesses, and the possibility even though it's not certain of having apartments on top, and the question, I guess, becomes, is this land suitable? I mean, we did put it, that is our growth corridor. We've agreed to change 15. So you know, even if it's two and a half acres, and you could not do the apartments on top, you probably have enough area there for a small parking lot to take care of your commercial businesses, I'm assuming, but that's not the question for this commission. Commission is should we go ahead and rezone or agreed to pass on the recommendation to the board to rezone this property? And I don't see an issue here.

Bickford: Well, I will. And that's actually the question, is this a good use of the land? Is it back to the land use issue for this tax map? As far as the tax maps you cannot go by them, I can show you that work with them all the times. Sometimes we're not even in the right location. They're a half a mile a mile away. So the question is, it does seem to be conflicting issues here that Mr. Leusuer, feels like you only hold about two and a half acres, but you've indicated that with this composite plant that was drawn, that's what they found a surveyor. And far as you know there is no plat for two and a half acres.

George: Nobody has been able to find anything. And there and the title company is satisfied with their research and they recommended We record the new survey. So, but that was all a surprise to me, when I put the property under contract, I believed it to be a triangular parcel of two and a quarter acres, which is plenty of room for septic for some parking, and for that building made into businesses. But if it turns out that all the professionals are wrong, and the parcel is a lot smaller than I haven't drawn, and I can't get 26 parking spaces, then I would revisit exactly what should be done with the building and the space land available. But I mean, I don't think anybody's arguing here that that isn't a commercial building. And it was built as a commercial building. Because route 15 is a major commercial byway and the comprehensive plan that you guys have, you know, so responsibly developed, says that the county needs more business, and heres more locations for business, it needs more services, it needs more jobs. And it needs more stick built housing. And I'm going to give all of you guys that whether it's on two and a quarter acres, or whatever it is, and it'll work. There are plenty of businesses on way less land than that. If you've got a septic, you've got a solution.

Bickford: Well, as chairman, I will tell you the Pete is, correct. And that's when Mr. Wright indicated at introduction is a land use issue. Because we questioned about proper acreage, then and he indicated to us that you need to decide whether this was a good fit for the land. So coming from that area, anything that could be done right, there would be a great benefit. Its improvement would be ideal. Its a corridor coming down on 15 from Fluvanna. And it certainly anything you do, there would be a great improvement. Unless we have some other questions for you.

inaudible

George: doesn't, there's a pole on the property. And that pole is drawn on the site plan right in the middle of the parking lot with plants on both sides of it. There's no changes. Okay.

Kapuscinski: If there are no others I'll go back to what we said originally, I think with regard to the fact that that is was a commercial building, and we want that whole court order to become a growth corridor. You know, I'm prepared to make a motion.

Bickford: Well, hold on just for a minute. Let me make sure none of the commissioners have any other questions for Mr. George. Mr George go ahead and sit down, sir. All right. We don't have any other questions.

Davis: I just have one We making this motion its just for that two and a quarter acre. Right? Or will there be a dispute over the rest of it?

Bickford: It's my understanding that it will be for the size of the tax map parcel, if I understand if I recall what Mr. Wright said, if that ends up being two and a quarter, that's what gets changed. If it is ends up being what is it almost five, it will be changed for that whole tax map parcel. That will have to be something it'll be settled. If we pass it forward. That'll be settled by a surveyor.

Shumaker: My only hesitation is the setbacks both from 15. And whatever the property lines up being in the event that v dot and Mr. George cannot come to an agreement about a commercial entrance or something that is safe for that area of travel, then this application null and void right if there is no agreement with federal and state.

Edmondston: That's true, correct. And if you notice, and Mr. Georgia is rendering and he and I've discussed this during the application process, the existing building, that is there is currently in violation. It does not meet the setbacks of the required 50 feet from the front property line. So he understands that, you know, should his request which is specific to the tax parcel of 31 Dash eight to have a zoning map amendment, it does not lend any approval to utilizing the building he understands that there would be an appeal for variance through the board of zoning appeals to be able to utilize that building before a permit can be obtained and of course before a permit could be obtained. The health department would make their ruling and be that would make theirs or whatever the entrance guidelines are with Mr. George.

Shumaker: In the county there aren't that many businesses that are close to the road, most of the ones that are in the town of dillwyn where there is a reduced speed limit. That is a major thorough way

through the county and the county, number of accidents heading down towards the bridge, maybe not in that location. But with that secondary road coming out right ahead of it. It is a decent concern of mine.

Edmondston: And of course me I had indicated the front setback but after you know, the plat and Mr. George, any other the landowner may are able to ascertain what this tax map truly consists of if it does not meet any of the other setback side or rear, that would, of course, be placed in an application for variance as part of that.

Bickford: So to understand even if we would move forward, he would have been clear about our Board of zoning appeals and the highway department, correct?

Edmondston: Yes, sir.

Bickford: I know, he said he'd moved entrance down, which will give the proper distance. But you still got that issue with, Mr. Leusuer.

Kapuscinski: Chairman, that that to me is a building permit issue as far as we're concerned, what my recommendation is if we make a motion here just to move, move this entire issue to the board with the recommendation, that it's rezone to be one. Regardless if the owners have a problem, or if he has a problem with his building permit. That's kind of outside of scope, in my view.

Bickford: I don't disagree with you. And that's our decision is whether it's good or good location for the land use. So yes, sir. Any other questions?

Kapuscinski: I would move that we would take this particular project and move it whether it's two and a half acres, or five acres or whatever the tax map is, move the entire issue to the Board for their approval, with a recommendation that the zoning be changed to b one.

Bickford: Would you make that a motion?

Kapuscinski: I am making a motion.

Bickford: All right, have a motion. Do I have a second?

Dorrier: Second.

Bickford: Any further discussion before we vote? Go ahead and vote. Passes Mr. George, you move onto the board of supervisors, Good luck, sir. Thank you. That brings us now to our new business. Introduction of 24 Z... Im not going to read all that. Ivan Petersheim.

Commissioner	Yay	Nay
Kapuscinski	X	
Crews	Absent	
Dorrier	X	
Bickford	X	
Shumaker	X	
Gooden	X	
Bachrach	X	
Davis	X	

Commissioner Kapuscinski moved, Commissioner Dorrier seconded, and was carried by the Planning Commission to move 24ZMA 340 on to Board of Supervisors.

Edmondston: Just wanted to address Mr. George. Mr. George, that introduction will be Monday, May 13 at 6pm at the Board of Supervisors. The next case for introduction this evening is case 24 ZTA SUP 341. Our applicant is Ivan Petersheim. He resides at 234 Scott's bottom road Dillwyn the property in which the request is made this evening as tax map 53 parcel 45. It contains just under one acre and it's located at 5516 Ridge Road Arvon in the Marshall magisterial district is zoned a one. The request before you this evening is to add a zoning text amendment for multifamily housing including but not limited to a duplex triplex townhouse to a list of special uses and an agricultural a one zoning district and apply for a special use permit for that purpose. The applicant is asking the Planning Commission to

hold a public hearing for this request I have attached 10 conditions for consideration Please remember that as you see fit and necessary needed you may remove add amend conditions there. Please understand in a one zoning district currently only single family homes are permitted by right. The zoning text amendment this does not currently exist in a list of special uses.

Bickford: Would you come forward sir. Give us your full name and restate your address. If you were to quickly give us a overview what you'd like to do.

Ivan Petersheim: Evening to board. Ivan Petersheim 234 Scotts bottom Road, Ashley is my district. The proposed duplex is in Dennis Davis district. I would like to turn it into a duplex. I guess there's a text amendment that goes with that. You guys have any questions? I would, you know, I'd be happy to over the course of the next month. You know, I'd be happy to meet you guys out there and You probably know where it is. It's old with whit worth store It would be a commercial location if, if it were still in business. I think it's got good views on in the background. I think it's a good spot. It's got road frontage. Any questions?

Bickford: I'll turn it over the commissioners, any other questions for the applicant?

Kapuscinski: Mr. Chairman?

Bickford: Yes, sir. Go ahead.

Kapuscinski: Couple of questions. Number one, your two apartments that you want to put in there. You would have separate septic separate electricity separate?

Petersheim: Well, the way I understand it with a health department is they go by the bedrooms. And so it would count on how many bedrooms we're putting in the old septic that's there, it's old. And we are going to have to consider digging a couple new lines or a new drain field.

Kapuscinski: So you would have a single septic.

Petersheim: Yes.

Kapuscinski: And a single drain field. Okay, that's all zoning issues that I guess what I'm saying is that with regard to the property size itself, is there enough there if you intend to have parking and everything else to put a septic in that would handle two full, I guess two residents?

Peter: Yeah, again, it would, it would go by the bedrooms? I don't know. That's a question for the health department. I guess, as far as if there's two apartment units or two different units. If they're calculated different for the water use, you know how much water goes in it? Did not get soil engineers, scientists out there to look, see if we have enough. Enough of area for a new drain field, but it looks like it to me. We have we have front yard. One tree that needs to be removed. But and that would that would leave the distance required from the well. It looks very promising. Put a new drain field in if needed.

Kapuscinski: Question for Nicci.Miss Edmondson what with regard to read a text change to a one. This would then be a text change that would affect every a one piece of property in the counties. That's correct?

Edmondston: It would affect the entire a one zoning district and remember this is not moving this zoning text amendment is not to amend a list of permitted uses this is to amend and add to the list of special uses. So any one and an A one who wanted to obtain a special use permit would have to go through that SUP process. This is not by right.

Kapuscinski: I understand that. But if I'm not mistaken, this includes duplexes, triplexes, townhouses, condominiums. So it means that people that have farm property could effectually unless they rezone. Now, if they had to rezone, it would have to be a district 11 rezoning. Right? Because isn't it in district 11? It's allowed in A one.

Edmondston: Hold on just a moment Mr. Kapuscinski I want to make sure I understand. So remember, if what makes sense to the Comprehensive Plan and the end, the growth plan overall for the county is not necessarily one zone here in the midst of this zone zone zone. What has historically been viewed as a proper permitting or approval application process has been that special use permits were brought to the county on a application basis to determine if the integrity of the district could be maintained. Right. So anyone in an A one should this amendment this text amendment to the zoning ordinance take place, it would then add it to that list of special uses and anyone in an A one could use it. Someone wanted to amend their zoning district that request now goes to the board of supervisors with an explanation to

determine if it is you know, their wish to move forward with an application but as far as the special use permit to anyone and anyone, including but not limited to just as you read there including multi family housing.

Kapuscinski: So the question I'm asking you there is there is a zoning district in our county, not a specific district but a zoning capability?

Edmondston: Yes. Village Center.

Kapuscinski: It's VA one.

Edmondston: VC one.

Kapuscinski: Or VC one okay. And with a question I read it but I did not recall it having any specific land mass area does it have to be like 15?

Edmondston: Depends on once again Health Department what is it going to be private or package sewer so if it if any thing that requires a private will and sewer septic system and our private well that requires the lot size to be a minimum of two acres. If It is on any type of packaged Water Town, you can, you know, town sewer and water. And it's in the proper district. And that actually could allow for smaller lot sizes. In this case as Mr. Petersheim was brought up the property that that he is, has applied for this text amendment and mess up the well and septic was under the purview of the Health Department. And he is on a grandfathered, non conforming lot.

Kapuscinski: Right. And I guess what I'm getting at is if in fact, I looked at the vc, one, the 11, district 11. And I know I knew the buy I saw the by, right? Okay, and there is duplex triplex all these other things. Yes, I know there's a land requirement understand that. But I don't recall that there were any special uses under that particular district.

Edmondston: There are special uses comparable to an A one. So if something is allowed by special use in an A one, it would then be allowed by way of a special use permit in a VC one, they do have certain exceptions for businesses and the number of axles and the operating hours as far as that is concerned,

but in a VC one, because that is set aside for clustered neighborhood development along with the retail aspect and in a smaller form not necessarily comparable to a neighborhood commercial because that housing requires a special use permit, but in a VC one that is actually contributing to a very small neighborhood aspect with retail, but that is allowed by right. The multifamily homes.

Kapuscinski: And I understand so Mr. Chairman might, what I'm driving at here is if we make this text amendment, it affects every one piece of property. And I guess I'm a little bit shy that I just My concern is, it seems to me and this is just my logic working around in my head, and I don't know if I'm right or wrong. But it would seem to me that it would be smarter to create a to allow Mr. Petersheim to rezone his property, let's say BC One, and then add a special use a text amendment there that says anything under an acre, you could limit it to maybe just two residents or something like that? It would what it would do is it would keep our agricultural property away from townhouses and clustered living, even on a special use because it essentially what I'm, I'm kind of concerned about that with somebody buying, particularly an absentee owner buying a large parcel of property. And then without having it rezone to ask him again, for an SUP and I, I know we have, we have the ability to turn it down. But our ability to turn that down, is also limited. And if somebody wanted to put a large number of clustered housing in on that agricultural piece property, it'd be much more difficult for the county to control that given even if it wasn't in in the in the comprehensive plan. Rather, I would see if we were to have his property, this corner piece of property zoned VC, and if a multi house if a duplex was not allowed on their property, because of land requirement, if you if we wanted to do a text change, it would be to VC one saying anything under an acre, we would allow at least one duplex. I mean, it just seems more logical.

Bickford: I understand your concerns and share them. Do we got to also remember this location, I'm very familiar with it. And I was like where it's at used to be there when the store was on. It's not in a growth quarter or so you're in a one and that's what it needs to be. You can avoid all this asking now other than a tax amendment, which still gives you plenty of fallback the same as a special use permit.

Kapuscinski: In other words, we could do a special use permit without a text amendment. I mean, I'd be happy to do that.

Edmondston: You cannot do a special use permit for a use that is not provided for zoning ordinance, hence the zoning text,

Bickford: but you do have the ability to limited with a special use permit.

Kapuscinski: What if we did a text amendment and said in a one, we would allow only duplexes with that, as opposed to triplexes you know, clustered housing and all that other stuff, and we keep the integrity, you know, because we already allow single homes in agricultural property. So if you if you had a duplex, I guess it wouldn't bother me either. But what concerns me is a large development on an agricultural piece property that's developed by some absentee owner. I just don't, I don't know that.

Bickford: What you're, what you're saying is you want to keep the ability to turn down an application that comes through on a one

Kapuscinski: A one for clustered housing.

Bickford: Normally as Nicci has indicated, when you talk About clustering and all that is usually I mean it can we went through this years ago, if you have large numbers usually directed towards county water and sewer, because of a number of people, this very does not have that. So you're gonna have to rely on a well and septic that would be large enough, not in his case, because it's just a small, little large cluster somewhere in agriculture would have to rely on their own well, and their own septic being large enough to accommodate all of the number of people household. But I understand your concerns because I have them. I don't like the idea if it was in a growth quarter, or it'd be a little bit different, but it's not it's it's three four miles west on 671, diana mills road, but in a way. I'm not opposed to be honest with you. I'm not opposed to what you're trying to do. But I do want to protect the county in the future, for the A one district to have control. You know. Go ahead.

Peters: I would think with the housing, you know, inflation and housing crisis that we're in that that there will be a lot more requests for duplexes, just because they're economical one, they make sense and they can help with affordability. But I see what you're saying, you know, having a way to limit it from a duplex versus a triplex or whatever that you're doing but you guys come up with I guess.

Shumaker: I was actually surprised, Mr. Chairman, that it wasn't already included. I mean, we already have some sort of multifamily you know, we have as a special use permit adult retirement community and assisted living essentially that is clustered housing of some sort but it is a special use. So an applicant would still have to come here to get a special use permit for that purpose. If I understand

correctly, Nicci that is what this will also puts in a zoning text amendment but people will still have to come here for a special use permit for a duplex or a triplex so I think we still have that protection. I was actually surprised that multifamily housing was not already on the list of special uses.

Bickford: Whats the though of the other Commissioners?

Davis: I met with Ivan and he showed me what he wanted to do and I feel like with the lack of affordable housing in the county right now to take that one building to make be able to make two fit for places for two families to stay or I just think it's a good idea I mean, that lane is the way it's designed and the way they will stall was an old it's not really suitable for anything else and he's taking the existing build and pretty much splitting it in half .

Peters: Would be like a third probably so it'd be a one-bedroom unit and then a two bedroom that's what I'm thinking

Dorrier: I'm still concerned about the septic system and you will if you have enough land your septic's got to be certain amount are certain footage away from your home.

Peters:100 feet 95 feet.

Dorrier: Okay, how many people you think will be living there? So 100 foot per bedroom of septic system? Do you have land to cover that if you have to go over into somebody else's land maybe?

Peters: No, so the so the well is opposite side of the store from the road. So that limits me from going over there unless I get an easement or work with the neighbor, whatever, little bit over there. But I would have to go quite a distance I'm unsure about that myself. I don't know how that's gonna work out. But that's where the health department obviously if I can't, if I can't. If I don't have enough room, for a new drain field then I'm limited on what I can do with it.

Dorrier: I was wondering how many people how many bedrooms would you actually have because I think it's 100 foot per bedroom?

Peter: Yeah, well, so it's three bedroom now and it will probably say that it would just have an additional kitchen and two bedrooms, two bathrooms instead of one.

Dorrier: You're talking about four to four to 500 foot drain field.

Peters: Right probably four or five hundred foot I mean it's real close. I don't know what the setbacks are for drain field from the road, you know the vdot right away. So I don't know exactly where that is.

Dorrier: You'd have to get with the county on that I don't know Nicci might know that. I would think that might be a problem for you. You go through all of this and and get shot down by the Health Department.

Peters: It's a good exercise for me. Get to know all yall.

Kapuscinski: Chairman, I'm not in opposition of him putting a duplex on that property. I'm just curious. My concern is the text amendment change. That's all. And I, I'm wondering whether or not we can do something with this text change, that would give us a little more control in the event, we have an absentee owner that wants to put in cluster housing. I know you say they still have the ability as Shumaker to come to this, this group and have it approved. But our control, once it's even an sup, our control is less because, you know, let's assume that they get it turned down a couple of times and go directly to the board. So my point is that I just feel I feel the need to maintain our agricultural property. Agriculture, I guess more than anything else, and I don't, I don't have a problem with growth corridors. I don't have a problem with putting a duplex out on a one piece property, I have a problem with putting a townhouse on any one piece of property, that that's just where I'm at. So I mean, it's the it's the Commission's pleasure, I'm just voicing my concern.

Bickford: Understand.

Shumaker: I think the county could use a few more townhouses.

Bickford: We have a shortage of housing cant disagree with you on that. What is the pleasure of the commission? You wish to move forward?

Kapuscinski: This just the text change you're talking about?

Bickford: Well, next, it would be a public hearing. fOr moving forward. If you want to do that all or you can table it. I don't know how we can address the situation with the if you do the tax amendment it is changing for A one district.

Kapuscinski: Is there some way Mr chairman, they would that a recommendation can be made by one of us to limit the text change the amendment to a duplex on a one piece property?

Bickford: That's a legal question that Mr. Wright would probably have to answer because I'm not sure whether you can or how restrictive you could be to it. Mr. Wright happen to be here? I would assume we could have some control on that. But I don't know for sure.

Dorrier: Ahat about the what about the health department and what I was speaking of?

Bickford: Well, technically, it's out of all perview. Because if we move forward. And then he finds that he has to do another septic system and doesn't have the ability to do it. Then he's out. Yeah, they control that part.

Peters: Has there ever been any conversation on it on a by right, duplex? Does anyone know of like, you know of any?

Kapuscinski: In VC one.

Peters: If you do new construction got to go through a special use permit every time? Like if it's conforming lot, whatever certain size, whatever.

Bickford: By right is what's allowed in the district and you're in A one district. That's what we're arguing well, not arguing but having trouble with. Mr. Wright, You understand and I assume Nicci filled you in.

Wright: The question is about whether you can add a another use to an SUP in an A one, the short of it.

Kapuscinski: limit it to a duplex as opposed to a multiple housing.

Wright: I mean, the board the Planning Commission has the authority to recommend any change to the zoning amendment to the zoning ordinance that you care to recommend. I think specifically would not not tied to an application, I would do it as a separate action at the planning commission having considered the need of whatever you want to consider if you recommend that the Board of Supervisors add a amendment to the special use conditions in a one to include what have you wanted to include. I would not tie it to an application.

Bickford: So we have the ability to put parameters on that recommendation.

Wright: Yeah, you can put recommendation. I mean, that is you're charged with that you can make an argument and they're not obliged to follow it. So they can say we don't want to do it. We're going to do it like that, or we're going to add something else. Once you make your recommendation, you shifted to the board a of supervisors.

Bickford: Thank you, Mr. Wright. Okay. All right. I don't know if you're ready for a motion or anything if so go ahead and well discuss.

Kapuscinski: I'll make two motions. Okay. The first one is to send to the board. Do we need to go through a public hearing if we're going to change the amendment?

Edmondston: Amendments to the ordinance require a public hearing.

Kapuscinski: So I would recommend we do both of these recommendations would be to move to a public hearing. The first one would be to amend a one to allow duplex housing and limited to duplex housing. The second amendment. The second motion I would make is to move. Mr. Petershiem application on to public hearing.

Bachrach: Second.

Bickford: Discussion? Does everyone understand the two motions Pete made? They're two separate things they tied together but they are two.

Shumaker: Voting on one at a time.

Bickford: That would probably be the best route to take. Yes.

Kapuscinski: Okay. So the first motion is to move to the public hearing an amendment to a one to allow duplex housing only. Only

Edmondston: Mr.Kapuscinski that would be an amendment to a list of special uses in A one zoning district

Kapuscinski: Text amendment. Yes, ma'am. For duplex only.

Bachrach: Second.

Bickford: We have a second any discussion? Seeing none we'll go ahead and take our votes. Alright, passes six to one. Do you have your second motion?

Commissioner	Yay	Nay
Kapuscinski	X	
Crews	Absent	
Dorrier	X	
Bickford	X	
Shumaker		X
Gooden	X	
Bachrach	X	



Davis	X	
-------	---	--

Commissioner Kapuscinski moved, Commissioner Bachrach seconded, and was carried by the Planning Commission to add duplex only to list of special uses in an A1.

Kapuscinski: Second motion is to move it to a public hearing Mr. Peters application to put a duplex on his piece of a one property

Edmondston: This would be to move the case 24 ZTA SUP 341 to public hearing with duplex only? Correct?

Peters: Yeah, I guess I got a question as far as the text amendment. What I understood from you that, you know, one needs to go in front of the other or simultaneously whatever..

Edmondston: The governing boards whether it be the Planning Commission or the Board of Supervisors actually vote twice on these cases for zoning text amendment. The first is for the zoning text amendment. The second would be for your special use permit request.

Peters: So if that gets tabled, more time is needed. Can my case move forward or is it going to be left behind because of whatever ongoing conversations of the text amendment for duplex only.

Edmondston: So Mr. Peters the action taken by the planning commission thus far This evening is that by Commissioner Kapuscinski was seconded by Commissioner Bacharach and then voted is that the only amendment to move forward to a public hearing to the Buckingham County zoning ordinance is to add a duplex to a list of special uses.

Bickford: Which it becomes a by right.

Edmondston: It becomes a list of special uses.

Peters: It will be included in the list of special use items or whatever.

Edmondston: And your request before the planning commission was for multifamily housing including but not limited to, but the amendment to the ordinance is for duplex only. And you're what's on the table right now. And there has not been a motion or second or vote is to move your case. 24 ZTE SUP 341 to a public hearing for duplex only.

Peters: That's my case. Gotcha. Yeah,

Bickford: There we go. We have a second. All right. Any further discussion on that? Hearing none, we'll vote. Passes unanimously. So you will be going to public hearing

Commissioner	Yay	Nay
Kapuscinski	X	
Crews	Absent	
Dorrier	X	
Bickford	X	
Shumaker	X	
Gooden	X	
Bachrach	X	
Davis	X	

Commissioner Kapuscinski moved, Commissioner Bachrach seconded, and was carried by the Planning Commission to move case 24ZTA341 on to public hearing.

Edmondston: That will be Tuesday May 28.

Davis: Mr. Chairman, if I could I want to say before you go anywhere my suggestion to you is while you wait for public hearing, you probably ought to get with the health department and see what may be

Bickford: May save you some time and effort.

Peters: I do want to get a soil scientist out there and you know what, what he thinks about new drain field and everything.

Davis: yeah talk to the soil scentist so you come prepared.

Bickford: Thank you. Very good. Okay, that brings us to our ordinance Article Nine, telecommunications supplemental document.

Edmondston: Yes, sir. Mr. Chairman, members of the planning commission, a zoning administrator I am requesting of the planning commission to schedule a public hearing at the regularly scheduled meeting on Tuesday, May 28 2024 at 6pm. In regard to mandatory amendments to Article Nine and Article Nine telecommunications supplemental documents, I have listed the necessary amendments and mandatory amendments to Article Nine section three exempt installations. You'll see Item six antenna support structures antennas and, antenna arrays for AMFM LPTV DTV, broadcast transmission facilities, remove this item, section 10. In definitions for a wireless communication facility, the very last line and antennas and or antenna arrays for am , AM FM LPTV DTV broadcasting transmission facilities remove this item.

Bickford: That's your only two changes?

Edmondston: Correct.

Bickford: Any questions for Nicci from the commissioners?

Kapuscinski: Mr. Chairman? Mrs. Edmondson, what is the nature of the change? What prompted the change? Can you explain?

Edmondston: Mandatory revisions amendments that need to take place in order for our zoning ordinance to be effective, most effective.

Kapuscinski: Is this in reference to any particular antenna, or reparation of an antenna or a modification of antenna that's, that's going on right now,

Edmondston: There are no applications.

Kapuscinski: So this, and the reason you want these changes, because they're exempted, and you don't want them exempted anymore?

Edmondston: We want to remove the items completely from the Article Nine.

Kapuscinski: Which means that under all your W A C's, they would then require they would require the same process approval that they have. And again...

Edmondston: Yes which fits our telecommunications plan, as indicated by our city scape, the county consultant.

Kapuscinski: By having these exemptions here, we do not align with the recommendation of our consultant.

Bickford: Any other questions from the commissioners for Nicci? Do I have a motion to approve the deletions of those two statements?

Shumaker: So moved.

Dorrier: Second.

Bickford: If there's no further discussion. We'll take a vote.

Davis: Chairman I got confused. Are we scheduling for a public hearing on this?

Edmondston: Yes, sir. In order to amend any ordinance, we have to have a public hearing and then a recommendation will go to the Board of Supervisors.

Davis: That's what I thought.

Bickford: Okay. All right. Well go ahead and vote. Passes unanimously. It brings us Nicci to your reports

Commissioner	Yay	Nay
Kapuscinski	X	
Crews	Absent	
Dorrier	X	
Bickford	X	
Shumaker	X	
Gooden	X	
Bachrach	X	
Davis	X	

Commissioner Shumaker moved, Commissioner Dorrier seconded, and was carried by the Planning Commission to schedule a public hearing to amend article 9 of telecommunications supplement documents.

Edmondston: March 2024 building permit is included for informational purposes and I do not have anything further this evening.

Bickford: Okay, very good. Thank you. Commissioner matters concerns. Commissioners have anything you need to voice at this time. Seeing none Do I have a motion to adjourn?

Kapuscinski: So moved.

Dorrier: Second.

Bickford: We have a motion and second any further discussion? All favor vote. That passes. We are adjourned. Thank you

Commissioner	Yay	Nay
Kapuscinski	X	
Crews	Absent	Absent
Dorrier	X	
Bickford	X	
Shumaker	X	
Gooden	X	
Bachrach	X	
Davis	X	

Commissioner Kap moved, Commissioner Dorrier seconded, and was carried by the Planning Commission to adjourn the meeting.

Attest:

Cheryl T. “Nicci” Edmondston
Zoning Administrator/Planner

John E. Bickford
Chairman

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 Roy + Cheryl Martin
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: To obtain Special Use Permit to
operate business to manufacture furniture

Purpose of Special Use Permit: To operate a furniture making
business

Zoning District: A1 Number of Acres: 81

Tax Map Section: 113 Parcel: 17 Lot: _____ Subdivision: _____ Magisterial Dist.: Curdsville

Street Address: 860 Allens Lake Rd Dillwyn

Directions from the County Administration Building to the Proposed Site: R 60 L 15

R Thomas Rd L Allens Lake Rd

Name of Applicant: Jonathan E. Zook

Mailing Address: 1144 Spencer Rd Dillwyn VA 23936

Daytime Phone: 434 390 8642 Cell Phone: _____

Email: _____ Fax: 434 414 1055

* Name of Property Owner: Roy + Cheryl Martin

* Mailing Address: 100 Sandwich St. Plymouth, MA 02360

* Daytime Phone: 863-241-1528 Cell Phone: 863-241-1528

* Email: CMMCpacm@gmail.com Fax: 434-983-1912

* Signature of Owner: Roy E. Martin Date: 4-22-24

Signature of Applicant: [Signature] Date: 4-29-24

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: Weyerhaeuser Company

Mailing Address: 205 Perry Lane Rd Brunswick GA 31525

Physical Address: _____

Tax Map Section: 113 Parcel: 3 Lot: _____ Subdivision: _____

2. Name: LeSean Pauline D + Elaine L

Mailing Address: 189 Allens Lake Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 113 Parcel: 4 Lot: _____ Subdivision: _____

3. Name: Hunt Christopher W. + Tammy A Hunt

Mailing Address: 975 Allens Lake Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 113 Parcel: 4A Lot: _____ Subdivision: _____

4. Name: Dunkum Ronald Dwayne, Ganger Dunkum

Mailing Address: 682 Allens Lake Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 113 Parcel: 5 Lot: _____ Subdivision: _____

6. Name: Dunkum Ronald Dwayne

Mailing Address: 682 Allens Lake Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 113 Parcel: 6 Lot: _____ Subdivision: _____

7. Name: Dunkum Ronald Dwayne

Mailing Address: 682 Allens Lake Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 113 Parcel: 13 Lot: _____ Subdivision: _____

8. Name: Gormus John - Ernestine D

Mailing Address: P.O. Box 407 Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 127 Parcel: 3A Lot: _____ Subdivision: _____

9. Name: Rebecca Thomas

Mailing Address: 1219 Old Tower Hill Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 127 Parcel: 4 Lot: _____ Subdivision: _____

10. Name: Dunkum Marvin H Jr

Mailing Address: 1525 Old Tower Hill Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 127 Parcel: -1-1 Lot: _____ Subdivision: _____

11. Name: Dunkum Ronald Dwayne

Mailing Address: 682 Allens Lake Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 113 Parcel: 14 Lot: _____ Subdivision: _____

12 * Name: Dunkum Ronald Dwayne

Mailing Address: 682 Allens Lake Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 113 Parcel: 13 Lot: _____ Subdivision: _____

13 * Name: Thomas Scott B

Mailing Address: 1112 Thomas Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 127 Parcel: 2 Lot: _____ Subdivision: _____

14 * Name: Thomas Scott B

Mailing Address: 1112 Thomas Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 127 Parcel: 3 Lot: _____ Subdivision: _____

15 * Name: J Alvin + Ann Thomas Family LLC

Mailing Address: 1112 Thomas Rd Dillwyn VA 23936

Physical Address: _____

Tax Map Section: 113 Parcel: 7 Lot: _____ Subdivision: _____

16. Name: _____

Mailing Address: _____

Physical Address: _____

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

17. Name: _____

Mailing Address: _____

Physical Address: _____

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

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 30th day of April, year 2024,

I Jonathan E Zook 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 30th day of April,
of the year 2024. My Commission expires on 02/28/2025.

Notary Public Signature: Angela Nicole Wright
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 22 day of April, of the year 2024

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

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

[Signature] Cheryl Martin

NOTARY PUBLIC

COUNTY OF Buckingham STATE OF VirginiaSubscribed and sworn to me on this 22 day of Aprilof the year 2024 My commission expires 9/30/27Notary Public Signature: [Signature]

Stamp:



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

Case Number / File Name: _____

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

Cape Cod house with attached 2 car garage, shop,
horse barns, hay storage building, chicken shed, fence,

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

Survey + plat on record from last property
transfer to Roy + Cheryl Martin
A1 Zoned 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:

See areal View

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

If yes, please explain any impact:

Owner/Applicant Signature: [Signature] Date: 4-29-24

Printed Name: Jonathan Zook Title: _____

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Jonathan E. Zook

Location: 860 Allens Lake Rd.

Proposed Use: _____

For VDOT use only:

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

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

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

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

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

Signature of VDOT Resident Engineer: [Signature]

Printed Name: Charles D. Edwards Date: 4/17/24

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:

itello

We are Jonathan + Esther Zook. We have been in the county a couple years residing at 1144 Spencer Rd Dillwyn. It is our wish to operate a family owned furniture manufacturing business at 860 Allens Lake Rd, should the sale of this property take place. We intend to remain in the compliance with all County ordinances. Thank You for the opportunity to address this matter by way of this application process.

~~Sincerely~~ Sincerely Jonathan + Esther Zook

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 Is zoned A1
2. Community Design Any questions or concerns feel free to reach out to us.
3. Cultural Resources
4. Economic Development Willing to continue paying taxes
5. Environment poly scraps to be recycled or properly disposed
6. Fire and Rescue, Law Enforcement Wishes to respect + honor. Thank you for protecting /rescuing our communities
7. Housing Family enterprise, will not affect housing
8. Libraries NA
9. Parks and Open Spaces NA
10. Potable Water NA
11. Sewage Private Septic
12. Schools NA
13. Telecommunications NA
14. Transportation NA
15. Solid Waste NA

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

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

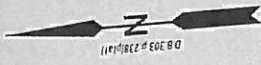
The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the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

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

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

Applicant/Owner: _____

Date: 4-29-24



Watson and Duggan PLC
Land Surveyors & Planning
1001 E. Third St., Farmville, VA 23901
434-391-3500

Christopher W. Hunt
Timothy A. Hunt
0.0 339 p.236
0.0 339 p.236 (plat)

W. Eldon Dunkum
0.0 121 p.175

W. Eldon Dunkum
0.0 121 p.177

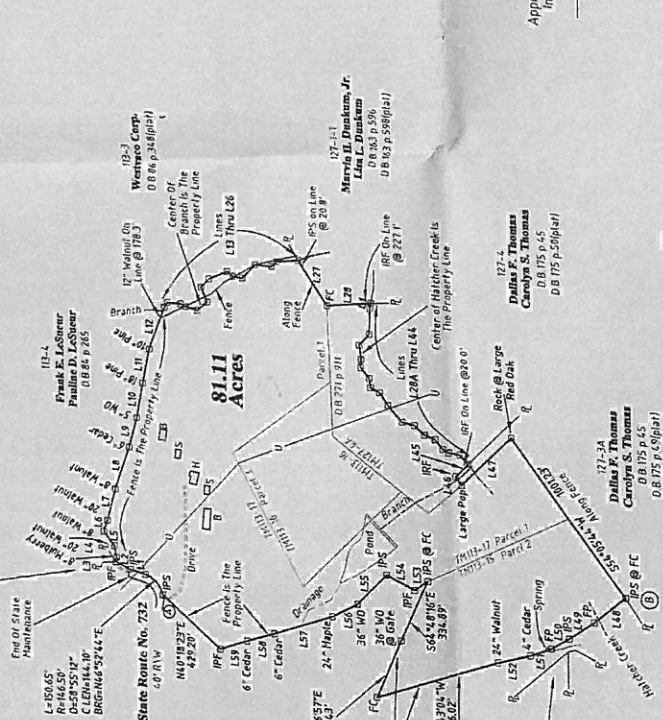
W. Eldon Dunkum
0.0 115 p.378
0.0 114 p.167 (plat)

Dallas F. Thomas
Carolyn S. Thomas
0.0 175 p.45
0.0 175 p.45 (plat)

Dallas F. Thomas
Carolyn S. Thomas
0.0 175 p.45
0.0 175 p.45 (plat)

Mary E. Dunkum, Jr.
Line L. Dunkum
0.0 163 p.586 (plat)

Legend
R = Iron Rod Set
IP = Iron Pipe
FC = Fence Corner
FP = Fence Post
Pop = Poplar
U = Overhead Utility Lines
H = Existing House
B = Barn
S = Shed

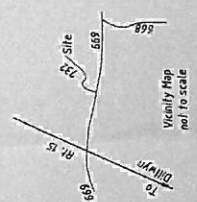


**Boundary Plat
Of Existing Parcel**

For Paula Dunkum
Being The Property Owned By
Timothy A. Dunkum
Deed Book 45 page 411
Coursedville, KY, Buchanan County, Va
05/13/05
8-15-05

- Notes**
1. Tax Map Parcel Numbers 113-17, 113-16, 113-15, 113-14
 2. This survey is based on any easement of record and other pertinent facts which a title search might disclose.
 3. This plat is based on a current field survey.
 4. See plat in D.B. 28 p.208 and D.B. 271 p.913
 5. The western property lines shown are along existing fence and were confirmed to be correct by Eldon Dunkum

LINE	BEARING	DISTANCE
L1	N 87° 25' 00" E	74.80'
L2	S 80° 17' 30" E	74.80'
L3	N 10° 12' 14" E	62.68'
L4	N 85° 14' 00" E	62.68'
L5	S 87° 27' 00" E	83.37'
L6	S 71° 53' 10" E	170.00'
L7	S 21° 21' 00" E	216.81'
L8	S 79° 35' 42" E	162.39'
L9	S 77° 00' 00" E	187.83'
L10	S 68° 22' 25" E	186.98'
L11	S 57° 00' 00" E	239.03'
L12	S 57° 00' 00" E	239.03'
L13	S 57° 00' 00" E	239.03'
L14	S 57° 00' 00" E	239.03'
L15	S 57° 00' 00" E	239.03'
L16	S 57° 00' 00" E	239.03'
L17	S 57° 00' 00" E	239.03'
L18	S 57° 00' 00" E	239.03'
L19	S 57° 00' 00" E	239.03'
L20	S 57° 00' 00" E	239.03'
L21	S 57° 00' 00" E	239.03'
L22	S 57° 00' 00" E	239.03'
L23	S 57° 00' 00" E	239.03'
L24	S 57° 00' 00" E	239.03'
L25	S 57° 00' 00" E	239.03'
L26	S 57° 00' 00" E	239.03'
L27	S 57° 00' 00" E	239.03'
L28	S 57° 00' 00" E	239.03'
L29	S 57° 00' 00" E	239.03'
L30	S 57° 00' 00" E	239.03'
L31	S 57° 00' 00" E	239.03'
L32	S 57° 00' 00" E	239.03'
L33	S 57° 00' 00" E	239.03'
L34	S 57° 00' 00" E	239.03'
L35	S 57° 00' 00" E	239.03'
L36	S 57° 00' 00" E	239.03'
L37	S 57° 00' 00" E	239.03'
L38	S 57° 00' 00" E	239.03'
L39	S 57° 00' 00" E	239.03'
L40	S 57° 00' 00" E	239.03'
L41	S 57° 00' 00" E	239.03'
L42	S 57° 00' 00" E	239.03'
L43	S 57° 00' 00" E	239.03'
L44	S 57° 00' 00" E	239.03'
L45	S 57° 00' 00" E	239.03'
L46	S 57° 00' 00" E	239.03'
L47	S 57° 00' 00" E	239.03'
L48	S 57° 00' 00" E	239.03'
L49	S 57° 00' 00" E	239.03'
L50	S 57° 00' 00" E	239.03'
L51	S 57° 00' 00" E	239.03'
L52	S 57° 00' 00" E	239.03'
L53	S 57° 00' 00" E	239.03'
L54	S 57° 00' 00" E	239.03'
L55	S 57° 00' 00" E	239.03'
L56	S 57° 00' 00" E	239.03'
L57	S 57° 00' 00" E	239.03'
L58	S 57° 00' 00" E	239.03'
L59	S 57° 00' 00" E	239.03'



Owner Roy & Cheryl Martin
Applicant Jonathan Zook

113-4A
Christopher W. Hunt
 Tammy A. Hunt
 D.B. 303 p. 236
 D.B. 303 p. 238 (plat)

Watson and Duggan PLC
 Land Surveying & GIS & Planning
 1001 E. Third St., Farmville, Va. 23901
 434-391-3500

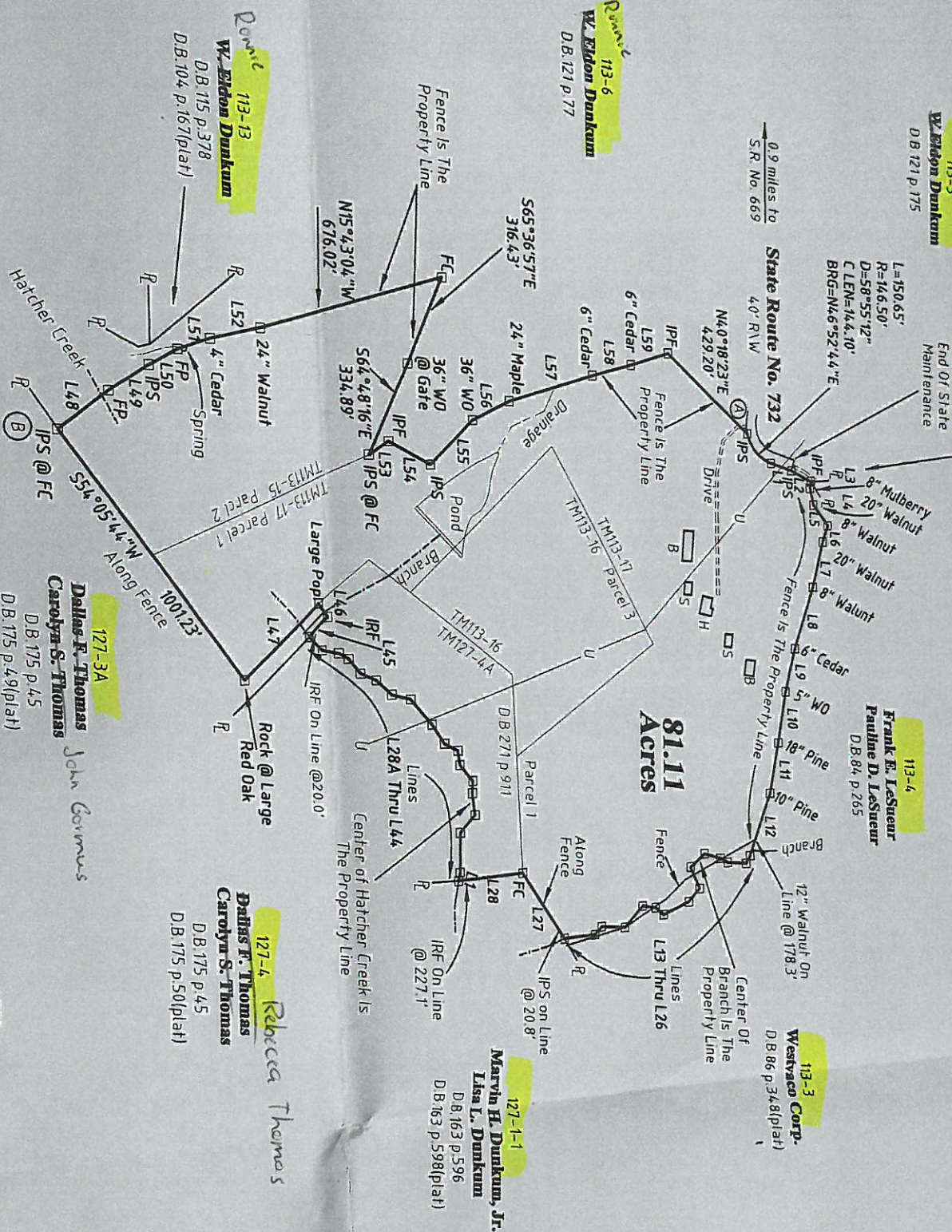
113-5
W. Eldon Dunkum
 D.B. 121 p. 175

113-4
Frank E. LeSueur
Pauline D. LeSueur
 D.B. 84 p. 265

113-3
Westaco Corp.
 D.B. 86 p. 348 (plat)

113-6
W. Eldon Dunkum
 D.B. 121 p. 77

113-13
W. Eldon Dunkum
 D.B. 115 p. 378
 D.B. 104 p. 167 (plat)



Legend
 IPS = Iron Pipe Set
 IRF = Iron Rod Found
 FC = Fence Corner
 FP = Fence Post
 Pop = Poplar
 WO = White Oak
 U = Overhead U
 H = Existing Ho
 B = Barn
 S = Shed

127-4
Rebecca Thomas
Dallas R. Thomas
Carolyn S. Thomas
 D.B. 175 p. 45
 D.B. 175 p. 50 (plat)

127-1-1
Marvin H. Dunkum, Jr.
Lisa L. Dunkum
 D.B. 163 p. 596
 D.B. 163 p. 598 (plat)

127-3A
Dallas R. Thomas
Carolyn S. Thomas
John Gormus
 D.B. 175 p. 45
 D.B. 175 p. 49 (plat)

WEALTH OF VA

Approved
 In Bucki

Con

Legend

IPS = Iron Pipe Set
 IRF = Iron Rod Found
 FC = Fence Corner
 FP = Fence Post
 Pop = Poplar
 WO = White Oak
 U = Overhead Utility Lines
 H = Existing House
 B = Barn
 S = Shed

Line Table

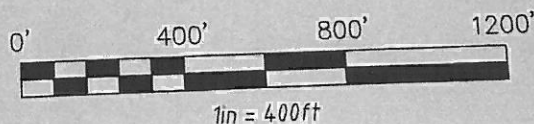
LINE	BEARING	DISTANCE
L1	N17°25'08"E	90.14'
L2	N25°41'52"E	90.68'
L3	S80°19'36"E	24.05'
L4	N78°32'41"E	62.68'
L5	N51°40'08"E	96.01'
L6	S69°32'28"E	63.61'
L7	S74°53'19"E	170.60'
L8	S70°19'20"E	236.81'
L9	S74°21'40"E	162.30'
L10	S79°35'42"E	187.83'
L11	S77°58'07"E	184.98'
L12	S68°22'55"E	239.03'
L13	S57°00'24"E	31.67'
L14	S05°53'08"W	74.39'
L15	S30°32'48"W	33.40'
L16	S17°56'38"W	66.36'
L17	S36°50'06"E	73.33'
L18	N66°15'26"E	87.20'
L19	S44°56'49"E	62.16'
L20	S20°13'54"E	111.06'
L21	S40°35'44"W	42.42'
L22	S10°25'27"W	55.14'
L23	S43°03'02"E	101.88'
L24	S06°12'15"W	96.76'
L25	S42°48'41"E	36.71'
L26	S01°32'20"E	124.59'
L27	S55°30'30"W	293.45'
L28	S01°56'05"E	247.13'
L28A	N77°26'42"W	27.59'
L29	N87°43'07"W	135.78'
L30	N44°45'43"W	80.55'
L31	S83°41'17"W	75.47'
L32	N86°26'00"W	41.52'
L33	S50°36'42"W	73.74'
L34	S82°42'52"W	49.31'
L35	S27°56'53"W	54.25'
L36	S57°09'02"W	79.70'
L37	S49°43'29"W	114.96'
L38	S15°15'42"W	67.30'
L39	S43°23'35"W	73.02'
L40	S24°53'15"W	57.49'
L41	S52°55'40"W	63.15'
L42	S31°55'45"W	36.83'
L43	S10°41'04"W	60.46'
L44	S42°35'26"W	69.45'
L45	N41°01'09"W	98.40'
L46	S53°50'44"W	56.10'
L47	S40°43'50"E	375.81'
L48	N36°56'51"W	206.13'
L49	N32°08'20"W	156.84'
L50	N28°02'55"W	109.09'
L51	N18°11'23"W	118.58'
L52	N12°49'03"W	180.33'
L53	N32°56'37"W	82.41'
L54	N28°24'20"E	166.22'
L55	N43°51'31"W	217.93'
L56	N25°32'04"W	152.49'
L57	N16°04'43"W	337.23'
L58	N14°23'32"W	161.11'
L59	N16°04'06"W	158.52'

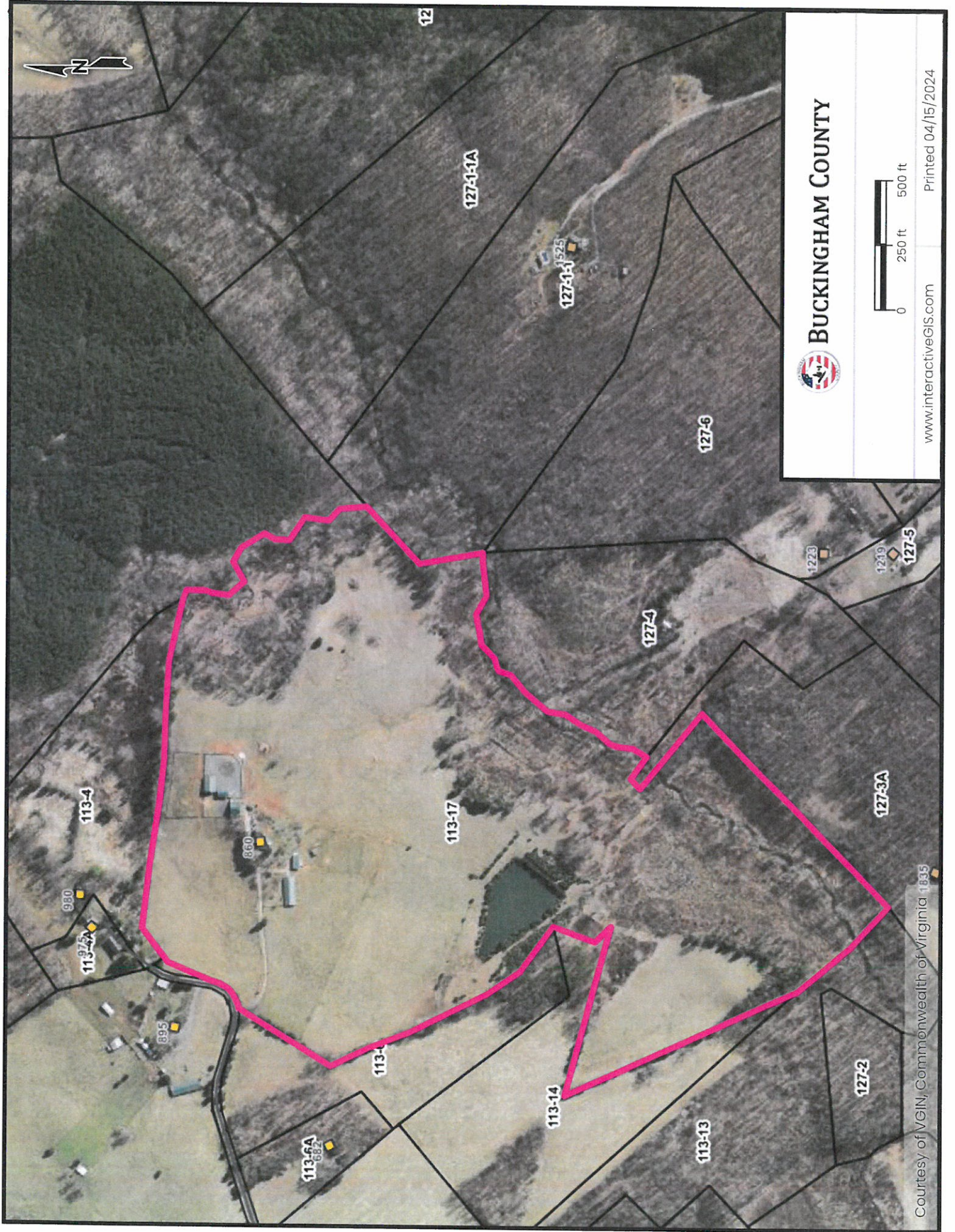
D.B. 303 p. 238 (plat)



Approved For Recordation
 In Buckingham County

County Agent





Date: 4/15/24

History Maintenance

Time: 16:11:12

Dept#/Bill#: RE2023 / 00075310001 Half: 1 Pen/Int Date: 4/15/2024 / 4/15/2024

Name: MARTIN ROY A & CHERYL M MARTIN

Account#: 000006065

Name 2:

Address: 860 ALLENS LAKE RD

DILLWYN VA

Zip Code: 23936 - 0000

Description: RT 732 - 2 MI E OF

MAP#: 113 17

ALPHA 81.11 AC

MMMIIDDBBLLLLLS

Soc. Sec. #: 000 - 00 - 0000

000 - 00 - 0000

000 - 00 - 0000

Mortgage #: Status Codes:

Land: \$185,600

Improve: \$226,200

Use: \$0

Original Bill: \$1,132.45 Payments: \$1,132.45

Penalty Paid: \$.00 Int Paid: \$.00 Last Date: 5/26/2023

Amount Owed: \$.00 Other: \$.00

Total Owed: \$.00 Penalty: \$.00 Interest: \$.00

Date: 4/15/24

History Maintenance

Time: 16:11:22

Dept#/Bill#: RE2023 / 00075310002 Half: 2 Pen/Int Date: 4/15/2024 / 4/15/2024

Name: MARTIN ROY A & CHERYL M MARTIN

Account#: 000006065

Name 2:

Address: 860 ALLENS LAKE RD

DILLWYN VA

Zip Code: 23936 - 0000

Description: RT 732 - 2 MI E OF

MAP#: 113 17

ALPHA 81.11 AC

MMMIIDDBBLLLLLS

Soc. Sec. #: 000 - 00 - 0000

000 - 00 - 0000

000 - 00 - 0000

Mortgage #: Status Codes:

Land: \$185,600

Improve: \$226,200

Use: \$0

Original Bill: \$1,132.45 Payments: \$1,132.45

Penalty Paid: \$.00 Int Paid: \$.00 Last Date: 5/26/2023

Amount Owed: \$.00 Other: \$.00

Total Owed: \$.00 Penalty: \$.00 Interest: \$.00

Document Prepared By:

F. Ade Allen, Jr.
Attorney at Law
P.O. Box 502
Dillwyn, Virginia 23936

BOOK 319 PAGE 642

#1916
Tax Map: 127-4A
113-17
113-16
113-15

THIS DEED is made this 18th day of Aug., 2005, by and between

PAULA P. DUNKUM, Administrator of the Estate of Timmy R. Dunkum,

deceased, LANNY D. DUNKUM, VELMA D. SPROUSE AND PERRY W.

DUNKUM, hereinafter called Grantor and **ROY A. MARTIN and CHERYL M.**

MARTIN, husband and wife, as tenants by the entirety with the right of survivorship

as at common law, hereinafter called Grantees, whose address is:

19200 Hwy. 27, Lake Wales, FL 33853-2451

- WITNESSETH -


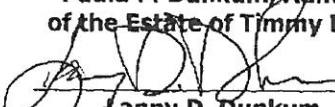
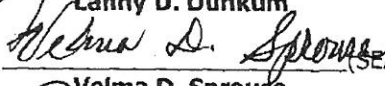
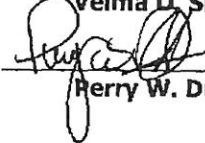
THAT for and in consideration of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantors do hereby Bargain, Sell, Grant, and Convey with General Warranty and English Covenants of Title, in fee simple, unto the Grantees, as tenants by the entirety with the right of survivorship as at common law, the following described real estate to-wit:

SEE SCHEDULE A ATTACHED AND MADE A PART HEREOF

This conveyance is made expressly subject to: any and all conditions, restrictions, reservations, easements, and/or rights of way which are a matter of public record; and, any and all easements and/or rights of way which are apparent from an inspection of

the lands hereinabove described or the plat hereinabove referenced.

Witness the following signatures and seals.

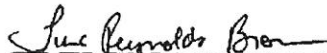
 (SEAL)
Paula P. Dunkum, Administrator
of the Estate of Timmy R. Dunkum
 (SEAL)
Lanny D. Dunkum
 (SEAL)
Velma D. Sprouse
 (SEAL)
Perry W. Dunkum

STATE OF VA

CITY/COUNTY OF Chesapeake, to-wit:

The aforedescribed deed, bearing date of August 18th, 2005, was
subscribed, sworn and acknowledged before me by Paula P. Dunkum, Administrator of
the Estate of Timmy R. Dunkum, on this 18th day of August, 2005.

My commission expires: 1-31-07.


Notary Public

STATE OF Tennessee BOOK 319 PAGE 644

CITY/COUNTY OF Sumner, to-wit:

The aforescribed deed, bearing date of 8/18, 2005, was
subscribed, sworn and acknowledged before me by Lanny D. Dunkum, on this
22 day of August, 2005.

My commission expires: July 19 2008



[Signature]
Notary Public

STATE OF Va.

CITY/COUNTY OF Buckingham, to-wit:

The aforescribed deed, bearing date of Aug - 18, 2005, was
subscribed, sworn and acknowledged before me by Velma D. Sprouse, on this 24
day of August, 2005.

My commission expires: 9-30-06

[Signature]

Notary Public

STATE OF VA

CITY/COUNTY OF Chesapeake, to-wit:

The aforescribed deed, bearing date of Aug. 18, 2005, 2005, was subscribed, sworn and acknowledged before me by Perry W. Dunkum, on this 18th day of August, 2005.

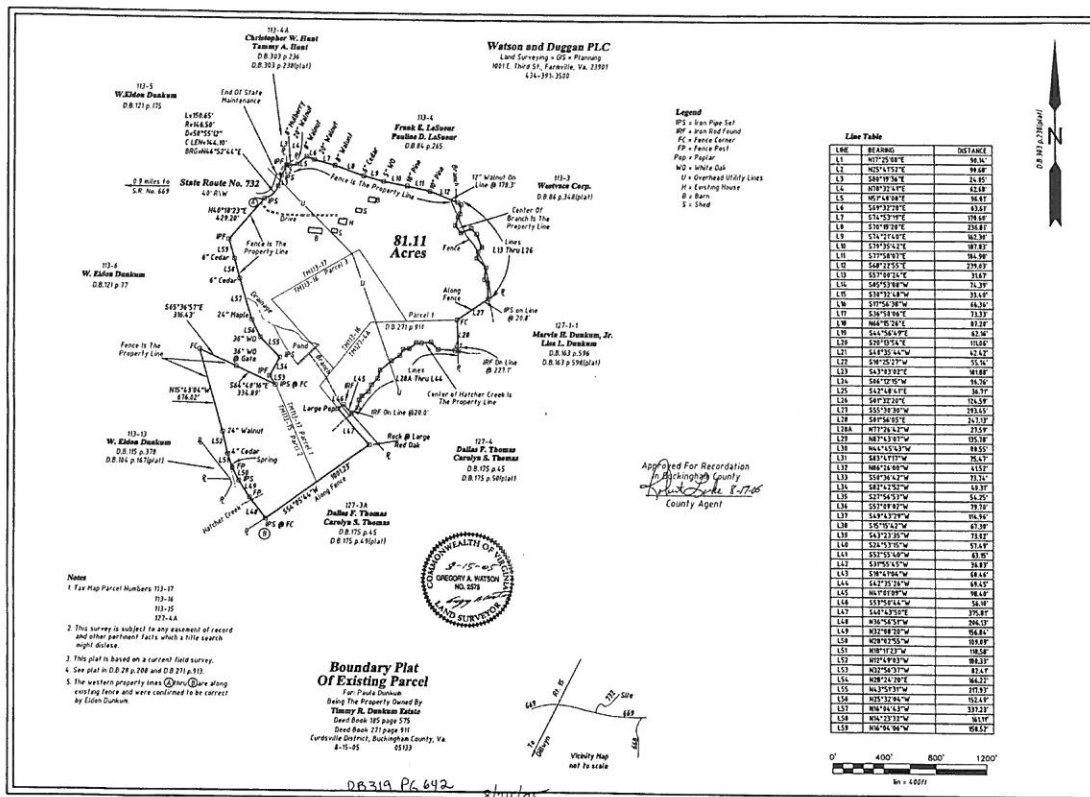
My commission expires: 1-31-07.

Inc. Reynolds Brown
Notary Public

035 Rec Fee	<u>1.00</u>	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	<u>1230.00</u>	
Co. R. Tax	<u>416.67</u>	The foregoing instrument with acknowledgement
Transfer	<u>1.00</u>	was admitted to record on <u>8-24</u> 20 <u>05</u> .
Clerk	<u>28.00</u>	at <u>1:20 P.M.</u> in D.B. <u>319</u> Page(s) <u>642 - 646</u>
Lib. (145)	<u>3.00</u>	Teste: MALCOLM BOOKER, JR., CLERK
T.T.F.	<u>10.00</u>	BY: <u>Brenda Kitcher</u> DEPUTY CLERK
Grantor Tax	<u>500.00</u>	
036 Proc. Fee	<u>10.00</u>	
Total \$	<u>2219.67</u>	

SCHEDULE A

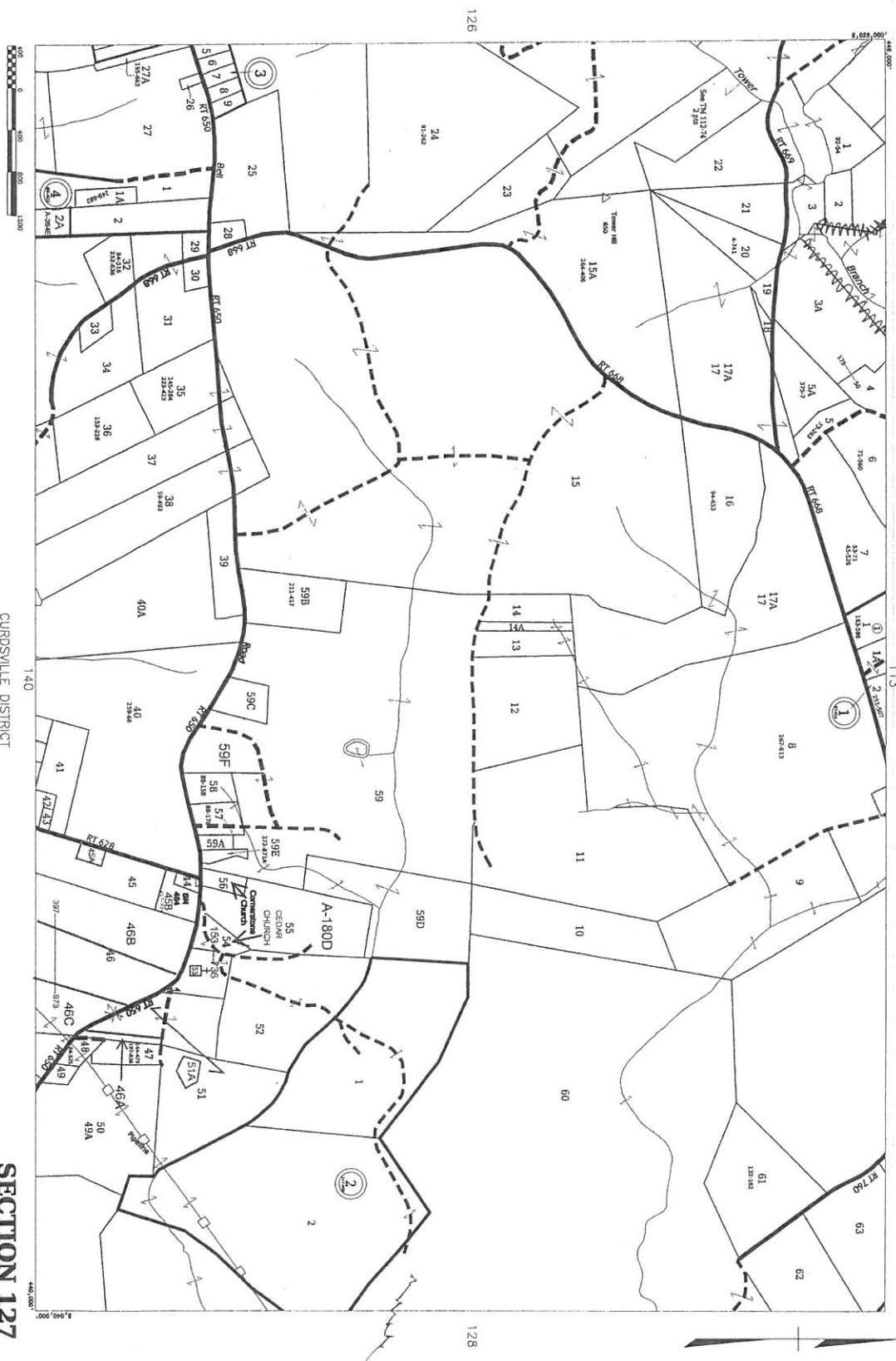
All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia, containing Eighty-One and eleven/hundredths (81.11) acres, more or less, said lands fronting on Virginia Secondary Route #732 and being more particularly described by a plat of survey prepared by Gregory A. Watson, L.S., dated August 15, 2005, and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Plat Cabinet A, at slide 148E, to which plat reference is hereby made for a more complete and accurate description of said lands. Said lands being the aggregate of the lands conveyed unto Timmy R. Dunkum by two deeds as follows: first, a deed from Wilson D. Dunkum and Lucille A. Dunkum, husband and wife, dated May 1, 1993 and recorded in the aforesaid Clerk's Office in Deed Book 185, at page 575 et seq., wherein said grantors reserved life estates which terminated on their respective deaths, Wilson D. Dunkum dying on May 16, 2000 and Lucille A. Dunkum dying on August 9, 2002; and second, a deed from Dallas F. Thomas et ux dated December 10, 2001, and recorded in the aforesaid Clerk's Office in Deed Book 271, at page 911 et seq. Subsequently Timmy R. Dunkum died intestate, unmarried and without issue on April 7, 2005, leaving surviving as his sole heirs at law his three siblings, Lanny Daniel Dunkum, Perry Wayne Dunkum and Velma Dunkum Sprouse, all as is evidenced by said decedent's list of heirs dated April 14, 2005 and recorded in the aforesaid Clerk's Office as Will Instrument #200500000351.



~~~~~ = property

# BUCKINGHAM COUNTY

113



## TAX RECEIPT

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

Ticket #:00001790001 @@

Date : 4/30/2024  
Register: KJ1/KJ1  
Trans. #: 17304  
Dept #: SPUSE  
Acct# :

SPECIAL USE PERMIT - ZONING  
113-17

Previous  
Balance \$ .00

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

ZOOK JONATHAN

Amount Paid \$ 200.00

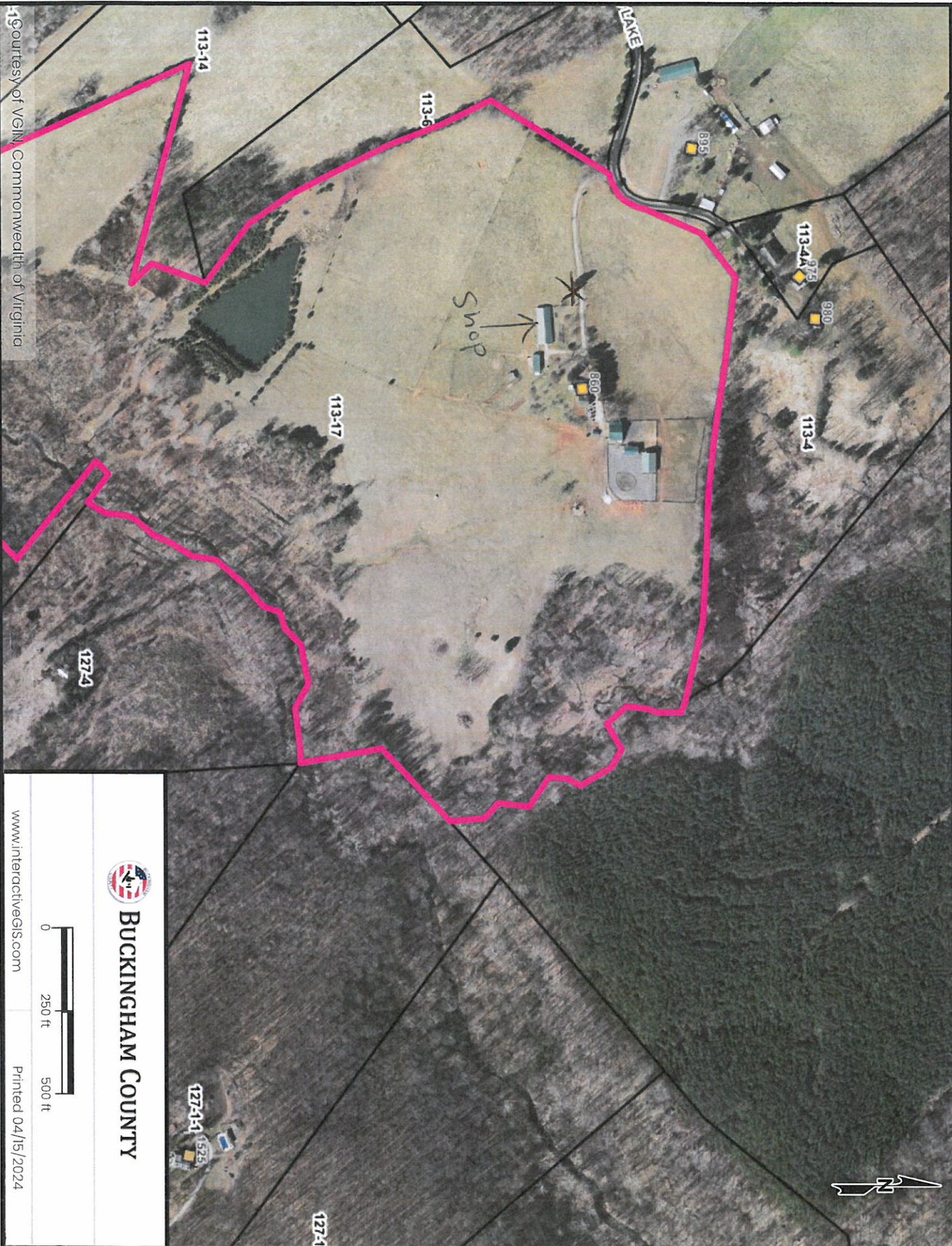
\*Balance Due \$ .00

Pd by ZOOK JONATHAN E Check 200.00 # 931 FARMERS  
BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 4/2024

-----



\* gravesite



Courtesy of VGIN, Commonwealth of Virginia



BUCKINGHAM COUNTY



www.interactivegis.com Printed 04/15/2024



**Buckingham County Planning Commission**  
**Monday, June 24, 2024**  
**Administration Building**  
**6:00 PM**  
**Public Hearing Case 23-SUP342**

**Applicant:** Jonathan Zook  
1144 Spencer Road  
Dillwyn VA 23936

**Property Information:** Tax Map 113 Parcel 17, containing approximately 81 acres, located at 860 Allens Lake Road Dillwyn, VA 23936, Curdsville Magisterial District.

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

**Request:** To Apply for a Special Use Permit to Operate a Custom Woodworking Shop as a Small Business for making and manufacturing furniture.

**Background/Zoning Information:** The property is located on Tax Map 113 Parcel 17, 860 Allens Lake Road Dillwyn VA 23936. The property is zoned Agriculture (A-1). The Zoning Ordinance does not permit Custom Woodworking Shops as a by right permitted use. However, within A-1 Agriculture Zoning District, Custom Woodworking Shops 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. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.

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

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

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

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

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

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

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

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

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

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

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

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

**Fees:** ☒ YES ☐ NO

**Deed:** ☒ YES ☐ NO

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

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

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

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

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



**APPLICATION FOR A SPECIAL USE PERMIT**

CASE NUMBER: \_\_\_\_\_  
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 5/3/2024

Special Use Permit Request: short term rentals (e.g. Airbnb vs. Vrbo) and event  
space and dry campsites

Purpose of Special Use Permit: Obtain permission to use property for short term rentals,  
dry campsites and events to include but not limited to weddings, reunions, festivals,  
concerts and celebrations of life with up to 1,500 attendees.

Zoning District: Agricultural Number of Acres: 23.92

Tax Map Section: 51-3-1 Parcel: \_\_\_\_\_ Lot: 1 Subdivision: \_\_\_\_\_ Magisterial Dist.: James River

Street Address: 1025 Melita Rd, Arvonia, VA 23004

Directions from the County Administration Building to the Proposed Site: 60 E, 15 N, 20 N,  
right on Sharon Church, bear left on Melita, 1025 on left

Name of Applicant: Jessica Nicholas

Mailing Address: \_\_\_\_\_  
2158 Tower Hill Rd, Powhatan, VA 23139

Daytime Phone: \_\_\_\_\_ Cell Phone: (804) 475-7573

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

Name of Property Owner: Jessica and Matthew Nicholas

Mailing Address: \_\_\_\_\_  
2058 Tower Hill Rd, Powhatan, VA 23139

Daytime Phone: \_\_\_\_\_ Cell Phone: (804) 475-7573

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

Signature of Owner: Jessica Nicholas Date: 5/3/2024

Signature of Applicant: Jessica Nicholas Date: 5/3/2024

Please indicate to whom correspondence should be sent:

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

Please see attached sheets

### 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: \_\_\_\_\_

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

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

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ 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: \_\_\_\_\_

**6. Name:** \_\_\_\_\_

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

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

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

**7. Name:** \_\_\_\_\_

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

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

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

**8. Name:** \_\_\_\_\_

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

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

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

**9. Name:** \_\_\_\_\_

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

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

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

**10. Name:** \_\_\_\_\_

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

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

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

**11. Name:** \_\_\_\_\_

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

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

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

**51-3-2**

Robert & Michelle Esposito

Mailing: 8954 S CONSTITUTION RTE SCOTTSVILLE VA 24590

Physical: Melita RD

**51-3-3**

Andre & Jennifer Galitsky

Mailing: 5411 MONGOOSE CT WARRENTON VA 20187

Physical: Melita RD

**51-3-4**

Rachel Ligon

Mailing: 13538 BUCK RUB DR MIDLOTHIAN VA 23112

Physical: Melita RD

**51-3-5**

Theodore W Clark JR

Mailing: 2950 THREE CHOPT GUM SPRING VA 23065

Physical: Melita RD

**51-3-6**

EE Talbott JR

Mailing: 145 WOODYARD RD DILLWYN VA 23936

Physical: Melita RD

**51-3-7**

Noah & Deborah Fazenbaker

Mailing: 6013 BONNEAU RD RICHMOND VA 23227

Physical: Melita RD

**51-19B AND 51-24**

Four J Unlimited

Mailing: 140 HUMINSKI RD ELKTON MD 21921

Physical: 2010 MUDDY CREEK RD ARVONIA VA 23004

**51-21**

Herbert & Nancy Maxey

Mailing: PO BOX 257 BUCKINGHAM VA 23921

Physical: N/A

**51-22**

Bar Land & Homes LLC C/O Malcolm Vannoy

Mailing: PO BOX 190 APPOMATTOX VA 24522

Physical: N/A

**51-23**

Esther Maxey

Mailing: 330 CLAREMONT LN APT 129 CROZET VA 22932

Physical: Melita RD

**66-25**

Lacy Wood

Mailing: 1790 MELITA RD ARVONIA VA 23004

Physical: 1790 MELITA RD ARVONIA VA 23004

**66-27**

Glen & Beulah Banton

Mailing: 603 Sharon Church RD

Physical: River Ridge RD

## ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This March day of 6th, year 2024,

I Jessica Nicholas 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)

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

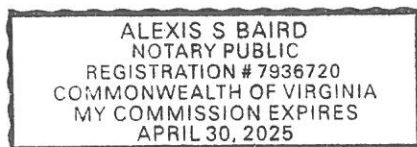
NOTARY:  
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF Virginia

Subscribed and sworn to me on the 6 day of March,  
of the year 2024. My Commission expires on Apr 30 2025.

Notary Public Signature: Alexis S. Baird  
Stamp:



## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this March day of 6<sup>th</sup>, of the year 2024,

I Jessica Nicholas (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)

Jessica Nicholas

NOTARY PUBLIC

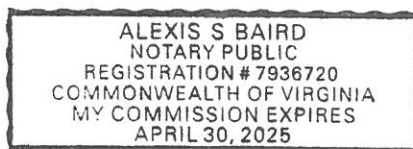
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 6 day of March,

of the year 2024. My commission expires Apr 30 2025.

Notary Public Signature: Alexis S. Baird

Stamp:





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

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

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

The property is a little less than 24 acres. Approximately  
9 acres have been cleared. The house is earth-bound  
and sits at the top of the hill. There ~~are~~ solar panels,  
well and septic.

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

Deed Book 491 was pulled from clerk's office. Property  
found on page 999. No historical sites identified. Property  
was previously one parcel measuring 221.03 acres and  
was subdivided into smaller lots.

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: Jessica Nicholas Date: 4/29/2024

Printed Name: Jessica Nicholas Title: Owner

### APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

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

Applicant: Jessica and Matthew Nicholas

Location: 1025 Melita Rd, Arvonica, VA 23004

Proposed Use: Airbnb (Short term rentals) and small celebrations

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: Charles D. Edwards

Printed Name: Charles D. Edwards

Date: 4/29/24

N/A

## SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_,

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

Hereby make, constitute, and appoint \_\_\_\_\_  
(printed name)

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

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

\_\_\_\_\_

NOTARY PUBLIC

County of \_\_\_\_\_ State of \_\_\_\_\_

Subscribed and sworn before me on the \_\_\_\_\_ day of \_\_\_\_\_

in the year \_\_\_\_\_. My commission expires \_\_\_\_\_.

Signature of Notary Public: \_\_\_\_\_

Stamp:

## **WRITTEN NARRATIVE**

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

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

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

## Nicholas Family, "Shireton" - 1025 Melita Rd. Narrative

Easter of 2021, during the height of COVID-19 and just after the birth of our second daughter, tragedy struck our family. Matt attempted to contact his father to say happy Easter, but was unable to reach him. A couple of days later, while talking to his siblings, they realized that no one had spoken to their dad, Ron. Concern began to mount. The police went to his cabin in the Poconos in Pennsylvania but he was not there and neither was his dog, Cole. A missing persons report was filed and the search began. A day later, his truck was found at a park about 15 minutes away from his cabin. Search and rescue parties were called including the use of helicopters, drones and dive teams. This time was immensely difficult. Not only were we in limbo of not knowing whether or not Ron was alive, but also because we were trying to balance raising a toddler and our newborn baby apart while Matt helped with the search parties. After three weeks of searching, his father was found deceased in the woods. Autopsy reports suggest that his sugar levels had potentially become low causing him to become disoriented. He wandered off the path and was unable to find his way back. We miss him daily.

Through this tragedy and as a frontline healthcare worker during the COVID pandemic, we have had great introspection. What became clear is that family and time together is the most important thing. Also near and dear to Ron's heart, we desire time spent in nature and a quiet life with these values in mind. For these reasons, we began our search for land that we might create a home for our daughters and ourselves. Using some of the inheritance money from Ron, we were able to purchase our land in Buckingham County. However, Matt works as a sales representative for a local company in Richmond and I work at a hospital. We decided we needed to become creative in how we could make this transition to this new life we dream of. For that reason, we decided to create a small getaway home for us and a place we could use for Airbnb rentals and dry campsites so we could use the house to help provide additional income. This is the reason we are seeking a special use permit. Our hope is that with time, we will be able to use this additional income to build a larger home on the property where we will live permanently.

To start, we have built a small one bedroom and one bathroom home. We were honored to use many local contractors for the project and plan to hire them again in the future if needed. We have 24 acres and have cleared approximately 9 acres. The home sits at the top of the hill with a great view of the property and the surrounding forest (as marked on our plot map). It faces southwest. We loved the idea of having a home that blended into the natural surroundings. Thus, we decided to go with a unique build and created an earth-bound home, that is literally covered in dirt and grass. From the road, the house appears as a small hill save for one window. The house is eco-friendly as it is very energy efficient with the insulation of the dirt and grass, as well as the fact we installed a well, septic and solar panels (see utilities map). We are planning to start some small gardens on the property. Since the home is so small we do not feel that renting the home would cause a great impact on the immediate neighbors as the house is really only big enough for two adults and possibly 1 to 2 children. However, hopefully our guests would seek

out adventure and local shops nearby, promoting economic development. Further, when we purchased our property it came with its own large gravel parking lot at the front (see plot map), so parking should not be an issue.

For the sake of being thorough, we are also seeking approval to have the property approved for special events such as small weddings or celebrations because we believe our home could be a desired destination for such events due to its unique quality. Events to include, but not limited to weddings, reunions, festivals, concerts, arts, celebrations of life with up to 1,500 attendees. We have a wooden sign that I handmade and wood burned denoting the property. I believe it is tasteful and fits within the style of the surrounding habitat. Our large parking lot at the front of the property would be available to accommodate any parking needs. We are also currently in the process of planting trees to obscure the parking lot from the view of the neighbors to maintain the wooded look of the area. Guests would be responsible for bringing any of their food and/or beverages. We would make sure prior to any event to alert local police in the event of an emergency. We will have trash receptacles on the property for disposal of trash and would hire a service to take away within a week after the event. Guests will be charged a clean up fee for general clean up of any materials/decor left from the special event which would be used to hire a clean up crew. No fighting or illegal substances will be permitted on the property or guests will be asked to leave, charged a fee and will not be allowed back on the premises. We do not anticipate these celebratory events to happen frequently but we wanted to be prepared and approved if guests were to ask if they could host their special event at our home. Our goal is that the area will remain beautiful and a place of refuge as we also plan to live there eventually. We hope to build our house (3-4 bedrooms) towards the back of the property, which would also face southwest. We are excited for this next step and hope you will support us as we seek approval for our special use permit. The home design was inspired from one of our favorite fantasy books, "Lord of the Rings." <sup>we</sup> hope that guests and neighbors alike will enjoy coming on this journey with us as we turn one of our greatest tragedies into our greatest adventure.

## 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: \_\_\_\_\_

*Genia Nicholas*

Date: 5/3/2024



## **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.

509 Court Street P.O. Box 117  
Appomattox, Virginia 24522  
434-332-8540  
Michael Ray Oelm  
Land Surveyor

NOTE: 1. THIS IS A BROWN SURVEY. ALL  
SUGGESTIONS, ENHANCEMENTS, AND/OR  
IMPROVEMENTS ARE NOT BE SHOWN  
2. THIS PLAN HAS BEEN PREPARED WITHOUT  
REPLY OF A FIELD SURVEY  
3. THIS PLAN IS BASED ON A CURRENT  
FIELD SURVEY DATED OF THE GROUND  
AND THE PROPOSED IMPROVEMENTS INDICATED  
4. R.M. NO. 31-30  
5. REFERENCE PLANS: G.L.S. #12  
6. S.A.S. AND NORTH BASED ON NETWORK  
7. NORTH POINT WITH REFERENCE POINT-S-1  
8. FLOOD ZONE OF THE PROJECT AREA  
9. JOINTLY MADE IN THE CITY OF LOS ANGELES  
10. EXPIRATION DATE OF 4/17/2020  
11. CROWNED  
12. BEARING: SETBACK: FRONT: 30' 0"  
SIDE: 30' 0"  
REAR: 30' 0"  
13. ADJOYNS ARE SET ON ALL SIDES BUT THE  
NORTH-OF-WAY COVERED UNLESS OTHERWISE



THIS SUBDIVISION IS APPLICABLE FOR INDIVIDUAL CHASTE SEWAGE SYSTEMS IN ACCORDANCE WITH THE PROVISIONS OF THE CODE OF WARRIOR, AND THE SEWAGE REMOVAL AND DISPOSAL REGULATIONS (18 USC 5-810-10 ET SEQ. THE REGULATIONS), AND LOCAL ORDINANCES IF THE LOCALITY HAS AUTHORIZED THE LOCAL HEALTH DEPARTMENT TO ACCEPT PRIVATE REGULATIONS FOR COMPLIANCE WITH LOCAL ORDINANCES.

THIS SUBMISSION IS SUBMITTED TO THE HEALTH DEPARTMENT FOR REVIEW PURSUANT TO SECTION 317-112.5 OF THE CODE OF MICHIGAN WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PROVIDED FOR EVALUATIONS AND DECISIONS FROM AN AUTHORIZED DESIGN SLOE EVALUATOR (BASED ON A PROFESSIONAL ENGINEER'S REPORT) IN CONSULTATION WITH AN AGENCY FOR PERSONNEL DEVELOPMENT. THE AGENCY FOR PERSONNEL DEVELOPMENT IS THE STATE DEPARTMENT OF CORRECTIONS AND IS CONSIDERED AS BEING IN COMPLIANCE WITH THE REQUIREMENTS OF HEALTH'S REGULATIONS BY: FORWARD FORWARD PROPERTY ASSES (PROPOSED) THIS SUBMISSION APPROVAL IS ISSUED IN RELIANCE UPON THAT CERTIFICATION

PURSUANT TO SECTION 100 OF THE REGULATIONS, THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM, AND UNLESS ALL CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF THIS APPROVAL. THIS SUBDIVISION MAY CONTAIN LOTS THAT DO NOT HAVE APPROVED SITES FOR ONSITE SEWAGE SYSTEMS.

THIS SUBDIVISION APPROVAL IS ISSUED BY RELIANCE UPON THE CERTIFICATION THAT APPROVED LOTS ARE SUITABLE FOR "TRANSFORMER SYSTEMS". HOWEVER ACTUAL SYSTEM DESIGNS MAY BE DIFFERENT AT THE TIME CONSTRUCTION PERMITS ARE ISSUED.

1. HOW DWELLING STATIONS DEVELOP SENSITIVE AREAS, AND WELL MUST BE SPATIALLY LOCATED BY MEANS OF RAIN-FALL AND CROP-YIELD, MUST BEAR THE LOCAL COUNTRY HOUSE ADVANTAGES, BEFORE ANY CONSTRUCTION BEGINS.
2. THE LOCAL CONSTRUCTION STANDARDS, AND SYSTEM DESIGN OF SUCH PROJECTS, ARE OF INTEREST TO THE INVESTOR, AND CAN BE SET BY THE LOCAL COUNTRY HOUSE ESTABLISHMENT. ALL HOUSES MUST BE CONSTRUCTED BY THE SAME SPECIFIC, AND ATTENTION IN DESIGN, CONSTRUCTION STANDARDS, OF COURSE, FROM THE VERY FIRST, MUST BE MAINTAINED THROUGHOUT, FOR COMPLETION AND FINISH.
3. DEPENDENCE ON HOUSE DESIGN, SOME SITES MAY REQUIRE A PUMP SYSTEM TO PUMP THE EFFLUENT TO THE DRAINFIELD AREA.
4. ALL DRAINFIELD SITES ARE SITE SPECIFIC AND LOCATED BY SURVEY.
5. WHEN A CONSTRUCTION PROJECT IS IDENTIFIED, IT MAY BE NECESSARY TO HAVE THE DRAINFIELD SITES RECONSTRUCTED TO ENSURE THE PROPER LOCATION.

[illegible]

SEAL OF VIRGINIA  
OFF. SECRETARY OF Education  
IN REPLYING TO REQUEST FOR INFORMATION NO. 1054  
DATED 1/19/83 BY OFF. OF VIRGINIA STATE  
BY W. Dale Pearson JR  
1400 Gordon St. Norfolk  
NORTH FLEMING  
WASHINGTON DC- 27003  
BY COMMISSIONER EXPRESS SLR 10027



**SHEET 1 OF 2**  
**MELITA ROAD**  
**SUBDIVISION**  
**SCALE: 1" = 300 FT.**  
**227.162 ACRES**



SURVEYED FOR: H. CURTIS PIERSON, JR. &  
JEFFERSON M. GILLET  
SOURCE OF TITLE: H. CURTIS PIERSON, JR. &  
JEFFERSON M. GILLET  
DEED #1 P. 999  
MARSHALL DISTRICT BUCKINGHAM COUNTY  
MICHIGAN

GRAPHIC SCALE - FEET

Inst # 2008-293  
DB493 PG 134  
January 23, 2008  
The Honorable Pat  
San Joaquin County Superior Court  
San Joaquin County, California  
San Joaquin County Superior Court  
San Joaquin County, California

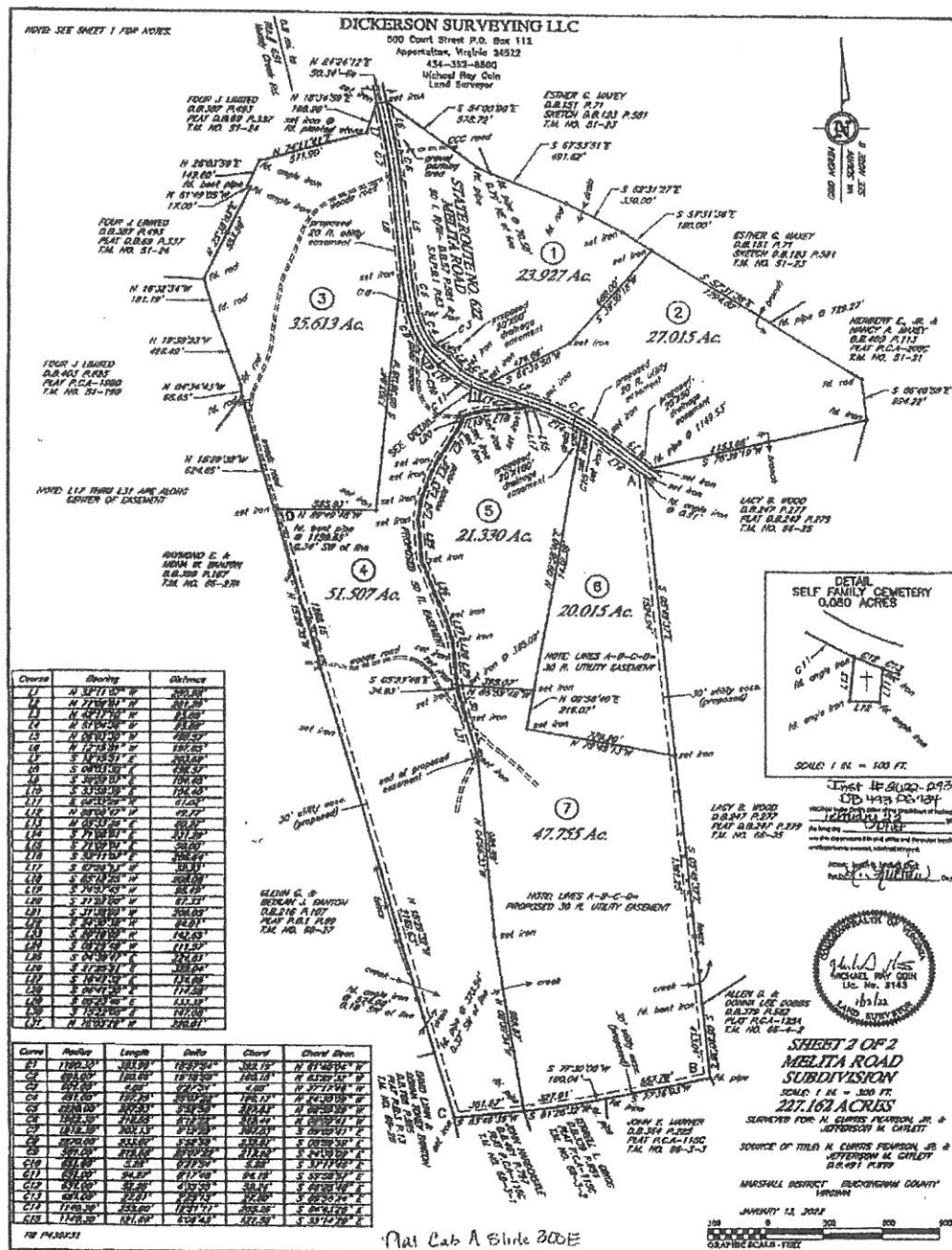
THE SIGNATURE OF VDOT'S REPRESENTATIVE IS AN ACKNOWLEDGMENT OF THE STATUS OF THE MAP AND IS NOT AN ENDORSEMENT OF THE ACCURACY OF THE SURVEY, AND DOES NOT SIGNIFY AN APPROVAL OF ANY PARTICULAR LAND USE OR ACCESS TO STATE HIGHWAY-OR-WAY. A VDOT LAND USE PERMIT IS REQUIRED FOR ALL ENHANCEMENTS (LANDSCAPING, EROSIONAL, AND STREETS) CONNECTING WITH STATE HIGHWAYS.

DICKY LOT OWNER IS RESPONSIBLE FOR OBTAINING A VDOT LAND USE PERMIT, REQUIRED FOR ANY NEW DRIVEWAY ACCESS TO A VDOT MAINTAINED ROAD.

  
 SUPERVISOR ADULT BEHAVIORAL HEALTH COURT DATE  
 Paul Louis 2-17-2022  
 HEALTH OFFICER DATE  
  
 JUDICIAL COMMITTEE OF TRANSDISCIPLINARY DATE  
 1-27-22

**! AKUJ21**

Plat Cab A Slide 300D

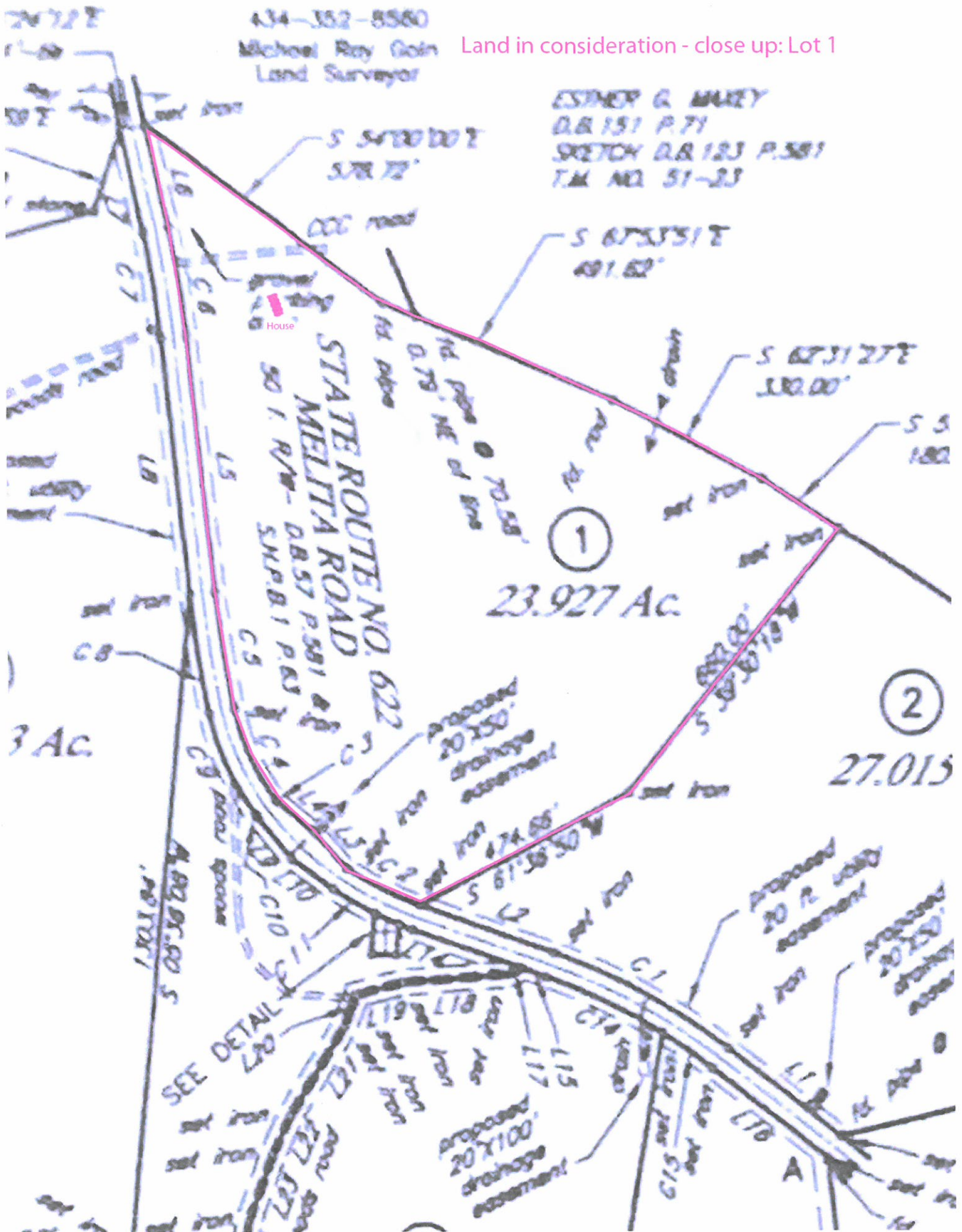


This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

434-352-8560  
Michael Roy Goin  
Land Surveyor

Land in consideration - close up: Lot 1

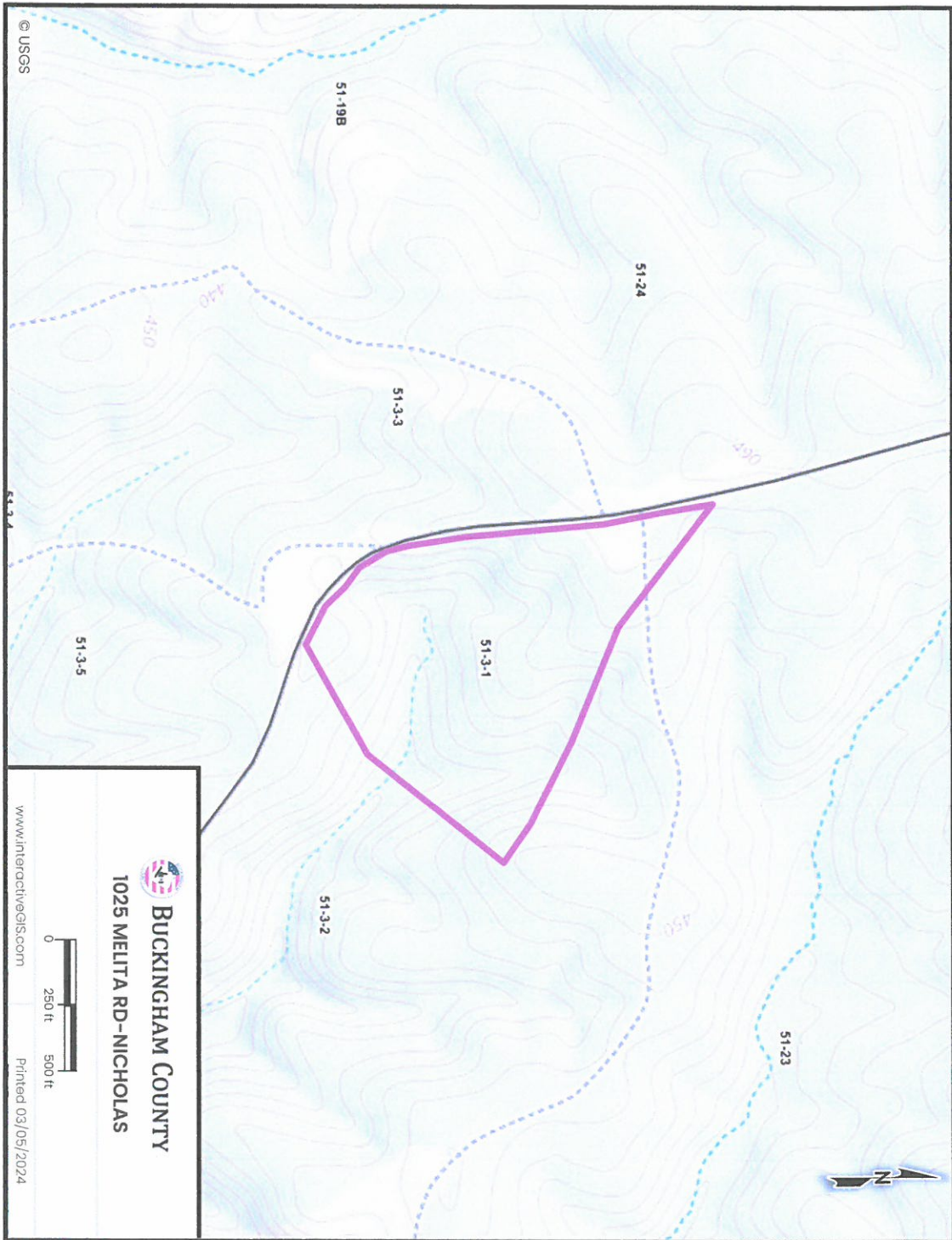
ESTHER G. MALEY  
D.B. 151 P. 71  
SKETCH D.B. 123 P. 581  
T.M. NO. 51-23







# Tax / Topography map



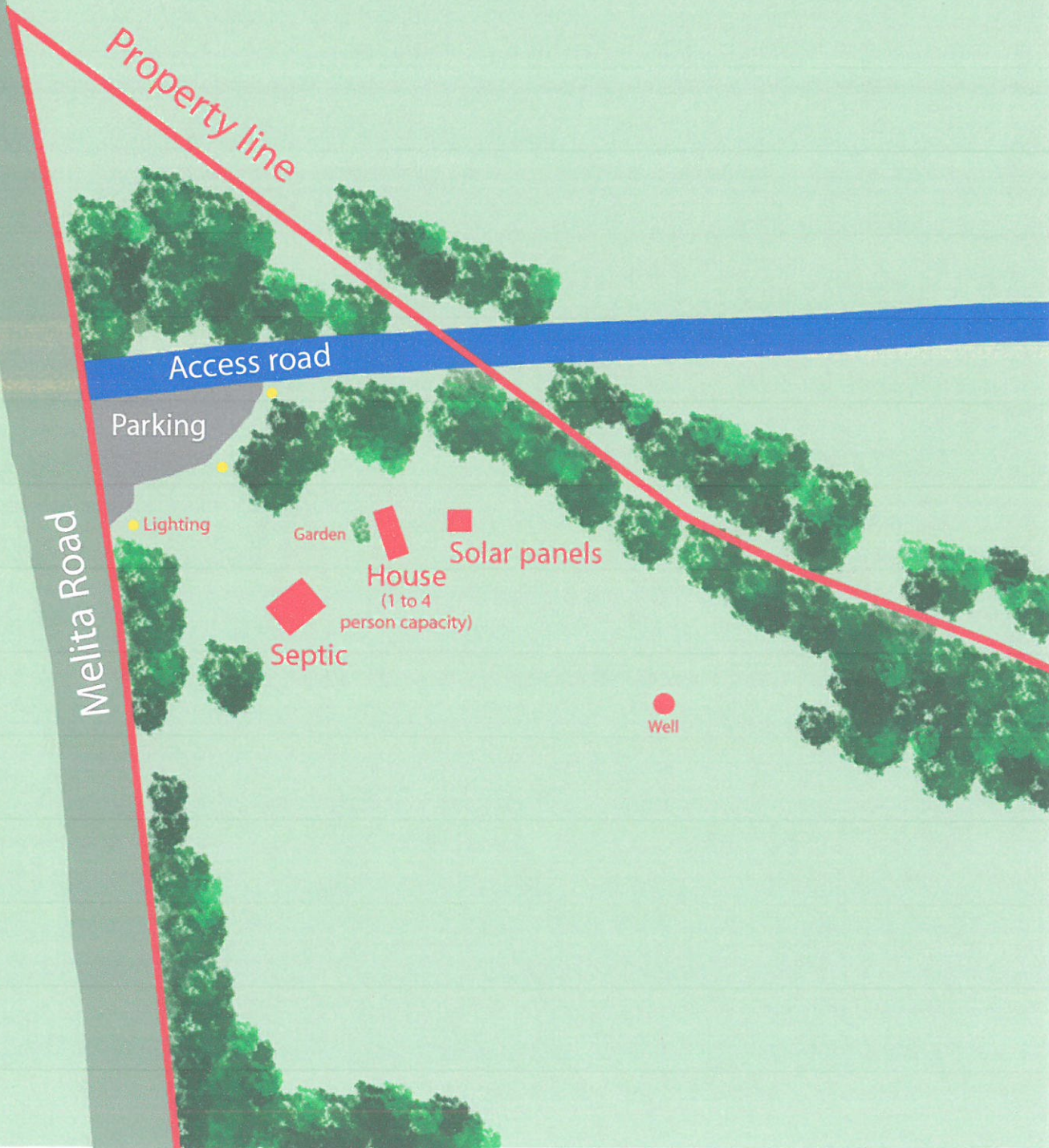


# Shireton general site plan / vicinity map

Owners: Jessica and Matthew Nicholas

1025 Melita Road

Arvon, VA 23004





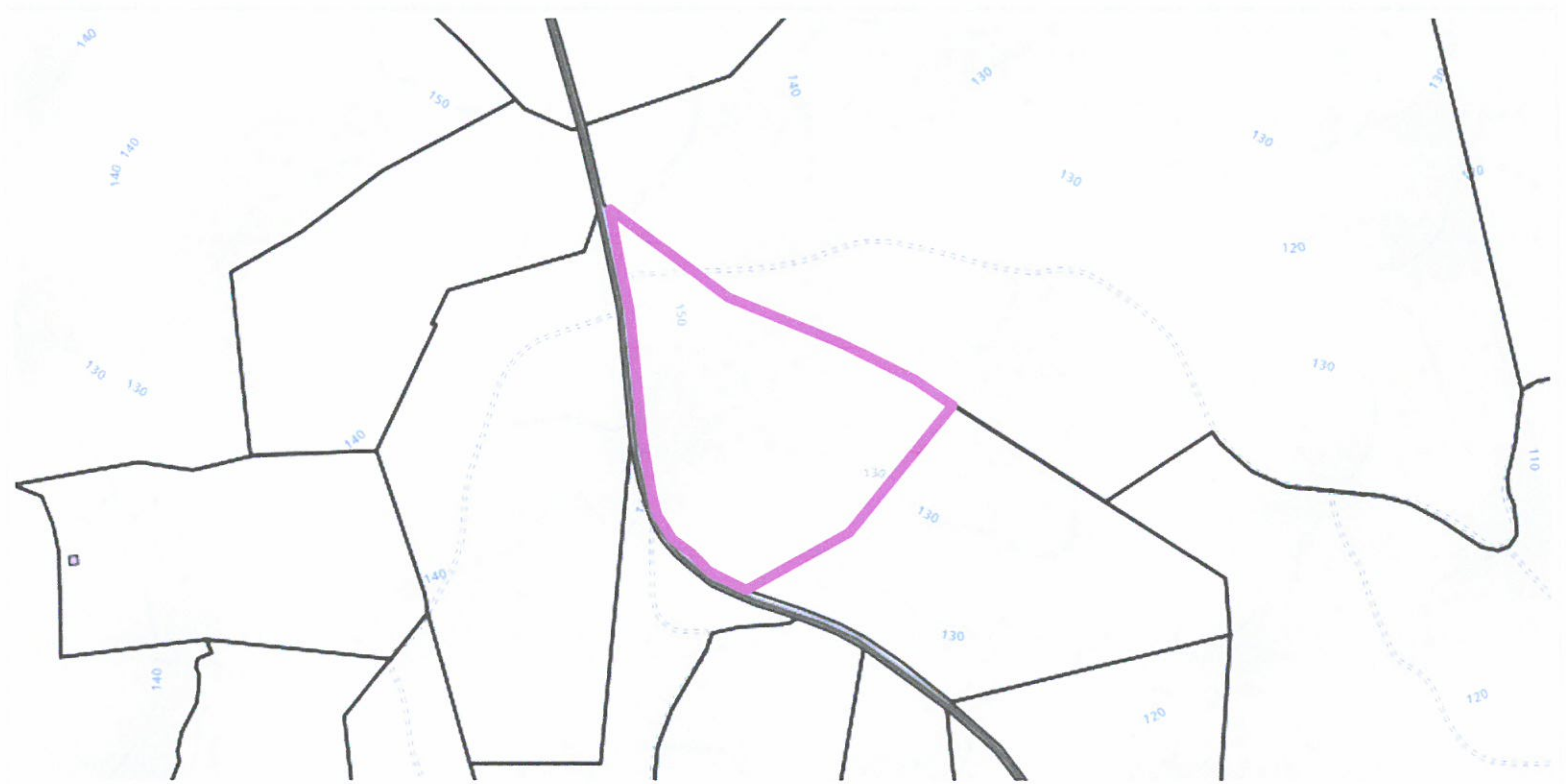


# BUCKINGHAM COUNTY

## Details

|                 |                                     |
|-----------------|-------------------------------------|
| Parcel #        | 51-3-1                              |
| Owner Name      | NICHOLAS MATTHEW & JESSICA NICHOLAS |
| Owner Address 1 | 1696 CENTERVILLE PARKE LN           |
| Owner Address 2 |                                     |
| Owner Address 3 | MANAKIN-SABOT VA                    |
| Owner ZIP       | 23103                               |
| Description 1   | RT 622 - 4 MI SE OF                 |
| Description 2   | WELL WATER LOT 1                    |
| Description 3   | 23.927 AC                           |
| Class           |                                     |
| Acreage         | 23.927                              |

## Map











Path or polygon X

Click points on the map to draw a path or polygon

Perimeter  
3,055 ft

Area  
9.04 ac

Save to project

Layers

Google 100% Data attribution 8/9/2023

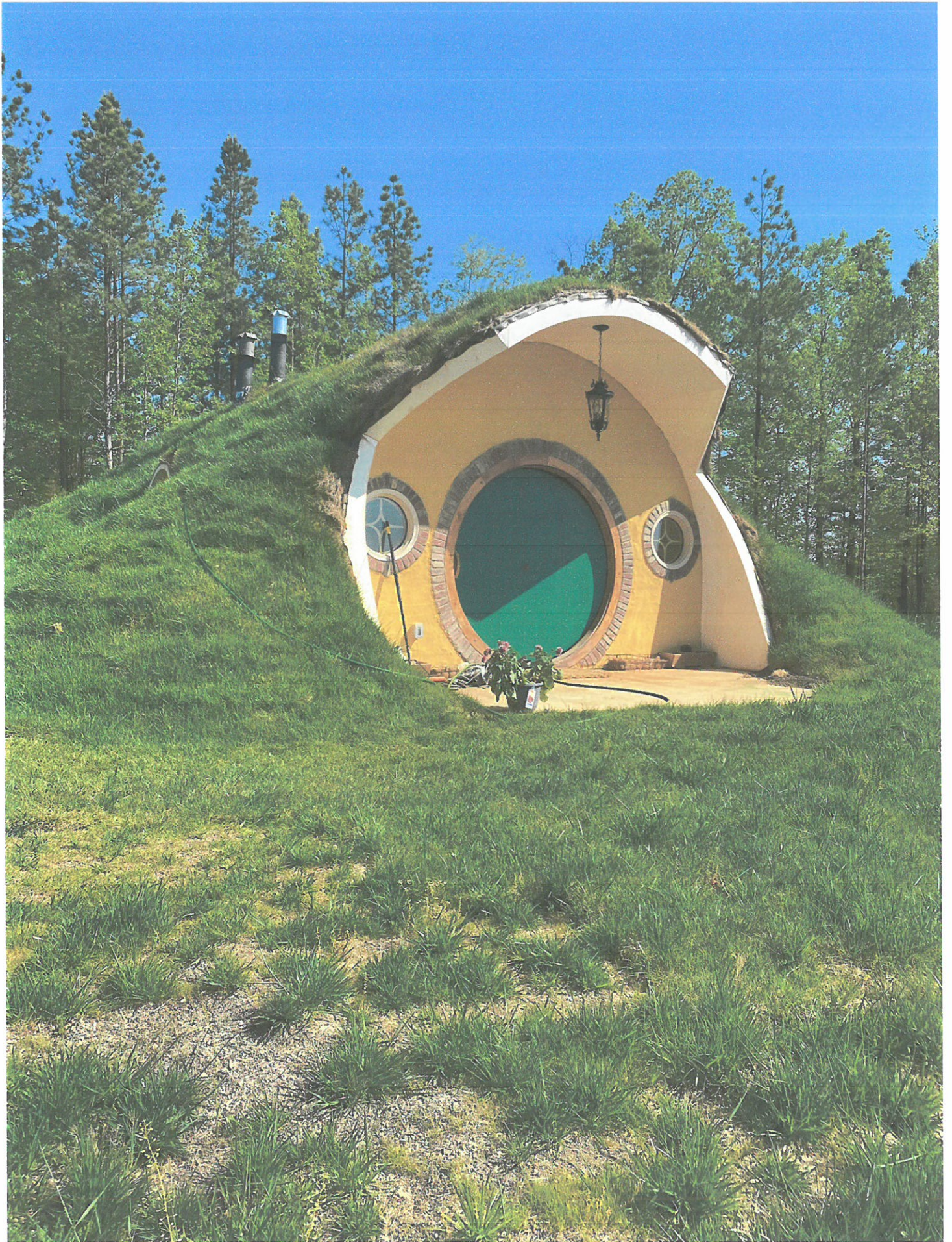
70 m Camera: 863 m 37°39'24"N 78°27'52"W 145 m



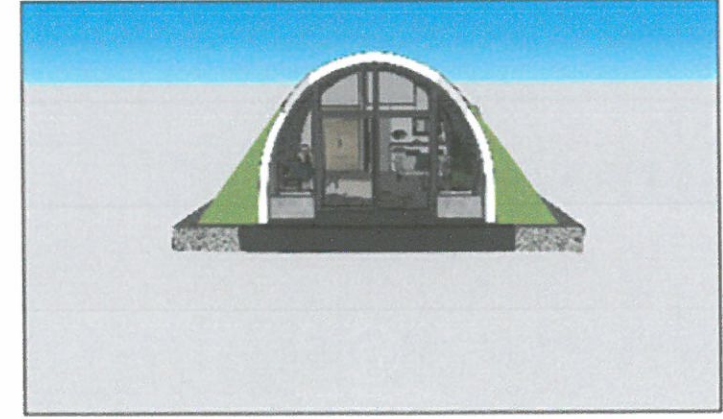
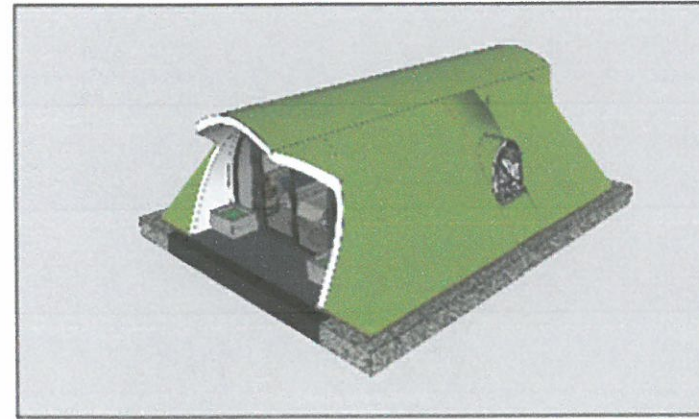
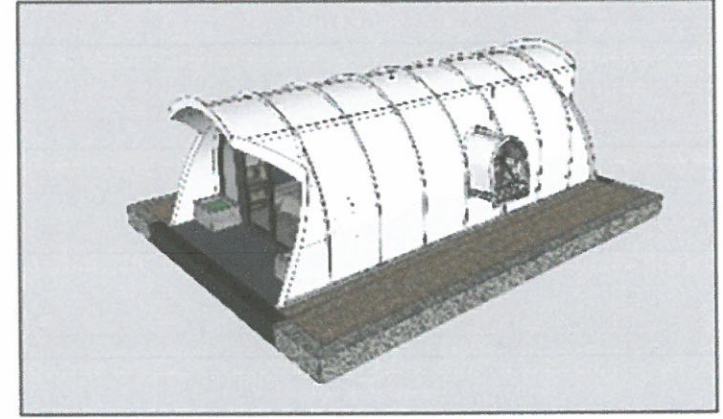
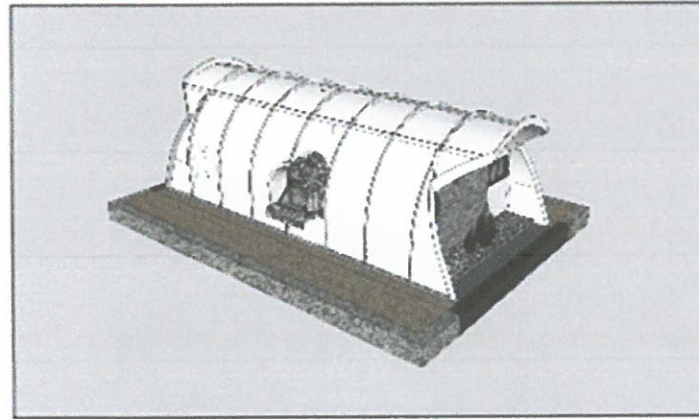
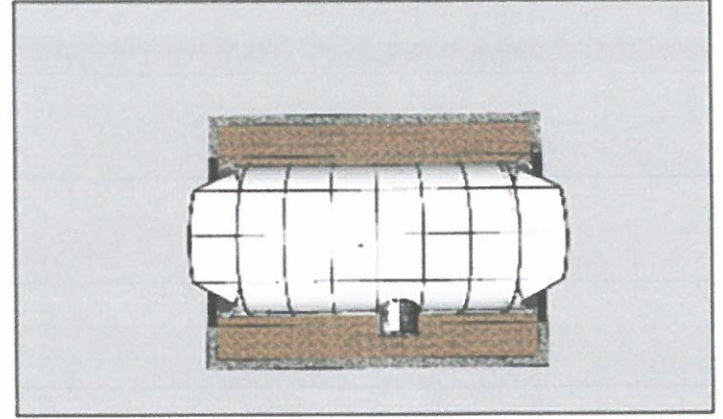
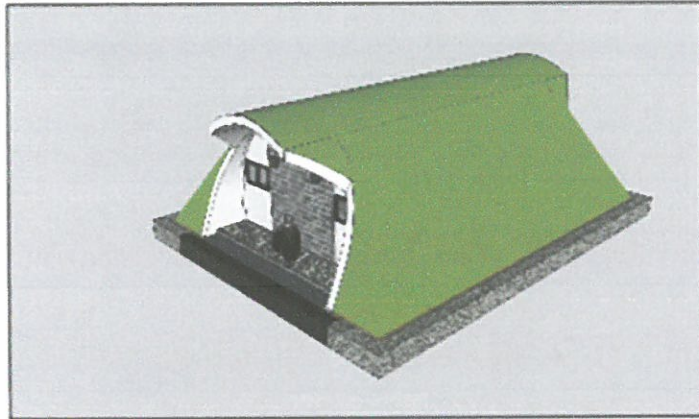
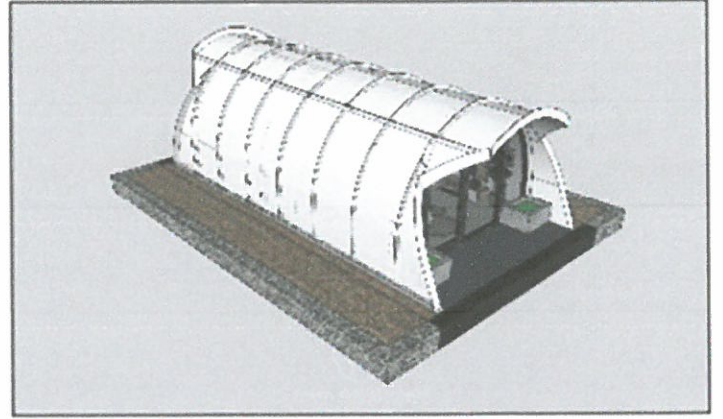
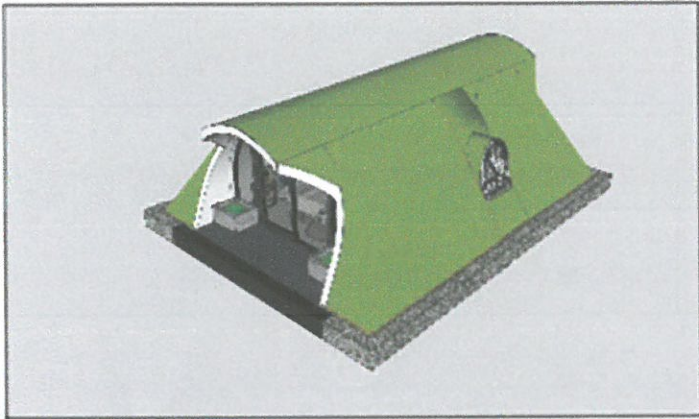


















T A X   T I C K E T   -   Y E A R   2 0 2 3  
BUCKINGHAM COUNTY  
CHRISTY L CHRISTIAN, TREASURER  
(434) 969-4744  
POST OFFICE BOX 106  
BUCKINGHAM        VA 23921

Ticket #:00086440002  
Date        :    4/28/2023

Dept #        :    RE2023  
ACCT #        :    14556

REAL ESTATE 2023  
RT 622 - 4 MI SE OF        51    3        1  
WELL WATER LOT 1  
23.927 AC

Previous Principal  
Balance \$        188.37  
IMPROVEMENTS  
USE VALUE  
LAND VALUE        68500  
DISCOUNT AMT        .00  
ACRES        23.927

NICHOLAS MATTHEW & JESSICA NICHOLAS  
1696 CENTERVILLE PARKE LN  
MANAKIN-SABOT VA  
23103

Penalty \$        .00  
Interest \$        .00  
\*Balance Due \$        .00

\* Penalty & Interest calculated through 2024/03.

(DUPLICATE)



OFFICIAL RECEIPT  
BUCKINGHAM CIRCUIT COURT  
DEED RECEIPT

DATE : 05/10/2022

TIME : 13:59:12

RECEIPT # : 22000002201

TRANSACTION # : 22051000008

CASHIER : SHA

REGISTER # : H358

INSTRUMENT : 202200858

BOOK : 496

PAGE : 445

FILING TYPE : DBS

RECORDED : 05/10/2022

PAYMENT : FULL PAYMENT

AT : 13:45

EX : N

LOC : CO

PCT : 100%

GRANTEE : NICHOLAS, MATTHEW, ET AL

RECEIVED OF : CLOSURE TITLE AND SETTLEMENT CO LLC

ADDRESS : 4712 FULTON STREET RICHMOND 23231

DATE OF DEED : 05/02/2022

CHECK : \$441.33

CHECK NUMBER : 130774

DESCRIPTION 1 : 23.927 AC MARSHALL

NAMES : 0

CONSIDERATION : \$85,000.00

AVAIL : \$0.00

PAGES : 003

OP : 0

PIN OR MAP : PRT OF 51-20

| ACCOUNT CODE | DESCRIPTION                 | PAID     |
|--------------|-----------------------------|----------|
| 035          | VIRGINIA OUTDOOR FOUNDATION | \$3.00   |
| 036          | DEED PROCESSING FEE         | \$20.00  |
| 038          | STATE GRANTOR TAX           | \$42.50  |
| 039          | STATE GRANTEE TAX           | \$212.50 |
| 106          | TECHNOLOGY TRST FND         | \$5.00   |

| ACCOUNT CODE | DESCRIPTION                  | PAID    |
|--------------|------------------------------|---------|
| 145          | VSLF                         | \$3.50  |
| 212          | TRANSFER FEES                | \$1.00  |
| 213          | COUNTY GRANTEE TAX           | \$70.83 |
| 220          | COUNTY GRANTOR TAX           | \$42.50 |
| 301          | CLERK RECORDING/INDEXING FEE | \$14.50 |

TENDERED : \$ 441.33  
AMOUNT PAID : \$ 415.33  
APPLIED TO NEXT CASE : \$ 26.00

PAYOR'S COPY

CLERK OF COURT : JUSTIN D. MIDKIFF

RECEIPT COPY 1 OF 2

# 2022-858

BOOK 496 PAGE 445

This Deed was prepared without  
the benefit of title examination by  
Seth E. Twery, P.C. - VSB #20031  
715 Court St., Second Floor  
Lynchburg, VA 24504  
[www.sethtwery.com](http://www.sethtwery.com)

Part of Tax Map No. 51-20

Company providing title insurance: Chicago Title Insurance Company

Consideration: \$85,000.00

Assessed Value: \$ \_\_\_\_\_

This DEED, made this 2nd day of May, 2022, by and between **H. CURTIS PEARSON, JR. and JEFFERSON M. CATLETT**, parties of the first part, GRANTORS; and **MATTHEW NICHOLAS and JESSICA NICHOLAS**, husband and wife, parties of the second part, GRANTEES. 4712 Fulton Street, Richmond, VA 23231

**WITNESSETH THAT:**

For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties of the first part hereby grants, sells and conveys to the parties of the second part with General Warranty and English Covenants of Title, as tenants by the entirety with rights of survivorship as at common law, the following described real estate located in the County of Buckingham, Virginia, to wit:

All that certain tract or parcel of land, lying and being in Marshall District, Buckingham County, Virginia, known and designated as Parcel 1, containing 23.927 Ac., more or less, as shown on a Plat entitled "MELITA ROAD SUBDIVISION", dated January 13, 2022, made by Dickerson Surveying LLC, recorded with the Buckingham County Circuit Court Clerk's Office, in Plat Cabinet A, Slides 300D-300E. Plat reference is hereby made for a more particular description.

It being a portion of the same property conveyed unto H. Curtis Pearson, Jr. and Jefferson M. Catlett, from Monticello Forest, LLC, a Delaware limited liability company, by Special Warranty Deed dated December 21, 2021, of record in the Office of the Clerk, Circuit Court, Buckingham County, Virginia, in Deed Book 491, at Page 999.

The property hereby conveyed is conveyed subject to all other valid and existing conditions, easements, reservations and restrictions heretofore imposed upon said property by recorded deed or plat and now binding thereon.

WITNESS the following seals and signatures:

H. Curtis Pearson, Jr. (SEAL)  
H. CURTIS PEARSON, JR.

STATE OF VIRGINIA,  
CITY/COUNTY of Appomattox, to-wit:

I, Tamara A Bondurant, a Notary Public of the State of Virginia, at large, do hereby certify that H. CURTIS PEARSON, JR., whose name is signed to the writing above bearing date on the 2nd day of May, 2022, has acknowledged the same before me in my State aforesaid.

Given under my hand this 5 day of May, 2022.

Tamara A Bondurant  
Notary Public

My commission expires: 7/31/25.  
My registration no. 7687077.

Tamara A. Bondurant  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg # 7687077  
My Commission Expires July 31, 2025

Jefferson M. Catlett (SEAL)  
JEFFERSON M. CATLETT

STATE OF VIRGINIA,

CITY/COUNTY of Appomattox, to-wit:

I, Kaylee C. Jamerson a Notary Public of the State of Virginia, at large, do hereby certify that JEFFERSON M. CATLETT, whose name is signed to the writing above bearing date on the 2nd day of May, 2022, has acknowledged the same before me in my State aforesaid.

Given under my hand this 5 day of May, 2022.

Kaylee C. Jamerson  
Notary Public

My commission expires: 7/31/2022  
My registration no. 7805502



|              |     |    |
|--------------|-----|----|
| 035 Rec Fee  | 3   | 00 |
| St. R. Tax   | 212 | 50 |
| Co. R. Tax   | 70  | 83 |
| Transfer     | 1   | 00 |
| Clerk        | 14  | 50 |
| Lib.(145)    | 3   | 50 |
| T.T.F.       | 8   | 00 |
| Grantor Tax  | 85  | 00 |
| 036 Proc Fee | 20  | 00 |
| Total \$     | 415 | 33 |

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

The foregoing instrument with acknowledgement was admitted to record on 5/10/2022 at 1:45 P.M. in D.B. 496 Page(s) 445-447 Instrument # 2022-858

Teste: JUSTIN D. MIDKIFF, CLERK

BY: J Hainsale, DEPUTY CLERK



## TAX RECEIPT

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

Ticket #:00001800001 @@

Date : 5/03/2024  
Register: KJ1/KJ1  
Trans. #: 17382  
Dept # : SPUSE  
Acct# :

SPECIAL USE PERMIT - ZONING  
51-3-1

Previous  
Balance \$ .00

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

NICHOLAS JESSICA

Amount Paid \$ 200.00

\*Balance Due \$ .00

Pd by NICHOLAS JESSICA Check 200.00 # 152 WELLSFARGO  
BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 5/2024

-----

**Buckingham County Planning Commission**  
**Monday, June 24, 2024**  
**Administration Building**  
**7:00 PM**  
**Public Hearing Case 24-SUP343**

**Applicant:** Jessica Nicholas  
2158 Tower Hill Road  
Powhatan VA 23139

**Property Information:** Tax Map 51 Parcel 3 Lot 1, 23.92 acres, located at 1025 Melita Road Arvonias VA 23004, Slate River Magisterial District.

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

**Request:** The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating an AirBnB Bed and Breakfast, Campsites, and Event Center (Events to include, but not limited to weddings, reunions, parties, celebrations, festivals, music events, concerts, film & photo shoots, yoga, horseback riding, water sports, auctions, fishing, dinner parties, cooking classes, wine tastings, etc for up to 500, maximum ten events per calendar year).

**Background/Zoning Information:** The property is located at 1025 Melita Road Arvonias VA 23004 in the Slate River Magisterial District. The landowners are Jessica and Matthew Nicholas and the applicant Jessica Nicholas. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit an AirBnB Bed and Breakfast, Campsites, and Event Center as Permitted by Right Uses in an Agricultural A1 Zoning District. The Zoning Ordinance requires that an AirBnB Bed and Breakfast and/or Campground/Campsite and Event Center obtain a Special Use Permit. The submitted application and narrative are attached.

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

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

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

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

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

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

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

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

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

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

**Fees:** YES ☐ NO ☐

**Deed:** ☒ YES ☐ NO

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

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

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

434.390.3857 Ivan

**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: 04-04-24

Special Use Permit Request: To add Zoning text amendment to list of special uses in an A1 ag Zoning for the purpose of operating

Purpose of Special Use Permit: a Multi-family home, which includes but not limited to, duplex, triplex, townhomes

Zoning District: District 1 Marshal Number of Acres: .95

Tax Map Section: 53 Parcel: 45 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Magisterial Dist.: \_\_\_\_\_

Street Address: 5516 Ridge RD Arvonia

Directions from the County Administration Building to the Proposed Site: Rt 15 North

9 miles to penlan RD Rte 671, 3 miles on left

Name of Applicant: Ivan Lee Petersheim

Mailing Address: 234 Scotts Bottom RD Dillwyn VA 23936

Daytime Phone: 434-390-3857 Cell Phone: 434-390-3857

Email: petersheim702@gmail.com Fax: Call only

Name of Property Owner: Same as Applicant

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

Daytime Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

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

Signature of Owner: [Signature] Date: 04-04-24

Signature of Applicant: [Signature] Date: 04-04-24

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: Cherry Tree Timber LLC c/o property Tax Admin

Mailing Address: PO Box 3349 Albany GA

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

Tax Map Section: 53 Parcel: 35 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

2. Name: McLaig James Micheal + Nancy

Mailing Address: 5396 Ridge RD Arvonie VA 23004

Physical Address: 5396 Ridge RD Arvonie VA 23004

Tax Map Section: 53 Parcel: 43 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

3. Name: Banton Maynard O JR + Michael c/o Micheal Banton

Mailing Address: 1715 Westhill RD Henrico VA

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

Tax Map Section: 53 Parcel: 46 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

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

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

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

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



**6. Name:** \_\_\_\_\_

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

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

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

**7. Name:** \_\_\_\_\_

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

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

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

**8. Name:** \_\_\_\_\_

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

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

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

**9. Name:** \_\_\_\_\_

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

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

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

**10. Name:** \_\_\_\_\_

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

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

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

**11. Name:** \_\_\_\_\_

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

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

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

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This 3<sup>rd</sup> day of April, year 2024,

I Ivan Lee Petersheim 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

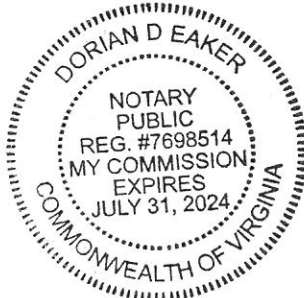
STATE OF Virginia

Subscribed and sworn to me on the 3<sup>rd</sup> day of April,

of the year 2024. My Commission expires on 07/31/2024.

Notary Public Signature: [Signature]

Stamp:



## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 3rd day of April, of the year 2024

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

[Signature]

NOTARY PUBLIC

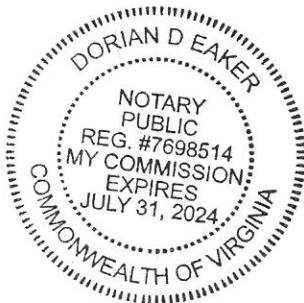
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 3rd day of April

of the year 2024. My commission expires 07/31/2024.

Notary Public Signature: [Signature]

Stamp:



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

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

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

brick building, 3 bedroom single family  
residence

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

Whitworth Country Store 1976  
Turned 3 bedroom single family residence

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: [Signature] Date: 03-30-2024

Printed Name: Iran Lee Petersheim Title: owner

## APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

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

Applicant: Ivan Lee Petersheim

Location: ~~5516~~ 5516 Ridge RD ARVonia VA 23004

Proposed Use: Special Use permit, and Text Amendment to operate a Duplex

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: C. D. Edwards

Printed Name: Charles D. Edwards Date: 4/4/24



## 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:

Ivan Petersheim 04-04-24

As a small business owner and contractor I'm trying to help address our housing crisis and affordability, although this is a .95 acre lot and 1352 sq ft single family residence, it has a lot of potential, as it used to be Whitworth Country Store and I'm requesting a special use permit to operate it as a duplex, 500 sq. ft unit, and 1000 sq. ft. unit approximately

Thanks to the board, and planning Commission for the hard work you put into investing in this County! Best way to reach me is call and leave voicemail

Backstory (434) 390-3857

My wife and I moved to Buckingham 3 years ago with our two children from Lancaster County PA, to be homesteaders and to be good stewards to the land and animals.

### 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 *A-1 total sq ft = 1,352 .95 Acre lot*
2. Community Design *Cinder block Country store*
3. Cultural Resources *3.5 Miles to Arvonia Health Center*
4. Economic Development *Keeping housing Affordable*
5. Environment *Beautiful Views of Blue Ridge*
6. Fire and Rescue, Law Enforcement *3.1 mi to Arvonia Fire and Rescue*
7. Housing *Duplex request = 1 bedroom & 2 bedroom unit*
8. Libraries *13 mi to Buckingham public library*
9. Parks and Open Spaces *13 miles to Dilwyn*
10. Potable Water *Well Water*
11. Sewage *Drain field = See Health Department records*
12. Schools *Buckingham public schools*
13. Telecommunications *Good wireless Connection*
14. Transportation *paved rds*
15. Solid Waste *Will follow Solid Waste ordinance*

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

## SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

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

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

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

Applicant/Owner: Ivan Lee Petersheim

Date: 03-30-24



## **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.                                                                                                                                                                                                                                  |

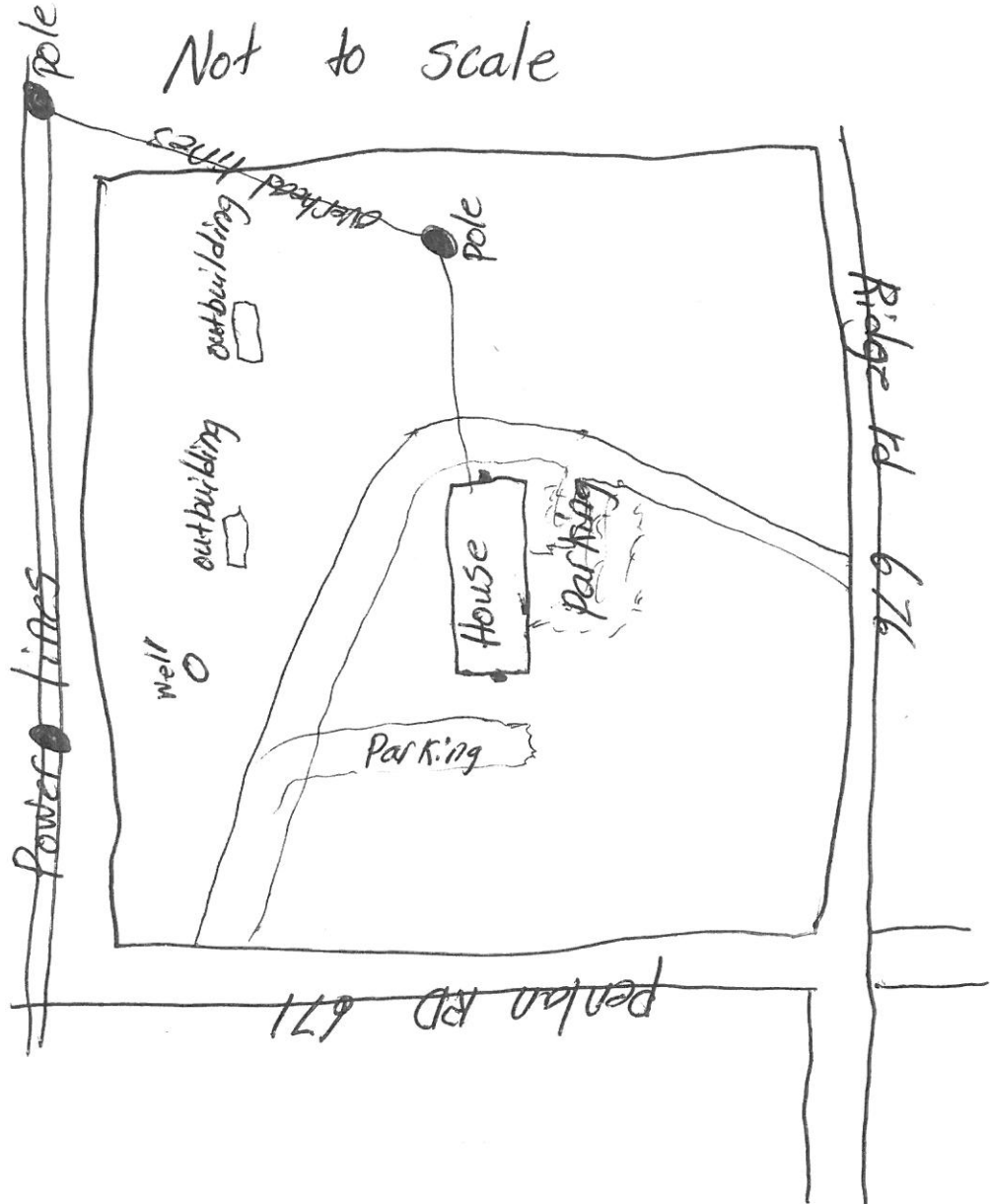
The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

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.

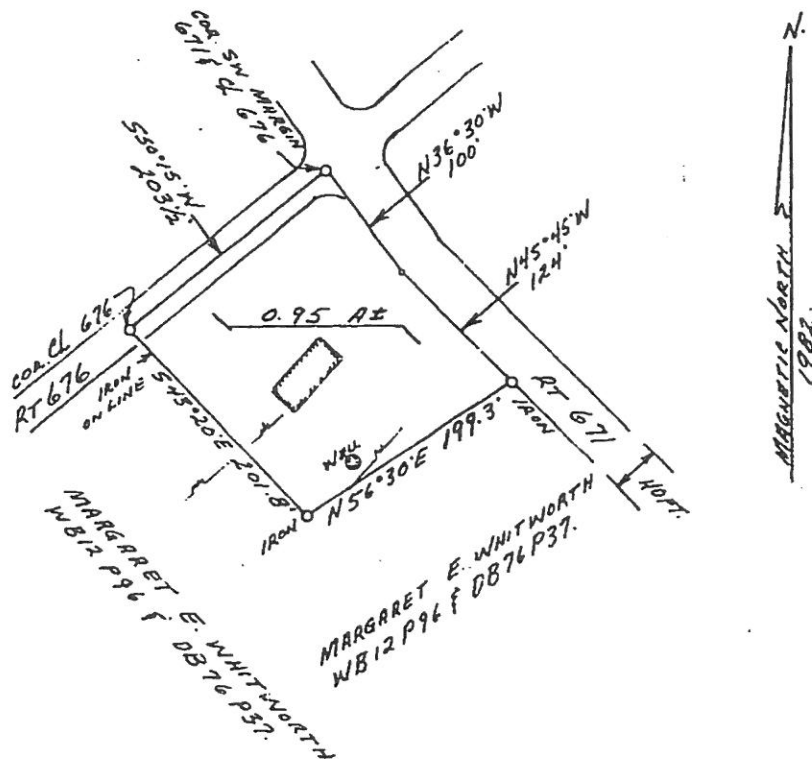




Direct Dial 717-367-1525  
PA toll free 1-800-468-5524



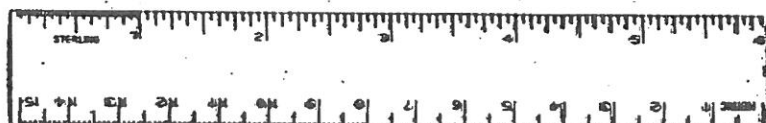
BOOK 124 PAGE 529



N.  
MAGNETIC NORTH  
1982.



JOHN A. PIERCE  
0.95 A±  
PART OF MARGARET E. WHITWORTH  
TRACT-- SEE WB 12 P 96 & DB 76 P 37.  
SEE ALSO PLAT REC'D DB 54 P 10.  
MARSHALL DIST. BUCKINGHAM CO. VIRGINIA  
SCALE: 1 IN = 100 FT. SURV: 4-3-82  
BY J. A. Pierce  
C.S. S.A.E.



5/01/2023

## REAL ESTATE TAX MASTER FILE LISTING

| MAP NO.         | NAME & ADDRESS                                                                              | DESCRIPTION                                                                              | COMMENT   | CL | DIST | VALUES           |
|-----------------|---------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-----------|----|------|------------------|
| 53<br>000003062 | 40<br>TAYLOR GEORGE ALLEN<br>5220 RIDGE RD<br>ARVONIA VA                                    | RT 676 - 1/2 MI W OF<br>PENLAN 1.125 AC                                                  | DB182-648 | 2  | 04   | 11300<br>90800   |
| 53<br>000003063 | 41<br>MCCAIG JAMES MICHAEL & NANCY<br>FUGHAM MCCAIG<br>5396 RIDGE RD<br>ARVONIA VA          | RT 671 - AT PENLAN<br>2.8 AC<br>ACREAGE-<br>GRANTOR- HUD                                 | DB172-441 | 2  | 04   | 5000             |
| 53<br>000003064 | 42<br>TAYLOR GEORGE ALLEN<br>5220 RIDGE RD<br>ARVONIA VA                                    | RT 676 - 1/2 MI W OF<br>PENLAN 0.889 AC<br>ACREAGE-<br>GRANTOR- HUD                      | DB182-648 | 2  | 04   | 2000             |
| 53<br>000003065 | 43<br>MCCAIG JAMES MICHAEL & NANCY<br>5396 RIDGE RD<br>ARVONIA VA                           | RT 676 - 1/2 MI W OF<br>PENLAN 25.036 AC<br>ACREAGE-<br>GRANTOR-                         | DB172-441 | 5  | 04   | 47100<br>89300   |
| 53<br>000003066 | 44<br>YANCEY WILLIAM A<br>C/O WILLIAM ALLEN YANCEY<br>2 CALYCANTHUS RD<br>RICHMOND VA       | RT 676 - 1/2 MI W OF<br>PENLAN 2 AC<br>ACREAGE-<br>GRANTOR- WILLIAM CUSTALOW             | DB174-738 | 2  | 04   | 16000<br>19500   |
| 53<br>000003067 | 45<br>WOOD JERRY L & ROBIN H WOOD<br>5516 RIDGE RD<br>ARVONIA VA                            | RT 676 - 1/2 MI W OF<br>PENLAN 0.95 AC<br>ACREAGE-<br>GRANTOR- FITZGERALD VIRGINIA IRENE | DB189-315 | 2  | 04   | 13300<br>89300   |
| 53<br>000003068 | 46<br>BANTON MAYNARD O JR & MICHAEL<br>C/O MICHAEL BANTON<br>1715 WESTHILL RD<br>HENRICO VA | RT 671-676 - 1/2 MI W OF<br>PENLAN 138 AC<br>ACREAGE-<br>GRANTOR-                        | DB139-127 | 6  | 04   | 330500<br>5200   |
| 53<br>000003069 | 47<br>WOODSON DEREK TYLER<br>6151 RIDGE RD<br>ARVONIA VA                                    | RT 676 - 1/2 MI W OF<br>PENLAN 12.53 AC<br>ACREAGE-<br>GRANTOR-                          | DB146-324 | 2  | 04   | 39400<br>197200  |
| 53<br>000003070 | 48<br>LONG DEWITT R<br>PO BOX 192<br>BREMO BLUFF VA                                         | RT 676 - 1/2 MI W OF<br>PENLAN 95.01 AC<br>ACREAGE-<br>GRANTOR-                          | DB131-605 | 5  | 04   | 229100<br>155200 |

# 2024-357

BOOK 515 PAGE 690

Prepared under the supervision of:  
Haley Talmage, VSB #96195  
8100 THREE CHOPT ROAD, SUITE 240  
RICHMOND, VA 23229

BWW File No. VA-366325

Tax ID: 53-45

RETURN TO:  
BWW Law Group, LLC  
6003 Executive Blvd  
Suite 101  
Rockville, MD 20852

The existence of title insurance is unknown to the preparer.

**SUBSTITUTE TRUSTEE'S DEED**

THIS SUBSTITUTE TRUSTEE'S DEED ("Deed"), dated March 8, 2024, by and between EQUITY TRUSTEES, LLC, a Virginia Limited Liability Company, Substitute Trustees under a Deed of Trust executed by Jerry L. WOOD and Robin H. WOOD securing the below described property ("Grantor") and hereinafter referred to as party of the first part, and Ivan PETERSHEIM, 234 Scott's Bottom Road, Dillwyn, VA 23936 ("Grantee").

**WITNESSETH:**

WHEREAS, by a certain Deed of Trust dated June 14, 2019 and recorded at Book 461 Page 380 Instrument No. 19-784 in the land records of the Buckingham County Circuit Court Clerk's Office (the "Deed of Trust"), Jerry L. WOOD and Robin H. WOOD conveyed the below described property unto ABSOLUTE TITLE & SETTLEMENT LLC, in trust, to secure a promissory note originally payable to FINANCE OF AMERICA MORTGAGE LLC (the "Note").

WHEREAS, pursuant to Virginia law and the terms of the Deed of Trust, the holder of the Note was authorized and empowered to appoint a substitute trustee in the place and stead of any of the trustees originally named in the Deed of Trust or subsequently appointed; and

WHEREAS, by that certain appointment of substitute trustee instrument duly executed, acknowledged and recorded in the aforesaid Circuit Court Clerk's Office, the holder of the Note appointed Equity Trustees, LLC to act as substitute trustee under the Deed of Trust in the place and stead of the original trustee(s) and any trustee(s) who were subsequently appointed; and

WHEREAS, by the terms of said Deed of Trust, in the event of default and upon the request of the holder of the Note, the Substitute Trustee is empowered to declare all debts and obligations secured by the Deed of Trust at once due and payable and to proceed to sell the property at auction upon such terms and conditions as the Substitute Trustee may deem best;

|                |                      |
|----------------|----------------------|
| Consideration: | \$87,070.00          |
| Assessment:    | \$102,600.00         |
| State & Local: | \$256.50 and \$85.50 |
| Grantor's Tax: | \$103.00             |

5516 Ridge Road, Arvon, VA 23004  
BWW File No. VA-366325

IN WITNESS WHEREOF, Grantor, on the day and year hereinbefore written, has caused this Deed to be signed, sealed and delivered as its willful act and deed.

EQUITY TRUSTEES, LLC  
Substitute Trustee

By Haley R. Talmage  
Haley R. Talmage  
Vice President  
Date: March 8, 2024

COMMONWEALTH OF VIRGINIA )  
COUNTY OF HENRICO ) ss.

The foregoing Substitute Trustee's Deed was acknowledged before me on the 8<sup>th</sup> day of March, 2024 by Haley R. Talmage, Vice President of Equity Trustees, LLC.

Notary Public  
My Commission Expires: 4/30/2025

GRANTOR:

Equity Trustees, LLC  
8100 Three Chopt Road, Suite 240  
Richmond, VA 23229

GRANTEE:

Ivan Petersheim  
234 Scott's Bottom Road  
Dillwyn, VA 23936



|              |            |           |
|--------------|------------|-----------|
| 035 Rec Fee  | <u>3</u>   | <u>00</u> |
| St. R. Tax   | <u>256</u> | <u>50</u> |
| Co. R. Tax   | <u>85</u>  | <u>50</u> |
| Transfer     | <u>1</u>   | <u>00</u> |
| Clerk        | <u>14</u>  | <u>50</u> |
| Lib.(145)    | <u>3</u>   | <u>50</u> |
| T.T.F.       | <u>5</u>   | <u>00</u> |
| Grantor Tax  | <u>103</u> | <u>00</u> |
| 036 Proc Fee | <u>20</u>  | <u>00</u> |
| Total \$     | <u>492</u> | <u>00</u> |

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

The foregoing instrument with acknowledgement was admitted to record on 3/13/2024 at 9:30 A M. in D.B. 515 Page(s) 690-692  
Instrument # 2024-357  
Teste: JUSTIN D. MIDKIFF, CLERK  
BY: [Signature], DEPUTY CLERK



**Buckingham County Planning Commission**  
**June 24, 2024**  
**Administration Building**  
**6:00 PM**  
**Discussion Case 24-ZTASUP341**

Applicant      Ivan Petersheim  
234 Scotts Bottom Road  
Dillwyn VA 23936

**Property Information:** Tax Map 53, Parcel 45, containing approximately .95 acre, located at 5516 Ridge Road Arvon VA 23004, Marshall Magisterial District.

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

**Request:** The Applicant wishes to Add a Zoning Text Amendment for Multi-Family Housing, DUPLEX ONLY, to a list of Special Uses in Agricultural A1 Zoning District and Apply for a Special Use Permit for that purpose.

**Background/Zoning Information:** This property is located at 5516 Ridge Road Arvon VA 23004, Marshall Magisterial District. The landowner and applicant is Ivan Petersheim. This property is zoned Agricultural A1. Currently, this is a use not provided for in this Zoning District within The Zoning Ordinance, however the applicant has made application to add this use through a Zoning Text Amendment, Multi-Family Housing DUPLEX ONLY to a list of Special Uses in an Agricultural A1 Zoning District. The Applicant is applying for a Special Use Permit for this purpose. This use may be permitted by the Buckingham County Board of Supervisors by a Zoning Text Amendment and 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 both the Zoning Text Amendment and the Special Use Permit are 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. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.

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

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

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

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

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

**Buckingham County Planning Commission**  
**Monday, June 24, 2024**  
**Administration Building**  
**6:00 PM**  
**Introduction Case 23-SUP347**

**Applicant:** John DeMaio  
2697 Gravel Hill Road  
Dillwyn VA 23936

**Property Information:** Tax Map 99 Parcel 29, containing approximately 557.18 acres, located at or near 2697 Gravel Hill Road Dillwyn VA 23936, Curdsville Magisterial District.

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

**Request:** To Apply for a Special Use Permit to Operate a Private Grass Air Strip. The Applicant is asking the Planning Commission to schedule a public hearing for this request.

**Background/Zoning Information:** The property is located on Tax Map 113 Parcel 17, 860 Allens Lake Road Dillwyn VA 23936. The property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Private Grass Air Strip as a by right permitted use. However, within A-1 Agriculture Zoning District, Custom Woodworking Shops 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. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.

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

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

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

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

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

Would it be the pleasure of the Planning Commission to schedule a public hearing for this request?

July 15, 2024 6pm?

**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: 6/2/24

Special Use Permit Request: PERMIT FOR GRASS AIR STRIP

Purpose of Special Use Permit: PRIVATE GRASS AIR STRIP

Zoning District: 99-29 Number of Acres: 2.86

Tax Map Section: 99-29 Parcel: 286 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Magisterial Dist.: \_\_\_\_\_

Street Address: 2697 GRAVEL HILL RD. (RT 617)

Directions from the County Administration Building to the Proposed Site: 15 NORTH TO RT 617 (GRAVEL HILL RD) MAKE RIGHT TURN GO 1.75 MILES ON LEFT HAND SIDE.

Name of Applicant: John DeMaio

Mailing Address: 2697 GRAVEL HILL RD. DILLWYN, VA 23936

Daytime Phone: \_\_\_\_\_ Cell Phone: 646-296-1361

Email: fbsssteelshelves@AOL.COM Fax: \_\_\_\_\_

Name of Property Owner: Antoinette P. DeMaio

Mailing Address: 2831 OLD TOWER HILL RD. DILLWYN, VA 23936

Daytime Phone: \_\_\_\_\_ Cell Phone: 434-395-8756

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

Signature of Owner: Antoinette P. DeMaio Date: 6/2/24

Signature of Applicant: John DeMaio Date: 6/2/24

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: TIM & NANCY DRAGOVICH

Mailing Address: 2518 Gravel Hill Rd., Dillwyn, VA 23936

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

Tax Map Section: 113 Parcel: 60A Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

2. Name: Larry & Deborah Davis

Mailing Address: 212 Avalon Farm Ln., Dillwyn, VA 23936

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

Tax Map Section: 114 Parcel: 2, 3, 4 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

3. Name: DESIDERATA Farm LLC

Mailing Address: 7398 Bell Rd., Dillwyn, VA. 23936

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

Tax Map Section: 114 Parcel: 6, 6A, 6B Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

4. Name: EDWIN & ROSE DENBY

Mailing Address: 4421 Rolling Rd South, Scottsville, VA. 24590

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

Tax Map Section: 114 Parcel: 11 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

6. Name: ARCHER BOOKER

Mailing Address: 4036 WALTERS DR. CHESTER, VA. 23831

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

Tax Map Section: 114 Parcel: 13 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

7. Name: Willard & Judy SCRUGGS

Mailing Address: 1833 ANDERSON HWY. CUMBERLAND, VA. 23040

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

Tax Map Section: 114 Parcel: 14 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

8. Name: LUTHER WAYCASTER

Mailing Address: 3800 GLEN MORE RD. SCOTTSVILLE, VA. 24590

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

Tax Map Section: 114 Parcel: 1-1 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

9. Name: \_\_\_\_\_

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

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

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

10. Name: \_\_\_\_\_

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

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

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

11. Name: \_\_\_\_\_

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

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

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

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This 5<sup>th</sup> day of June, year 2024,  
I Antoinette P DeMaio 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)

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

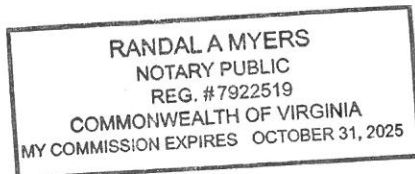
NOTARY:  
COMMONWEALTH OF VIRGINIA

COUNTY OF Prince Edward

STATE OF Virginia

Subscribed and sworn to me on the 5<sup>th</sup> day of June,  
of the year 2024. My Commission expires on October 31, 2025.

Notary Public Signature: Randal A Myers  
Stamp:





## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this 5<sup>TH</sup> day of June, of the year 2024

I Antoinette P. De Maio (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)

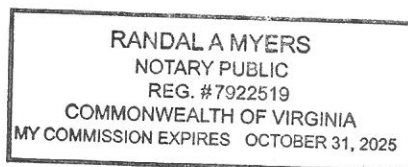
Antoinette P De Maio

NOTARY PUBLIC  
COUNTY OF Prince Edward STATE OF Virginia

Subscribed and sworn to me on this 5<sup>th</sup> day of June

of the year 2024. My commission expires October 31, 2024.

Notary Public Signature: Randal A Myers  
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):

one Hay BARN AND <sup>ONE</sup> Cattle PEN  
\_\_\_\_\_  
\_\_\_\_\_

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

FARMING USE SINCE 2005  
\_\_\_\_\_  
\_\_\_\_\_

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: John DeMaio Date: 6/2/24

Printed Name: John DeMaio Title: \_\_\_\_\_

## APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

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

Applicant: John DeMaio

Location: 2697 Gravel Hill Rd., Dillwyn, VA. 23936

Proposed Use: Private grass Air strip

### For VDOT use only:

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

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

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

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

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

- The existing access serves an easement to a private residence and the proposed air strip under this application. The access is adequate to serve both the residence and air strip. -

Signature of VDOT Resident Engineer: \_\_\_\_\_

Brian Lokker, P.E.

Digitally signed by Brian Lokker,  
P.E.  
Date: 2024.06.10 07:45:45 -04'00'

Printed Name: Brian Lokker, PE  
Asst Res Eng

Date: 6-10-24

## SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

On this 5<sup>th</sup> day of June, in the year of 2024.

I Antoinette P. DeMaio the owner of 99-29  
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint John DeMaio  
(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 5<sup>th</sup> of the month June in the year of 2024 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):

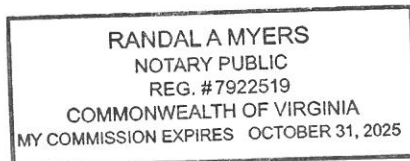
Antoinette P. DeMaio

NOTARY PUBLIC  
County of Prince Edward State of Virginia

Subscribed and sworn before me on the 5<sup>th</sup> day of June

in the year 2024. My commission expires October 31, 2024.

Signature of Notary Public: Randal A. Myers  
Stamp:



## WRITTEN NARRATIVE

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

1. Land Use *primarily used for farming.*
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement *ACCESS FROM RT 617 (Gravel Hill Rd)*
7. Housing *1 MILE AWAY.*
8. Libraries *10 MILES FROM SITE*
9. Parks and Open Spaces *NEAREST PARK in the town of Dillwyn  
10 MILES AWAY.*
10. Potable Water *N/A*
11. Sewage *N/A*
12. Schools *10 TO 15 MILES FROM SITE*
13. Telecommunications *N/A*
14. Transportation *N/A*
15. Solid Waste *N/A*

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



## SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

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

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

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

Applicant/Owner: \_\_\_\_\_

Date: 6/2/24

## **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.





M44°09'45"E  
60.00'

(Tie Line)  
S29°25'29"E  
148.11'

S45°50'15"E  
1304.58'

2.86 Acres

Existing 20ft.  
Joint Easement  
along center of  
existing field road  
See Plot D.B.399 p.316

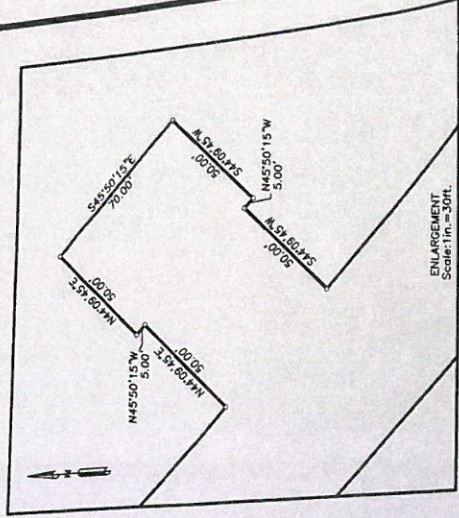
SEE  
ENLARGEMENT

TM 99-29  
Antoinette P. DeMaio  
Will Inst. No. 202100044  
P.C. A-153C

TM 114-56  
John S. DeMaio, Trustee  
Maria Liza DeMaio, Trustee  
D.B.494 p.637  
Plot D.B.399 p.316

S45°50'15"E  
606.70'

S44°09'45"W  
60.00'



State Route No. 617  
Gravel Hill Rd.

PRELIMINARY  
FOR REVIEW  
COMMENT AND/OR  
APPROVAL

Survey of Division  
Tax Map Parcel No. 99-29  
Current Owner: Antoinette P. DeMaio  
by Will Inst. No. 202100044  
Marshall District, Buckingham County, Virginia  
April 12, 2024  
Scale: 1 in. = 150 ft.



- Notes:
1. Part of Tax Map Parcel No. 99-29.
  2. This plat has been prepared without the benefit of a title examination and therefore does not necessarily indicate all encumbrances on the property.
  3. This plat agrees with found plats, deed descriptions, ground evidence and local witnesses as near as possible.
  4. This plat is based on a current field survey.



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

2450043  
FB1251-37



#19-1239

Prepared by and return to:  
Kristina M. Hofmann (VSB # 76851)  
Payne & Hodous, L.L.P.  
414 East Jefferson Street  
Charlottesville, VA 22902

Tax Map: 99-29; and 99-36

Deed prepared without benefit of current title examination or current survey. Title is not certified by the preparer.

Title Insurance Underwriter for this Instrument: None

Recording tax exemption: 58.1-811(A)(12), 58.1-811(C)(1)

THIS DEED made this 6<sup>th</sup> day of September, 2019, by and between FREDERICK F. DEMAIO, JR. (sometimes also referred to as FREDERICK F. DEMAIO) and ANTOINETTE P. DEMAIO (sometimes erroneously referred to as ANTIONETTE P. DEMAIO), husband and wife, hereinafter referred to as the Grantors, and FREDERICK F. DEMAIO, JR., TRUSTEE of the FREDERICK F. DEMAIO, JR. TRUST, original trust agreement dated January 10, 2003, most recently amended and restated trust agreement dated August 9, 2018, and any amendments thereto, hereinafter referred to as the First Grantee, whose address is 2831 Old Tower Hill Rd., Dillwyn, VA 23936, and ANTOINETTE P. DEMAIO, TRUSTEE of the ANTOINETTE P. DEMAIO TRUST, original trust agreement dated January 10, 2003, most recently amended and restated trust agreement dated August 9, 2018, and any amendments thereto, hereinafter referred to as the Second Grantee, whose address is 2831 Old Tower Hill Rd., Dillwyn, VA 23936;

WITNESSETH:

THAT, FOR NO CONSIDERATION, the Grantors do hereby GRANT and CONVEY, with SPECIAL WARRANTY OF TITLE, unto the First Grantee, a 50% undivided interest, and unto the Second Grantee, a 50% undivided interest, in and to the following described property held by the Grantors as tenants by the entireties, to-wit:

**Parcel One (Tax Map 99-29):** All those thirteen contiguous tracts or parcels of land, with all improvements thereon and appurtenances thereto belonging, lying and being in Marshall Magisterial District, Buckingham County, Virginia, and containing in the aggregate 580.78 acres, more or less, as shown on a plat of survey by Maxey-Hines & Associates, P.C., dated November 17, 2005, recorded in the Clerk's Office of the Circuit Court of Buckingham County, Virginia in Deed Book 323, page 660; BEING the same property conveyed to Frederick F. DeMaio, Jr. and Antoinette P. DeMaio, husband and wife, as tenants by the entirety with right of survivorship as existed at common law, and not as tenants in common, by deed from Silva Group, L.L.C., dated December 5, 2005, recorded December 7, 2005 in the aforementioned Clerk's Office in Deed Book 323, page 660; LESS AND EXCEPT the off-conveyance to John S. DeMaio and Maria Liza DeMaio, husband and wife, of 23.60 acres, more or less, as shown on a plat by Maxey & Associates, P.C., dated January 23, 2012, recorded July 11, 2012 in the aforesaid Clerk's Office in Deed Book 399, page 313.

**Parcel Two (Tax Map 99-36):** All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Marshall Magisterial District of Buckingham County, Virginia, containing forty-four and four/hundredths (44.04) acres, more or less, said lands fronting on Virginia Secondary Route #622 (Trent's Mill Rd.) and being more particularly described by a plat of survey prepared by Robert W. Timberlake, C.L.S., dated March 18, 1981 and revised April 14, 1981, of record in the Clerk's Office of the Circuit Court of Buckingham County, Virginia, in Deed Book 121, page 359, to which plat reference is hereby made for a more complete and accurate description of said lands; LESS AND EXCEPT the off-conveyance to the Commonwealth of Virginia of 0.11 of an acre for improvement of Route #622 by deed dated January 12, 1984 and recorded in the aforesaid Clerk's Office in Deed Book 151, page 135; BEING the same property conveyed to Frederick F. DeMaio, Jr. and Antoinette P. DeMaio, husband and wife, as tenants by the entirety with rights of survivorship as at common law, by deed from Lenhart Pettit PC, Substitute Trustee, dated September 22, 2017, recorded September 22, 2017, in the aforesaid Clerk's Office in Deed Book 445, page 620.

As to their respective interests in the property hereby conveyed, TO FURTHER HAVE AND TO HOLD said property with full power, right and authority hereby granted unto the First Grantee and the Second Grantee, and their respective successors in trust, to sell, lease, exchange, encumber and/or convey the said property, either in whole or in part, or any interest therein, upon



such terms and conditions and for such consideration, or no consideration, as the First Grantee and the Second Grantee may in their discretion deem advantageous, together with the right to grant licenses and easements for utilities or other purposes across, over and under said property, and the First Grantee and the Second Grantee, as to their respective interests in said property, are hereby empowered to execute, acknowledge and deliver such deeds, deeds of trust, leases and other instruments necessary to carry out the foregoing powers, and there shall be no obligation or liability upon any purchaser or purchasers, lessee or lessees of said property, or any part thereof or interest therein, or upon any party or parties making any loans secured by deeds or deeds of trust upon said property, or any part thereof or interest therein, to see to the proper application of the proceeds of such sale, lease or loan.

As to their respective interests in said property, no party dealing with the First Grantee or the Second Grantee in relation to said property in any manner whatsoever and (without limiting the foregoing) no party to whom said property or any part thereof or any interest therein shall be conveyed, contracted to be sold, or leased shall be (i) obligated to see to the application of any purchase money, rent or money borrowed or otherwise advanced on the interest of the First Grantee or the Second Grantee in said property, (ii) required to see that the terms of the respective trust agreement have been complied with; (iii) obligated to inquire into the authority, necessity or expediency of any act of the First Grantee or the Second Grantee; or (iv) privileged to inquire into any of the terms of the respective trust agreement.

As to their respective interests in said property, every deed, mortgage, lease or other instrument executed by the First Grantee or the Second Grantee in relation to said property shall be conclusive evidence in favor of every person claiming any right, title or interest thereunder: (i)

that at the time of the delivery of such instrument the respective trust agreement was in full force and effect; (ii) that such instrument was duly executed in accordance with the terms and conditions of the respective trust agreement and is binding upon all beneficiaries thereunder; (iii) that the First Grantee and the Second Grantee were duly authorized and empowered to execute and deliver every such instrument; and (iv) that any successor trustee or trustees have been properly appointed and are fully vested with all the title, estate, rights, powers, duties and obligations of their predecessor in trust.

The respective trust agreements provide for the designation of successor trustees, in the event of the resignation, incapacity or death of the First Grantee and the Second Grantee.

The property hereby conveyed is subject to any and all easements, restrictions, reservations, and conditions contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above described property which have not expired by a time limitation contained therein or have not otherwise become ineffective.

This deed is a deed to trustees of revocable inter vivos trusts in which the grantors in the deed and the beneficiaries of the trusts are the same persons as provided in the applicable recording tax exemption, and no consideration has passed between the grantors and the beneficiaries. This deed is accordingly exempt from taxation pursuant to Virginia Code Sections 58.1-811(A)(12) and 58.1-811(C)(1) (1950), as amended.

[Signature page follows.]

WITNESS the following signatures and seals:

Frederick F. DeMaio, Jr. (SEAL)  
FREDERICK F. DEMAIO, JR.

Antoinette P. DeMaio (SEAL)  
ANTOINETTE P. DEMAIO

STATE OF VIRGINIA

CITY/COUNTY OF Prince Edward to-wit:

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of September, 2019, by Frederick F. DeMaio, Jr. and Antoinette P. DeMaio.

Kristina M. Hoffman  
Notary Public

My commission expires: 11-30-2021  
Notary registration number: 7208494



|               |              |                                                                                                                                                                                                                                                   |
|---------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 035 Rec Fee   | <u>1.00</u>  | VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY                                                                                                                                                                                |
| St. R. Tax    |              |                                                                                                                                                                                                                                                   |
| Co. R. Tax    |              |                                                                                                                                                                                                                                                   |
| Transfer      | <u>1.00</u>  |                                                                                                                                                                                                                                                   |
| Clerk         | <u>14.50</u> |                                                                                                                                                                                                                                                   |
| Lib.(145)     | <u>1.50</u>  |                                                                                                                                                                                                                                                   |
| T.T.F.        | <u>5.00</u>  |                                                                                                                                                                                                                                                   |
| Grantor Tax   |              | The foregoing instrument with acknowledgement<br>was admitted to record on <u>9-9</u> 20 <u>19</u> ,<br>at <u>3:00 PM</u> in D.B. <u>464</u> Page(s) <u>78-82</u><br>Tested: JUSTIN D. MIDKIFF, CLERK<br>BY: <u>Deane Jamerson</u> , DEPUTY CLERK |
| 036 Proc. Fee |              |                                                                                                                                                                                                                                                   |
| Total \$      | <u>23.00</u> |                                                                                                                                                                                                                                                   |



## TAX RECEIPT

Ticket #:00001820001 @@

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

Date : 6/10/2024  
Register: TC4/TC1  
Trans. #: 44275  
Dept # : SPUSE  
Acct# :

SPECIAL USE PERMIT - ZONING  
99 29

Previous  
Balance \$ .00

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

DEMAYO JOHN  
DEMAYO ANTOINETTE

Amount Paid \$ 200.00

\*Balance Due \$ .00

Pd by DEMAYO JOHN Check 200.00 # 1308 WEFAR  
BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 6/2024

-----