

Dinwiddie County Planning Commission



Regular Meeting Agenda March 9, 2016 7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. MINUTES

Documents: [February 10, 2016 Reg Meeting Minutes.pdf](#)

6. CITIZEN COMMENTS

7. SITE PLAN REVIEW

Documents: [PC Memo Angels At Play Site Plan PC Rev March 2016.pdf](#), [Angels At Play Multipurpose Bldg Site Plan.pdf](#)

8. SUBDIVISION PLAT REVIEW

Documents: [PC Memo Vaughan Rd. Estates Plat Rev March 2016.pdf](#), [Scanned Copy of Plat.pdf](#), [Location Map.pdf](#)

9. PUBLIC HEARING

CASE P-16-3. The applicant, the County of Dinwiddie, Virginia, is requesting to rezone with proffers property containing approximately 2.741 acres from R-R, Residential Conservative, to M-1, Industrial Limited, in order to allow for a public manned convenience trash collection site. The M-1, Industrial Limited, zoning classification allows for public facilities pursuant to the Zoning Ordinance allowed density. The property is located on the north side of River Rd. (Rt. 601) at the intersection of Hart Rd. and River Rd., and is further defined as part of Tax Map Parcel No. 19-4. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows service development for this general area.

Documents: [P-16-3 Rez March 9 PC Staff Report.pdf](#), [P-16-3 Application.pdf](#), [Google Aerial Location Map.pdf](#), [Survey of Manned Trash Site.pdf](#), [P-16-3 Proffers.pdf](#)

10. NEW BUSINESS

11. COMMISSIONERS' COMMENTS

12. PLANNING DIRECTOR'S COMMENTS

13. ADJOURNMENT

VIRGINIA: MINUTES OF THE REGULAR MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING ON THE 10th DAY OF FEBRUARY 2016 AT 7:00 P.M.

PRESENT:	SAMUEL W. HAYES		AT-LARGE
	BUTCH CUNNINGHAM		DIST #4
	ANTHONY SIMMONS	VICE CHAIRMAN	DIST #5
	DR. EVERETTE PROSISE	CHAIRMAN	DIST #1
	DEAN McCRAY		DIST #2
	ALVIN BLAHA		DIST #3
	THOMAS TUCKER		AT-LARGE
OTHER:	MARK BASSETT	PLANNING DIRECTOR	
	TYLER SOUTHALL	COUNTY ATTORNEY	

IN RE: CALL TO ORDER

The Chairman called the meeting to order at 7:00 p.m.

IN RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Chairman asked everyone to stand for the pledge of allegiance and a moment of silence.

IN RE: ROLL CALL

The Chairman asked for the roll to be called and all members were present.

IN RE: APPROVAL OF AGENDA

The Chairman asked the members if there were any corrections to the agenda. He said if there are none he would entertain a motion to accept the agenda as presented.

Mr. Cunningham made a motion that the agenda be accepted as presented. It was seconded by Mr. Blaha and with Mr. Hayes, Mr. Blaha, Mr. Cunningham, Mr. McCray, Mr. Tucker, Mr. Simmons and Dr. Prosise voting "AYE" the agenda was accepted as presented.

IN RE: MINUTES

The Chairman said we have the minutes from the January 13, 2016 regular meeting before us. He said if there are no corrections he would entertain a motion to accept the minutes as presented.

Mr. Blaha made a motion to accept the minutes as presented. It was seconded by Mr. Tucker and with Mr. McCray, Mr. Hayes, Mr. Tucker, Mr. Cunningham, Mr. Blaha, Mr. Simmons and Dr. Prosise voting "AYE" the minutes were approved as presented.

RE: CITIZEN COMMENTS

The Chairman opened the citizen comment portion of the meeting and asked if anyone had signed up or was present who wanted to speak. He said since there is no one he was closing the citizen comments portion of the meeting.

Planning Commission Staff Report

File#: P-16-2
Applicant: Everett Bros. Properties, Inc., and Agent, Christopher L. Everett, President
Rezoning Request: Residential, Limited, R-1 to Residential, Urban, R-U
Property Location: North side of Surry Ave. approximately 205 feet west from the Surry Ave. and Roanoke St. intersection
Tax Map Parcel #: 21A-1-180 and 21A-1-181
Acreage: Approx. 0.12 acres
Magisterial District: Rohoic District
Planning Commission Mtg.: February 10, 2016

CASE OVERVIEW

The applicant, Christopher L. Everett, President, on behalf of Everett Bros. Properties, Inc., is requesting to rezone property containing approximately 0.12 +/- acres from R-1, Residential Limited, to R-U, Residential Urban. The R-U, Residential Urban, zoning classification allows for certain residential uses pursuant to the Zoning Ordinance allowed density. The property is located on the north side of Surry Ave. approximately 205 feet west from the Surry Ave. and Roanoke St. intersection, and is further defined as Tax Map Parcel Nos. 21A-1-180 and 21A-1-181. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows limited residential uses for this general area.

ATTACHMENTS

- Rezoning Application and Location Maps
- Property Picture

LAND USE AND ZONING ANALYSIS

The subject property is located on the north side of Surry Ave. approximately 205 feet west from the Surry Ave. and Roanoke St. intersection, and is further defined as Tax Map Parcel Nos. 21A-1-180 and 21A-1-18. The applicant is seeking the rezoning of the 0.12 acres from Residential, Limited, R-1 to Residential, Urban, R-U to combine the two aforementioned parcels to construct a new single-family residential dwelling. The R-U zoning classification allows for minimum lot sizes of 5,000 square feet provided that the single-family dwelling is served by public water and sewer. The proposed dwelling is to be served by public water and sewer by the Dinwiddie County Water Authority (DCWA) water and sewer system. In addition, in the R-U Zoning District the minimum allowable lot width for lots with single-family dwellings is 50 feet at the building setback line, and the subject property has the minimum amount of road frontage and lot width to meet the Ordinance defined lot width for each proposed lot. The surrounding land uses include open space and predominately low-density established and stable single-family residential development, and the general surrounding area is zoned R-1, Residential, Limited. In the general area of the subject property there are multiple single-family residential dwellings located on approximately two recorded lots (each lot is 25 feet wide and 100 feet deep) each of which are nonconforming under the current zoned R-1, Residential Limited, zoning classification. These surrounding nonconforming dwellings located on two lots of record are compatible in size and character with what is proposed as part of the subject rezoning request.

The property under review is designated by the Comprehensive Land Use Plan (the “Plan”) as being within the Urban Area. As such, the general area is expected to accommodate future medium density residential development.

The composition and purpose statement within the R-U Zoning District states that “In general, the “Residential, Urban” zoning district allows smaller lot sizes and setbacks than the county’s other residential zoning districts, giving areas zoned R-U a more urban feel. The district regulations are designed to reflect the urban nature of such neighborhoods as characterized by detached single-family dwellings situated on small lots with narrow yards and modest setbacks. The district regulations are intended to encourage continued improvement and efficient use of existing residential buildings and their accessory structures, while ensuring that infill development will be compatible with the established character of the district”, and the proposed development is in accordance with the purpose of the R-U District.

Chapter XI of the Comprehensive Plan outlines the policies, goals, and objectives of the County, and policy statement (3) states “maintain and enhance the County’s ability to coordinate a balanced land-use program among various types of residential, commercial, and industrial interests by encouraging development within areas defined as growth centers and/or growth corridors.” As previously stated, this general area is designated as Urban Area; thus, with the property being located in the existing West Petersburg neighborhood and with the property having access to the DCWA water and sewer system, this general area may be considered a residential growth center.

OVERVIEW OF DEVELOPMENT IMPACTS

Public Utilities, Public Safety & School System Impacts

As public water and sewer is available in the area, the use of public water and sewer utilities is being utilized by the applicant. It is the intention of the applicants to combine the subject lots/properties so that a dwelling may be located on its own individual lot.

With the proposed lot consolidation allowing for a single-family residence to be constructed, the impacts on public safety services should be minimal.

The impact on the public school system should be minimal based on the school system’s census information, which estimates 0.56 students per household, and at current build out (three to five years in normal economic housing market conditions) this proposed development would add one student to the school system with one-third attending elementary, one-third attending middle, and one-third attending high school.

Transportation Impacts

The impacts on the existing transportation network from the proposed development would not warrant the construction of any turn lanes or tapers only a residential driveway entrance.

Staff Recommendation:

The planning staff has reviewed the rezoning request and is satisfied that the applicant has addressed the impacts of rezoning the subject property.

Staff recommends APPROVAL of the request to rezone the subject property given that:

1. The zoning classification requested, R-U, Residential Urban, is compatible with the surrounding zoning pattern and surrounding land uses. Further, the R-U Zoning District was created to accommodate further development of the existing lots within the Urban Area including the West Petersburg neighborhood.
2. The requested zoning classification, R-U, Residential Urban, conforms to the underlying uses recommended for this general area as set forth in the Urban Area of the Comprehensive Land Use Plan.

PLANNING COMMISSION RECOMMENDATION

Since this is a zoning matter, the standard statement regarding the Planning Commission's recommendation to the Board of Supervisors is set forth below:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning, P-16-2 as presented, be recommended for (approval, OR disapproval) to the Board of Supervisors.

The Chairman asked the members if they had any questions for Mr. Bassett.

Mr. Tucker asked if the rezoning was only for the shaded area shown on the property location map.

Mr. Bassett said that is correct. He said it should be noted, however, that staff has conversed with Ms. Bonner about wanting to rezone the entire neighborhood to the R-U zoning classification. He said he shared with her the idea that staff would meet and work with the neighborhood to help facilitate that process. He reminded Mr. Tucker that the R-U zoning district was created for subdivisions like the West Petersburg neighborhood area.

Mr. McCray asked what the road frontage requirement was for the R-U zoning.

Mr. Bassett said it is fifty (50) feet.

The Chairman asked the members if they had any more questions for Mr. Bassett. He said since there are none would the applicant like to come forward and add anything additional if they so choose. The Chairman said since the applicant is not present he was opening the public hearing portion of the case and asked if there was anyone signed up to speak.

Lavert Beloate – 723 Hills Fork Road, King William, VA said he is an adjacent property owner and from what he was told you had to have three lots on which to build a home. In my opinion, having two lots doesn't provide enough parking space. There are several people with homes on two lots and they are parking their vehicles on other people's property. I don't believe two lots provides enough space to accommodate a house and parking, and for that reason I am against this rezoning.

Timothy Carter – 25611 Surry Ave, Petersburg, VA said he has been cleaning and cutting the two lots that are up for rezoning as long as he's been living across the street. He said he has never seen the owners cut the grass or clean up the trash on the property. He said he doesn't mind people building houses he just wants the owners of those properties to maintain them.

The Chairman said since there is no one else to speak he was closing the public hearing portion of the case. He asked the Commissioners if they had anything else they wanted to discuss before they vote.

Mr. Blaha made a motion and read the following: BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning, P-16-2 as presented, be recommended for approval to the Board of Supervisors. It was seconded by Mr. McCray and with Mr. Blaha, Mr. Cunningham, Mr. Tucker, Mr. Hayes, Mr. McCray, Mr. Simmons and Dr. Prosisie voting “AYE” case, P-16-2, was approved.

RE: PUBLIC HEARING

Planning Commission Staff Report

File #: C-16-1
Applicant: Trustee and agent, Donald Shaffer
CUP Request: To operate an open pit sand and gravel mine
Property Location: approx. 1,500 west of 26714 Troublefield Road, Stony Creek
Tax Map Parcel #: 87-13
Property Size (Proposed Mining Site): approx. 116.0 acres
Current Zoning: Agricultural, General, A-2
Magisterial District: Sapony
Planning Commission Mtg.: February 10, 2016

CUP REQUEST

The applicant, Samuel H. Shands, and his agent, Donald L. Shaffer are seeking a conditional use permit to utilize the following described property containing approximately 116.0 acres as an open pit sand and gravel mine. The property is located 1,500 feet west of 26714 Troublefield Road, Stony Creek, VA, and is further designated as Tax Map No. 87-13 and is zoned A-2, Agricultural General, which allows such use upon receiving a conditional use permit. The County’s Comprehensive Land Use Plan places this property within the Rural Conservation Area which allows limited commercial, service development at the Ordinance defined density.

RELATED ATTACHMENTS

- CUP Amendment Application
- Location Map and Property Photographs

OVERVIEW OF PROPOSED OPEN PIT MINING OPERATION

The proposed mining operation is proposed to be operated similar to the neighboring “Pegram mine” which was approved by the Board of Supervisors with conditions on November 20, 2012. To note, in speaking with Mr. Paul Saunders, Regional Mining Inspector with the Department of Mineral Mining (DMM), the aforementioned existing mining operation, which mining is conducted by the same operator, Shoreline, LLC, is in compliance with the Department of Mineral Mining (DMM). The proposed hours of operation for the sand and gravel mine are from 7:00 AM to 4:00 PM Monday through Friday. To serve area citizens Saturday hours are proposed from 8:00 AM to 2:00 PM.

Any additional Saturday hours of operation would be under emergency operations only. The sand and gravel material is mined using an excavator (no blasting is used to extract the material) and the material is then stockpiled on the mine site.

The stockpiled material will be loaded from the stockpile into the rubber-tired loader using an excavator. The proposed maximum depth of the mine pit(s) is 14 feet. Over time with the progression of the mining lifts taking place below the existing water table, pooling of water will take place in the mine pit creating a small lake. As the mining in each area of the site is completed, the banks of the lakes created by the mining extraction process are sloped at a three to one slope and these sloped lake banks are stabilized with seed. The mining pit areas are buffered from the surrounding area by constructing earthen berms from the excavated topsoil (it is estimated that there is four inches of topsoil in the mining area), and these earthen berms are three feet in height and four feet wide at the tops of the berms. Any excess topsoil is used to reclaim the mine site post mining by spreading and disking in this topsoil to a depth of four inches and seeding on all areas not covered by water.

The stockpiled sand and gravel material is processed on site utilizing a screening plant at approximately 80 tons per hour. There is no crushing of rock material allowed as part of this mining operation. Any overburden or waste material is stockpiled on site and seeded. Any runoff from the stockpile areas drains back into the mine pit areas. The stockpiled waste material is either sold or is utilized on the site to reclaim the banks and slopes. After the sand and gravel is processed on the mine site, it is hauled offsite utilizing the haul road that extends from Troublefield Road into the site along the existing farm service road. The haul road is to be watered as needed to control dust. It is estimated that no more than 50 truckloads of mined sand and gravel material will be hauled offsite each day during the conditioned hours of operation.

The post mine land use will return to the pre-mine agricultural use. The entire mine site is to be reclaimed by revegetating the site using the stockpiled topsoil and any stockpiled overburden.

ZONING ANALYSIS

The properties surrounding the subject property include single-family residential dwellings, farmland, forestal land uses, and Stony Creek runs along the western property line and the properties are currently zoned A-2, Agricultural, General. The proposed sand and gravel mining operation is to take place on the one parcel, Tax Map Parcel 87-13.

The surrounding properties are zoned Agricultural, General, A-2, and Zoning Ordinance Section 22-75, Permitted Uses, (49) allows open pit sand and gravel mining with a conditional use permit. As designated by the Comprehensive Land Use Plan, the subject property is within the Rural Conservation Area. As such, the Comprehensive Plan states that this general area is expected to accommodate limited commercial and service development.

OVERVIEW OF IMPACTS

The Department of Mines, Minerals, and Energy (DMME) and more specifically the Division of Mineral Mining (DMM) will issue and oversee the required permit/license to operate the proposed mine. The mining operation will be subject to the conditions of the permit/license. Drainage, safety, and reclamation practices are made a part of the permit as are periodic inspections by the operator.

Public Utilities, School System, & Public Safety Impacts

The existing utilities are handled on-site, and the mechanical systems utilized as part of the mining operation: an excavator, a rubber-tired loader, a conveyor, a screening plant, and a dewatering screw the systems needing on-site power will be powered by a 100-hp diesel engine. There are public safety issues involved with the proposed use, and the CUP conditions address the safety related impacts of the mining operation as do the Federal and State guidelines for mining operations.

Transportation Impacts

The impacts on the transportation network are being addressed by VDOT through the commercial entrance permit. VDOT is reviewing the request to allow a maximum number of 50 dump trucks per day on the days as allowed under the conditions of the CUP to haul the sand and gravel mined at the site to an off-site location(s). Prior to commencement of the mining operation the applicant will comply with all VDOT permitting requirements and entrance design and construction requirements and specifications, including but not limited to driveway entrance alignments, sight line requirements, and tapers and/or turning lanes.

SITE AND USE ANALYSIS

Staff feels that the request to operate an open pit sand and gravel mining operation on the subject property and haul no more than 50 truckloads of sand and gravel from the site Monday through Saturday and during emergency operations is an appropriate use of the property, and given the configuration of the surrounding land uses and given the surrounding zoning pattern the use is appropriately located.

Planning Staff Recommendation:

The Staff reviewed the request for the conditional use permit and is satisfied that the applicant has successfully addressed the impacts on the subject property and surrounding area of operating an open pit sand and gravel mining operation and hauling no more than 50 truckloads of sand and gravel from the mine site.

Staff's recommendation of APPROVAL of the conditional use permit to allow the subject to the following conditions:

C-16-1 Conditions:

1. Generally. The use of the property shall be limited to open pit sand and gravel mining, and transportation and shall be subject to this conditional use permit. Open pit and sand gravel mining may occur only on Tax Map Parcel 87-13 (totaling approximately 116.0 acres). The only access to and from the mining and site on Tax Map Parcel 87-13 shall be across Tax Map Parcel 87-13.
2. Time of operation. The hours and days of operation for mining, and transportation to and from the mining sites shall be as follows:
 - a. 7:00 AM to 4:00 PM Monday through Friday except Federal and State holidays; and 8:00 AM to 2:00 PM Saturday except Federal and State holidays.
 - b. For emergency operations only from 8:00 a.m. to 4:00 p.m. Saturdays except federal and state holidays an emergency operation shall exist if and only if it is designated by the Commonwealth of Virginia or its agent when the product of the mine is required for the use of the Commonwealth on short notice.
 - c. No mining or transportation to or from the mining sites shall occur (1) outside of the times listed above, (2) on any Sunday, or (3) on any Federal or State holiday.

3. Mining pits; depth. The maximum depth of the mining pits shall not exceed fourteen (14) feet as measured from the initial ground elevation above the bottommost point of the mining pit.
4. No crushing operations are allowed. No crushing of sand, gravel, or stone shall be allowed on the mine site as part of the mining operation.
5. No blasting allowed. No blasting shall be allowed on the mine site as part of the mining operation. All mining shall be done utilizing an excavator.
6. No public access. No public access shall be permitted to the mining sites.
7. Berms for sites close to property lines. Mining sites in close proximity to an adjacent property line shall have an earthen berm buffer at or in close proximity to the mine pit or mined site three (3) feet in height and four (4) feet in width at the top of the berm. Each berm shall be seeded.
8. Hauling operations. A maximum of fifty (50) truckloads of mined material to include sand, gravel, topsoil, overburden, and spoils shall be hauled from the mine site each day only during the hours and days set forth in Condition Number Two (2) above. The operator shall be required to make a daily inspection of the road within 200 hundred feet of any entrance to the mine and shall be required to sweep any debris within 200 hundred feet of any entrance to the mine placed on the road by the hauling of sand, gravel, top soil, over burdens, oil and other materials associated with the operation of the mine.
9. Permits, reports, etc.
 All applicable federal, state, and local permits shall be obtained and filed with the Dinwiddie County Planning Department prior to commencing operations. This conditional use permit is effective only upon receipt by the Dinwiddie County Planning Department of all such permits.
 - a. All applicable federal, state, and local permits shall be maintained in good standing by owner/operator. Owner/operator shall provide copies of such permits to Dinwiddie County Planning Department during operations. Failure to maintain all applicable permits shall be grounds for revocation of this conditional use permit.
 - b. Copies of violations and/or reports to or from applicable federal and state agencies shall be made available to Dinwiddie County upon request of the County.
10. Compliance with laws. All operations pursuant to this conditional use permit shall be conducted in compliance with all applicable federal, state and local laws and regulations.
11. Annual review. This conditional use permit shall be reviewed a minimum of once per calendar year to evaluate compliance with conditions contained herein.

PLANNING COMMISSION RECOMMENDATION

Since this is a zoning matter, the standard statement regarding the Planning Commission recommendation on this zoning matter must be read. In order to assist, staff prepared the following statement:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit, C-16-1, as presented for an open pit sand and gravel mining operation be recommended for (approval, approval with conditions, OR disapproval) to the Board of Supervisors.

The Chairman asked the members if they had any questions for Mr. Bassett.

Mr. Tucker asked if the Division of Mines and Minerals is responsible for ensuring an applicant keeps dust levels down.

Mr. Bassett said yes they do. However, Mr. Shaffer could better answer that question when he stands before the members.

Mr. Cunningham asked if the conditions on this property mirror the conditions that were placed on Mr. Pegram's property.

Mr. Bassett said they do with two additional changes requested by the applicant. The first change is in the hours of operation. The applicant wants to add Saturday hours from 8:00 a.m. to 2:00 p.m. The applicant's reasoning for this change was because property owners in the surrounding area stated they would not be able to get to the site in an effort to obtain product during the weekday hours. The second change is in the number of truck loads. The applicant would like to increase from forty (40) truck loads to fifty (50) truck loads. The applicant's reasoning for this change was because the Shand's property is over one hundred (100) acres and the Pegram's property was only around forty (40) to fifty (50) acres.

Mr. Cunningham asked if it has been a couple of years since the Conditional Use Permit was done for Mr. Pegram and if so has staff conducted an annual review of the property.

Mr. Bassett said the Planning Department's Code Compliance Office has been by the property and the Code Compliance Officer didn't notice anything that was out of compliance with the conditions that were approved. Also, staff has not received any complaints since the "Pegram" mine has been in operation.

Mr. McCray asked if there has ever been complaints or accidents reported to the Sheriff's Office involving the road, the mine, or its operation.

Mr. Bassett said we have not checked with the Sheriff's Office, but we have never been informed that there has been any accidents or anything related to the operation of the mine.

The Chairman asked the members if they had any more questions of Mr. Bassett. He said since there are none would the applicant or their representative like to come forward and add anything additional if they so choose.

Mr. Donald Shaffer – 514 Shoreline Road, Carrollton, VA said he doesn't have anything to add to what Mr. Bassett has said but he would like to answer the questions raised by the Commissioners. He said Mr. Pegram's property is almost finished being mined. There is about two years left. When we are finished with his property we will begin working on Mr. Shand's property. It will take about a year to get through all the preparation stages before we can start digging. To the question about dirt and dust, I want you to know that we are regulated closely by DMM and they ensure we keep the dust and dirt levels within the state standards. As far as traffic problems, we have not had any vehicular accidents or complaints. We also have not had any problems with the Sheriff's Office.

Mr. Tucker asked Mr. Shaffer if he was aware that for at least two years there could be the possibility of ninety (90) truckloads on the road (forty from the existing "Pegram" mining operation and fifty from the proposed mining operation).

Mr. Shaffer said he wished he could have ninety (90) truckloads on the road, but he was aware of the possibility.

Mr. Hayes said he wants to give some perspective on the ninety (90) truckloads a day and why that number is not that significant. A recent traffic count was done on Troublefield Road and it had an average daily traffic count of two hundred and ninety (290) vehicles per day.

So where ninety (90) truckloads may seem like a lot it is not. It is crucial to remember that the most important thing we need to consider is the capacity. It is the driving issue for state maintained roads. It is the reason why more lanes may be needed. This road can handle thousands of cars a day easily. So from a capacity standpoint ninety (90) truckloads is nothing.

Mr. Cunningham said the reason he asked about the annual review and if any complaints were lodged against the Pegram's property is because he wanted to see if Mr. Shaffer was doing exactly what he said he would do as well as what we asked him to do. It seems to me, based on not having any complaints that he is complying and I appreciate and commend him for that.

The Chairman asked the Commissioners if they had any more questions for Mr. Shaffer. He said if not he was opening the public hearing portion of the case. He asked if there was any one signed up to speak. He said since there is no one signed up to speak he was closing the public hearing portion of the case. He asked the Commissioners if they had anything else they wanted to discuss before they vote.

Mr. Cunningham made a motion and read the following: BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit, C-16-1, as presented for an open pit sand and gravel mining operation be recommended for approval with conditions to the Board of Supervisors. It was seconded by Mr. Tucker with Mr. Tucker, Mr. McCray, Mr. Blaha, Mr. Hayes, Mr. Cunningham, Mr. Simmons and Dr. Prosisie voting "AYE" C-16-1 was approved.

RE: NEW BUSINESS

Mr. Blaha said we rezoned a property next to Browder's Junkyard and at that time it was said that a lot of vehicles behind the property in the woods were not in compliance. He asked if anyone has checked up on this property.

Mr. Bassett said staff has not sent any letters as of yet, but staff will follow up on it and report staff's findings to you at next month's meeting.

IN RE: COMMISSIONERS' COMMENTS

Mr. Tucker asked Mr. Bassett where are we on our overlay districts.

Mr. Bassett said as he indicated it is a priority on the work program and staff will be getting that information to you in the near future.

Mr. McCray said he would like to be part of the discussion on the West Petersburg overlays and the infill development possibilities.

Dr. Prosisie said he attended the Board of Supervisors meeting and they accepted our recommendation on P-16-1. Also, I think we should follow Mr. Hayes' idea of trying to get some legislation to the Board of Supervisors to update the County's standards for developing properties along the roads in the County.

IN RE: PLANNING DIRECTOR'S COMMENTS

Mr. Bassett said he and the Transportation Safety Commission met and requested that we submit road improvement projects which are eligible for RSTP funding.

Also, Ms. Bonner, Board member for the fifth district, asked that VDOT hold a public meeting to give an update on how the roundabout that's under construction at the Cox Road (Rt. 226) and Ferndale Road (Rt. 600) intersection will function when it is completed. The reason for her request is there has been false information circulating about the project. I will let you know when that meeting is going to take place.

IN RE: ADJOURNMENT

The Chairman said since there are no additional comments and no further business he would entertain a motion to adjourn the meeting. Mr. Cunningham made a motion and Mr. Tucker seconded it and with all other members voting "Aye" the meeting adjourned at 8:43 p.m.

Respectfully submitted,

Mark Bassett
Planning Director

Signed: _____
Planning Commission Chairman

Dated: _____



Dinwiddie County Planning Department

14016 Boydton Plank Road – P.O. Drawer 70

Dinwiddie, VA 23841

MEMORANDUM

To: Planning Commission
From: Mark Bassett, Planning Director
Date: March 2, 2016
Subject: Site Plan Review and Approval, Angels At Play Multipurpose Bldg., North Dinwiddie

Background:

The proposed site plan for an 1,800 square foot multipurpose building, which is to be an activity building for the existing Angels At Play daycare center located at 5810 Boydton Plank road (Route 1) behind the “Produce Center” store (see attached site plan titled, Angels At Play Multipurpose Building), as submitted by Angels At Play, LLC, and their engineer, Jeff Robinson and Associates, LLPC, is currently under review by the Land Development Committee (LDC) and as set forth in Zoning Ordinance Article X Site Plans, Dominion Virginia Power is following the Planning Commission site plan review process for the review and approval of the subject site plan. As set forth under Zoning Ordinance Sec. 22-421 (9) and (10) as part of the review and approval of a site plan the Planning Commission may waive or modify the requirements for buffers and screening under certain conditions, and as part of the site plan review Angels At Play, LLC, is requesting a buffer modification to the requirements for a 25-foot buffer along the northern portion of the subject development site.

The buffer modification involves modifying the 25-foot buffer requirement to allow for an 11-foot encroachment into the landscaped buffer where the back corner of the proposed multipurpose building encroaches into a section of the landscaped buffer. There are development constraints on the property that prevent the proposed multipurpose building from being shifted to the south to accommodate the entire length and width of the 25-foot landscaped buffer. The aforementioned constraints include a septic system pump station located between the proposed building and the existing daycare classroom building and an underground stormwater conveyance pipe that is also located between the proposed building and the existing daycare classroom building. These existing infrastructure improvements prohibit locating the proposed multipurpose building to the south further away from the northern portion of the site. The proposed multipurpose building does help to buffer the existing outdoor play area from the adjoining property to the north, and utilizing a building is a buffering method discussed in the buffer section of the Zoning Ordinance.

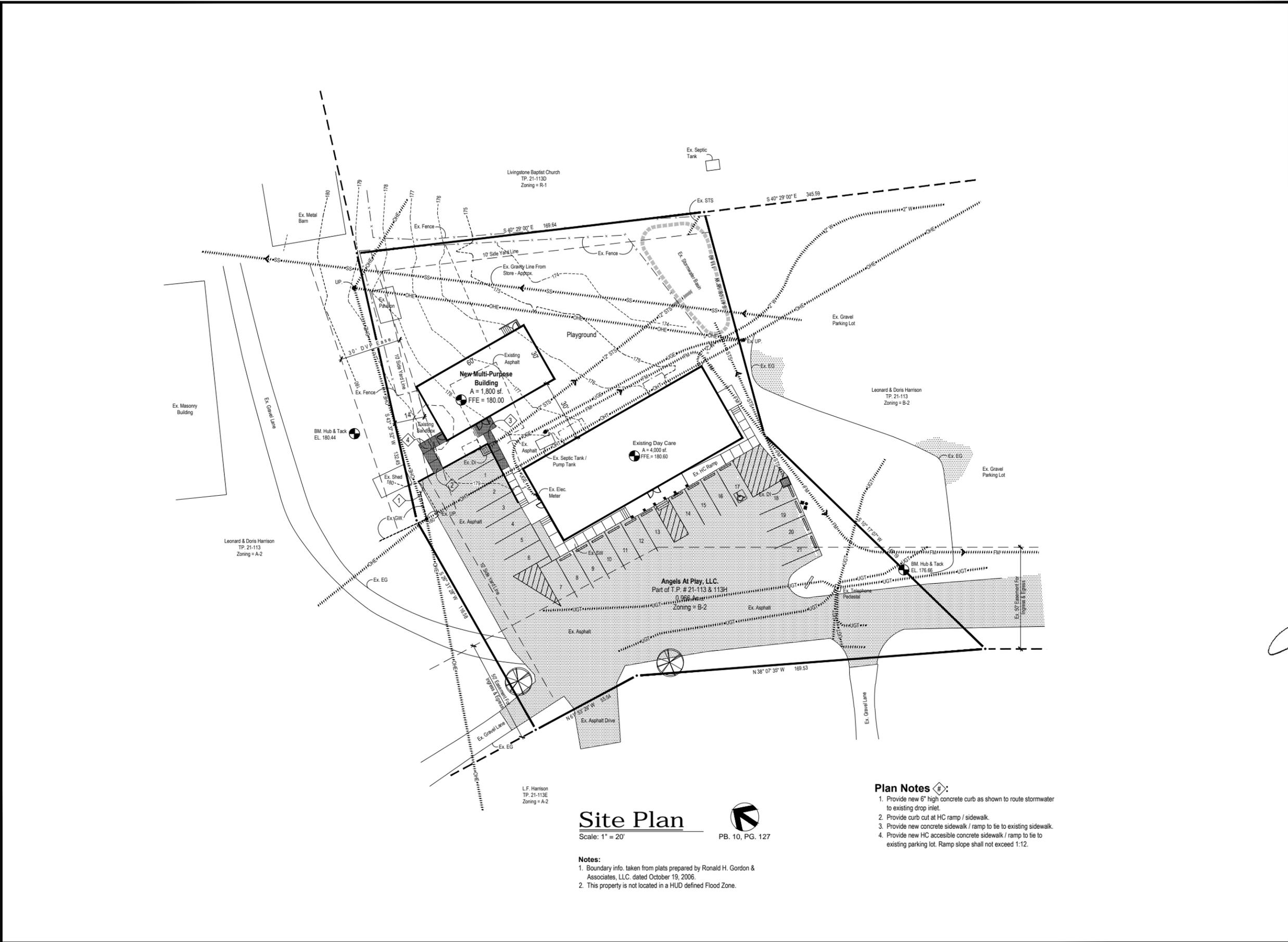
Staff Recommendation:

Staff recommends approval of the proposed site plan for the development of a multipurpose building as presented with a buffer modification given that there are development constraints on the existing site, the existing infrastructure improvements, which limit siting the multipurpose building on the subject property.

Planning Commission Action:

WHEREAS, in accordance with Zoning Ordinance Article X Site Plans and Division 3 – Buffers and Screening, Sec. 421 – General Provisions (9) and (10) the Dinwiddie County Planning Commission is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of the following site plan:

NOW, THEREFORE, BE IT RESOLVED that the Dinwiddie County Planning Commission does hereby (approve or disapprove) the Angels At Play Multipurpose Building site plan with the buffer modification as presented and subject to the additional administrative site plan amendments recommended by the Dinwiddie County Land Development Committee (LDC) review agencies as approved by the Planning Director.



Site Plan

Scale: 1" = 20'



PB. 10, PG. 127

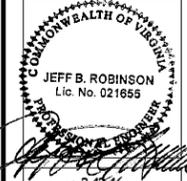
- Notes:**
1. Boundary info. taken from plats prepared by Ronald H. Gordon & Associates, LLC. dated October 19, 2006.
 2. This property is not located in a HUD defined Flood Zone.

Plan Notes

1. Provide new 6" high concrete curb as shown to route stormwater to existing drop inlet.
2. Provide curb cut at HC ramp / sidewalk.
3. Provide new concrete sidewalk / ramp to tie to existing sidewalk.
4. Provide new HC accessible concrete sidewalk / ramp to tie to existing parking lot. Ramp slope shall not exceed 1:12.

Site Plan

Angels at Play
 New Multi-Purpose Building
 5810 Boydton Plank Rd., N. Dinwiddie, VA 23803



Jeff B. Robinson

CONSULTING ENGINEER
 2-12-16
 Post Office Box 66
 Emporia, Virginia 23847
 434-634-8665 ph
 434-634-0254 fx



February 12, 2016

C1 of 1



Dinwiddie County Planning Department

14016 Boydton Plank Road – P.O. Drawer 70
Dinwiddie, VA 23841

MEMORANDUM

To: Planning Commission
From: Mark Bassett, Planning Director
Date: March 1, 2016
Subject: Subdivision Plat Review, Vaughan Road Estates, North Dinwiddie

Background:

The Vaughan Road Estates subdivision plat (see attached subdivision plat titled, Vaughan Road Estates, surveyed for William F. Maywalt being 7 lots totaling 15.599 acres +_ located on the east side of Route 675 (Vaughan Road), in Rohoic District, Dinwiddie County, Virginia) is currently under review by the Land Development Committee (LDC) and is subject to public review by the Planning Commission for approval. The subject property is zoned R-1, Residential Limited, which allows for single-family residential lots “by-right” at a minimum lot size of 1.50 acres per lot where each lot is served by an onsite well and an onsite septic system. The owner/subdivider is proposing to subdivide the subject property into seven single-family residential lots with each lot having frontage on Vaughan Road. As Vaughan Road is classified as a collector road, there is a 25-foot landscaped buffer required along the frontage of each lot, and there is a 25-foot increase in the front building setback line; thus, the ultimate minimum front building setback line is 65 feet from the road right-of-way line or property line. The property owner/subdivider is proposing to dedicate 25 feet of property along the southeast side of Vaughan Road to the County for public use to allow for the front property lines to be uniformly located 25 feet from the centerline of Vaughan Road. One subdivision design amendment that VDOT staff (see the enclosed VDOT subdivision plat review comment letter) and County Planning staff recommend is that the proposed subdivision lots utilize shared driveway entrances thereby limiting the number of driveway access points along the collector road, Vaughan Road.

Staff Recommendation:

Staff recommends approval of the proposed subdivision plat for Vaughan Road Estates creating seven single-family residential lots with the following plat amendments: label and show the required 25-foot wide landscaped buffer along the frontage of each subdivision lot, and delineate and provide for three shared driveway entrances on the subdivision plat.

Planning Commission Action:

WHEREAS, in accordance with Subdivision Ordinance Division 3. Preliminary Plat, Sec. 18-47 and Sec. 18-48 the Dinwiddie County Planning Commission is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of the following subdivision plat:

NOW, THEREFORE, BE IT RESOLVED that the Dinwiddie County Planning Commission does hereby (approve, approve with amendments as presented, or disapprove) the Vaughan Road Estates subdivision plat subject to the additional administrative site plan amendments recommended by the Dinwiddie County Land Development Committee (LDC) review agencies as approved by the Planning Director.

OWNERS CONSENT AND DEDICATION

KNOWN ALL MEN BY THESE PRESENTS THAT THE SUBDIVISION OF LAND SHOWN ON THIS PLAT CONTAINING 15.599 ACRES, MORE OR LESS, AND DESIGNATED VAUGHAN ROAD ESTATES SITUATED IN ROHOIC DISTRICT IN DINWIDDIE VIRGINIA IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS THEREOF, THAT ALL STREETS SHOWN ON SAID PLAT ARE HEREBY DESIGNATED TO THE PUBLIC USE AND THAT ALL LOTS WITHIN THE SUBDIVISION ARE SUBJECT TO CERTAIN RESTRICTIONS, RESERVATIONS, STIPULATIONS AND COVENANTS AS CONTAINED IN A WRITING EXECUTED BY THE UNDERSIGNED, UNDER DATE OF _____ AND RECORDED IN THE CLERKS OFFICE OF _____ IN DEED BOOK _____ PAGE _____ THE SAID 15.599 ACRES OF LAND HEREBY SUBDIVIDED HAVING BEEN CONVEYED TO WILLIAM F. MAYWALT BY NANCY H. & ERIC O. HAMILTON BY DEED DATED NOVEMBER 18, 2015 AND OF RECORD IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF DINWIDDIE COUNTY, VIRGINIA AS INSTRUMENT # 150003321. GIVEN UNDER OUR HANDS THIS _____ DAY _____ OF _____

SUBDIVISION APPROVAL STATEMENT

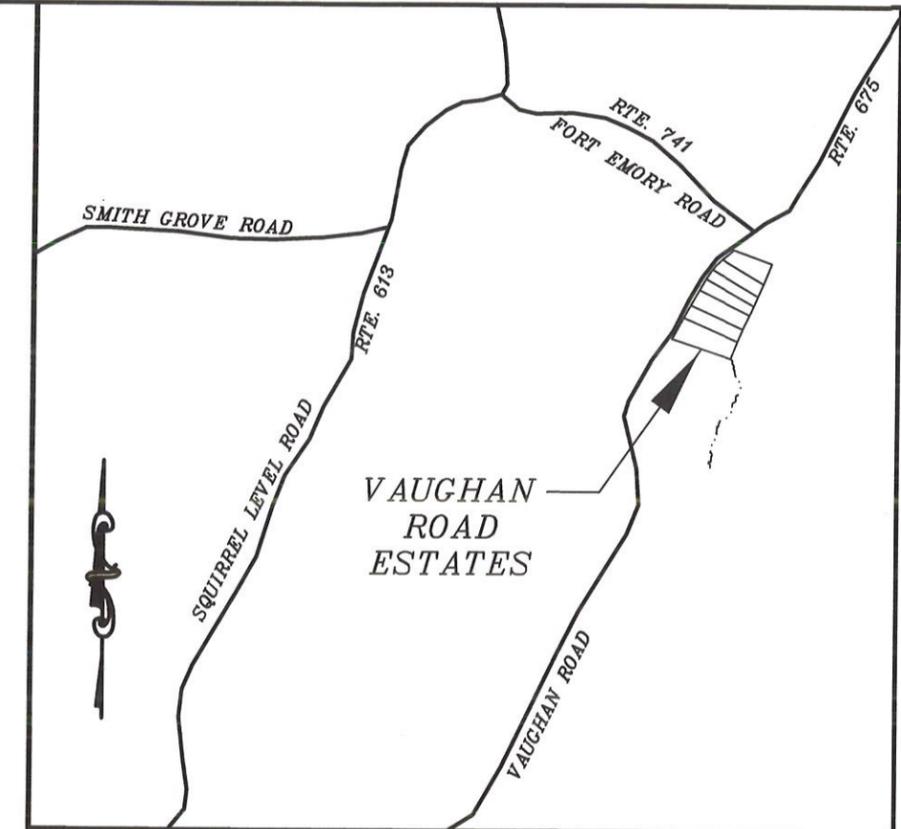
THIS SUBDIVISION IS APPROVED FOR INDIVIDUAL ONSITE SEWAGE SYSTEMS IN ACCORDANCE WITH THE PROVISIONS OF THE CODE OF VIRGINIA AND THE SEWAGE HANDLING AND DISPOSAL REGULATIONS (12 VAC 5-610-10 ET SEQ., THE "REGULATIONS"), (AND LOCAL ORDINANCES IF THE LOCALITY HAS AUTHORIZED THE LOCAL HEALTH DEPARTMENT TO ACCEPT PRIVATE EVALUATIONS FOR COMPLIANCE WITH LOCAL ORDINANCES).

THIS SUBDIVISION WAS SUBMITTED TO THE HEALTH DEPARTMENT FOR REVIEW PURSUANT TO SEC. 32.1-163.5 OF THE CODE OF VIRGINIA WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PRIVATE SOIL EVALUATIONS AND DESIGNS FROM AN AUTHORIZED ONSITE SOIL EVALUATOR (AOSE) OR A PROFESSIONAL ENGINEER WORKING IN CONSULTATION WITH AOSE FOR RESIDENTIAL DEVELOPMENT. THE DEPARTMENT IS NOT REQUIRED TO PERFORM A FIELD CHECK OF SUCH EVALUATIONS. THIS SUBDIVISION WAS CERTIFIED AS BEING IN COMPLIANCE WITH THE BOARD OF HEALTH'S REGULATIONS BY: SOUTHERN SOIL CONSULTANTS, AOSE # 1940-000-1181. THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THAT CERTIFICATION.

PURSUANT TO SEC. 360 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 IN RELIANCE UPON THE CERTIFICATION THAT APPROVED LOTS ARE SUITABLE FOR "TRADITIONAL SYSTEMS", HOWEVER ACTUAL SYSTEM DESIGNS MAY BE DIFFERENT AT THE TIME CONSTRUCTION PERMITS ARE ISSUED.

THE APPROVED ONSITE SEWAGE SYSTEM SITES ARE NOT SHOWN ON THIS PLAT. THOSE SITES ARE SHOWN ON A SEPARATE PLAT ON FILE IN THE DINWIDDIE COUNTY HEALTH DEPARTMENT.



VICINITY SKETCH SCALE: 1"=2000'

STATE OF VIRGINIA
COUNTY OF _____ TO WIT:
I, _____ A NOTARY PUBLIC IN AND FOR
THE _____ OF _____, STATE OF VIRGINIA
DO HEREBY CERTIFY THAT _____
WHOSE NAME(S) IS/ARE _____
SIGNED TO THE OWNERS CONSENT AND DEDICATION
HAVE ACKNOWLEDGED THE SAME BEFORE ME
IN MY _____ AND STATE AFORESAID
GIVEN UNDER MY HAND THIS _____ DAY OF _____

NOTARY PUBLIC

MY COMMISSION WILL EXPIRE ON THE _____ DAY OF _____

CERTIFICATE OF APPROVAL

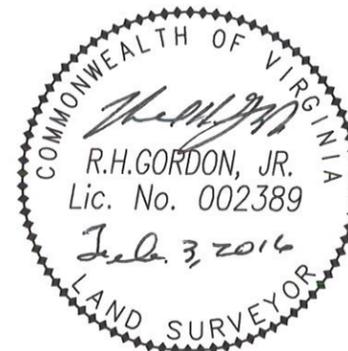
THIS SUBDIVISION KNOWN AS VAUGHAN ROAD ESTATES IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE COMMITTED TO RECORD.

DATE _____	VDOT REPRESENTATIVE _____
DATE _____	DIRECTOR PLANNING/ SUBDIVISION AGENT _____
DATE _____	HEALTH DEPARTMENT _____

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF DINWIDDIE VIRGINIA, HAVE BEEN COMPLIED WITH. GIVEN UNDER MY HAND THIS 3RD DAY OF FEB., 2016

STATE CERTIFIED LAND SURVEYOR



* FEDERAL JURISDICTIONAL WETLANDS MAY OCCUR ALONG THE MAJOR DRAINAGE WAYS AND STREAMS OF THIS PROPERTY. THESE WETLANDS MUST NOT BE DISTURBED WITHOUT PRIOR PERMISSION AND PERMITTING BY THE U.S. ARMY CORPS. OF ENGINEERS AND/OR THE DEPARTMENT OF ENVIRONMENTAL QUALITY.

**VAUGHAN ROAD ESTATES
SURVEYED FOR WILLIAM F. MAYWALT
BEING 7 LOTS TOTALING
15.599 AC.± LOCATED ON THE EAST
SIDE OF ROUTE 675,
IN ROHOIC DISTRICT,
DINWIDDIE COUNTY, VIRGINIA**

SCALE 1"=200' DATE: FEBRUARY 3, 2016

RONALD H. GORDON & ASSOCIATES, LLC.
LAND SURVEYORS
14100 BOYDTON PLANK ROAD
DINWIDDIE, VIRGINIA 23841

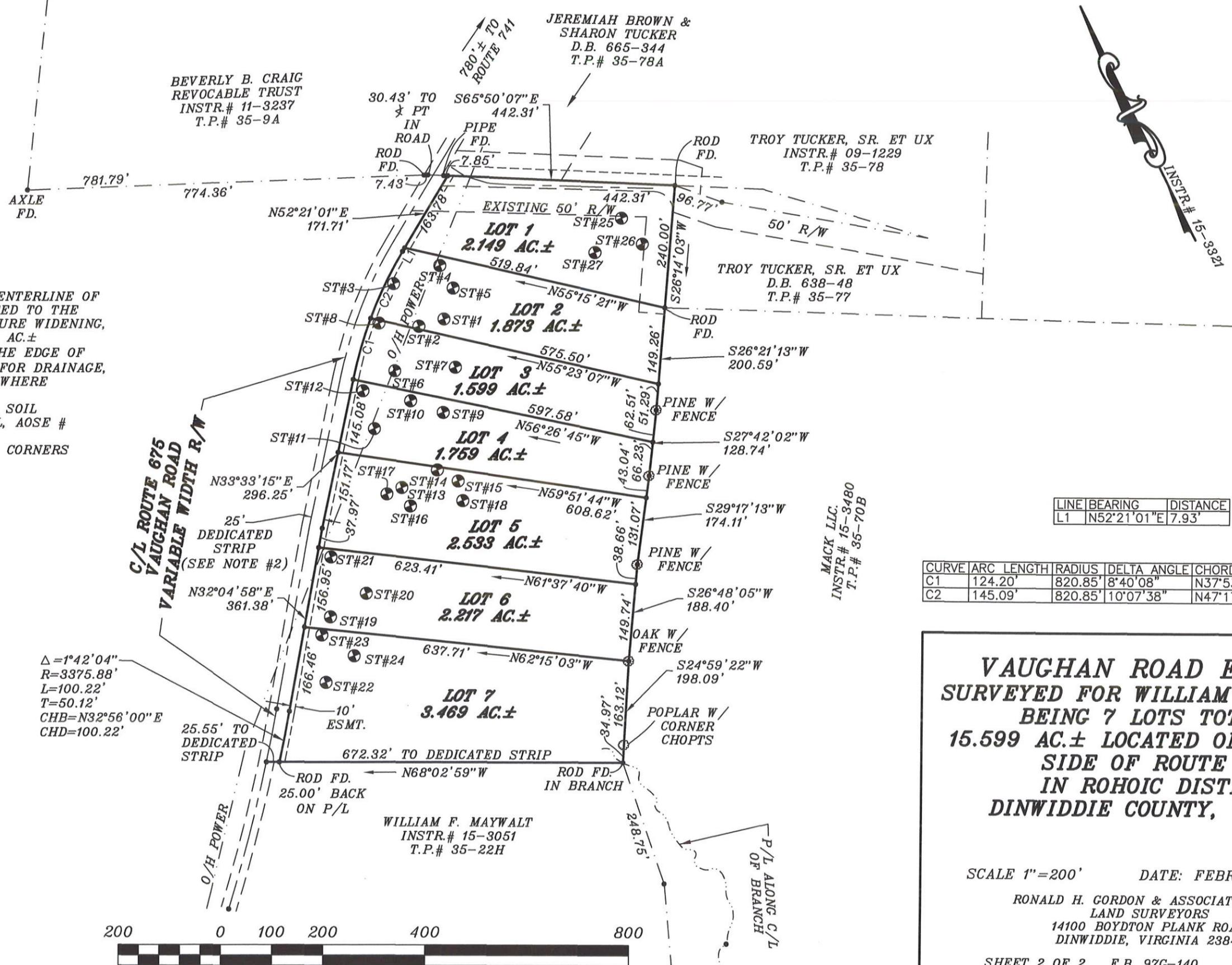
* I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS.

Professional Surveyor Signature

* THIS PLAT IS MADE SUBJECT TO ANY CONDITIONS, RESTRICTIONS, RESERVATIONS AND EASEMENTS OF RECORD IN PRIOR CHAIN OF TITLE TO THE EXTENT THEY MAY LAWFULLY APPLY TO THE PROPERTY HEREWITH SURVEYED.

This plat is made without the benefit of a title binder and therefore is subject to any easements or other pertinent facts of record in prior claim of title to the extent they may lawfully apply to the property herewith surveyed.

- NOTE:
1. - DENOTES SOIL BORING
 2. THE 25' STRIP FROM THE CENTERLINE OF ROUTE 675 IS HEREBY DEDICATED TO THE COUNTY OF DINWIDDIE FOR FUTURE WIDENING, TOTAL AREA IN STRIP IS 0.688 AC.±
 3. THE 10' EASEMENT ALONG THE EDGE OF THE 25' DEDICATION STRIP IS FOR DRAINAGE, UTILITIES, AND BANK SLOPING WHERE NECESSARY.
 4. SOIL BORINGS BY SOUTHERN SOIL CONSULTANTS, LLC, BRIAN NEAL, AOSE # 1940-000-1181.
 5. RODS FOUND OR SET AT ALL CORNERS UNLESS OTHERWISE NOTED.



LINE	BEARING	DISTANCE
L1	N52°21'01"E	7.93'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	124.20'	820.85'	8°40'08"	N37°53'19"E	124.08'
C2	145.09'	820.85'	10°07'38"	N47°17'12"E	144.90'

$\Delta = 1^{\circ}42'04''$
 $R = 3375.88'$
 $L = 100.22'$
 $T = 50.12'$
 $CHB = N32^{\circ}04'58''E$
 $CHD = 100.22'$



VAUGHAN ROAD ESTATES
SURVEYED FOR WILLIAM F. MAYWALT
BEING 7 LOTS TOTALING
15.599 AC.± LOCATED ON THE EAST
SIDE OF ROUTE 675,
IN ROHOIC DISTRICT,
DINWIDDIE COUNTY, VIRGINIA

SCALE 1"=200' DATE: FEBRUARY 3, 2016

RONALD H. GORDON & ASSOCIATES, LLC.
 LAND SURVEYORS
 14100 BOYDTON PLANK ROAD
 DINWIDDIE, VIRGINIA 23841

SHEET 2 OF 2 F.B. 97G-140 FILE: 15-0123

Planning Commission Staff Report

File#: P-16-3
Applicant: County of Dinwiddie, Virginia
Rezoning Request: Residential, Conservative, R-R to Industrial, Limited, M-1
Property Location: North side of River Rd. (Rt. 601) at the intersection of Hart Rd. and River Rd.
Tax Map Parcel #: Part of 19-4
Acreage: Approx. 2.741 acres
Magisterial District: Rohoic District
Planning Commission Mtg.: March 9, 2016

CASE OVERVIEW

The applicant, the County of Dinwiddie, Virginia, is requesting to rezone with proffers property containing approximately 2.741 acres from R-R, Residential Conservative, to M-1, Industrial Limited, in order to allow for a public manned convenience trash collection site. The M-1, Industrial Limited, zoning classification allows for public facilities pursuant to the Zoning Ordinance allowed density. The property is located on the north side of River Rd. (Rt. 601) at the intersection of Hart Rd. and River Rd., and is further defined as part of Tax Map Parcel No. 19-4. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows service development for this general area.

ATTACHMENTS

- Rezoning Application, Location Map, Survey of Manned Trash Site
- Proffer Statement

LAND USE AND ZONING ANALYSIS

The subject property is located on the north side of River Rd. (Rt. 601) at the intersection of Hart Rd. and River Rd. The applicant is requesting the rezoning of a portion of the subject property, approximately two and one-half acres, from Residential, Conservative, R-R to Industrial, Limited, M-1 for the public manned convenience trash collection site serving the County residents living in this general area of Dinwiddie County.

The surrounding land uses include agricultural, open space, forestal lands, and low density single-family residential. The properties in this general area are zoned A-2, Agricultural, General, to the south across River Road; Residential, Conservative, R-R, to the west and north; and Residential, Limited, R-1 (Clay Estates Subdivision) east of the subject property.

The property under review is designated by the Comprehensive Land Use Plan (the “Plan”) as being within the Urban Area. As such, the general area is expected to accommodate public service uses where needed to better serve the residents of this portion of the County. The manned convenience site replaces the unmanned dumpster sites that are poorly located and are unattended leading to improper use by individuals not living in Dinwiddie County and also resulting in illegal dumping and overuse.

Chapter XI of the Comprehensive Plan outlines the policies, goals, and objectives of the County, and Section D., Public Facilities and Services, states “Provide County facilities and services necessary to promote a safe, healthful, and desirable community in which to live”.

As previously stated, this general area is one of the areas of the County where a manned convenience trash collection site better serves the residents and allowed the County to clean up and/or close some of the unmanned dumpster/trash collection sites in this section of the County.

OVERVIEW OF DEVELOPMENT IMPACTS

Public Utilities, Public Safety & School System Impacts

As public water and sewer is not available in the area, the use of public water and sewer utilities is not proposed by the County. There is an onsite well for the County's site attendants to use for cleaning purposes only. An onsite porta potty is utilized for any sanitary sewer needs.

With the use limited to the manned convenience trash collection site, the impacts on public safety services are minimal.

Transportation Impacts

The impacts on the existing transportation network more specifically River Road, which is a major collector, from the manned convenience trash collection site are minimal and do not warrant the construction of any turn lanes.

PROFFER STATEMENT

The County has proffered to limit the use on the subject property to the public utility use for a manned-convenience trash site. In addition, the County did proffer to ensure that exterior building and parking lot lighting is directed inward and downward to the site to avoid casting site lighting on to the adjacent properties and into the night sky.

Staff Recommendation:

The planning staff has reviewed the rezoning request and is satisfied that the applicant has addressed the impacts of rezoning the subject property.

Staff recommends APPROVAL WITH PROFFERS of the request to rezone the subject property given that:

1. The zoning classification requested, M-1, Industrial, Limited, with proffers is compatible with the surrounding zoning pattern and surrounding land uses;
2. The requested zoning classification, M-1, Industrial, Limited, with proffers conforms to the underlying uses recommended in the Urban Area of the Comprehensive Land Use Plan for this general area.

PLANNING COMMISSION RECOMMENDATION

Since this is a zoning matter, the standard statement regarding the Planning Commission's recommendation to the Board of Supervisors is set forth below:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning request, P-16-3, as presented be recommended for (approval, approval with proffers OR disapproval) to the Board of Supervisors.

DINWIDDIE COUNTY PLANNING & ZONING DEPARTMENT LAND USE AMENDMENT APPLICATION

337 09 102



Dinwiddie County
Planning Department
P. O. Drawer 70
Dinwiddie, Virginia 23841
(804) 469-4500 ext. 2117
(804) 469-5322 /fax

Rec'd 2/23/2016 Case No.: P-16-3
 Date Rec'd 2/23/2016 Fee Amount: N/A
 Time Rec'd _____ Receipt No.: N/A
 Pre-Application Conference Date: _____
 This application has been amended: YES NO
 Reviewed by: Mahesh Desai

*Information must be typed or printed and completed in full.
Attach additional pages where necessary.*

1) LAND USE INFORMATION

(Circle): BOS / PC / BZA New/Renewal Amend Previous Case: Y / N
 Previous/Renewed Case#: _____ Land Use Taxation: Y / N

Application Type: (Circle One): Variance Administrative Variance Conditional Use Permit
 Rezoning Street Vacation Special Exception
 Amendment

Description of Request: _____

Existing Zoning: _____ R-R _____ Existing Acreage: _____ 2.741 acres
 Proposed Zoning: _____ M-1 _____ Proposed Acreage: _____ 2.741 acres
 Total Acreage: _____ 2.741 acres

Water (Circle One): Public Well
 Sewer (Circle One): Public On-site Well and Septic

Attached: (circle): Miscellaneous Information/Master Plan/Textual Statement/Proffered Conditions

2) APPLICANT/AGENT INFORMATION

Applicant(s): Dinwiddie County Board of Supervisors _____ Home/Cell# _____
 Address: 14016 Boydton Plank Road Dinwiddie, Va. 23841 _____ Work# _____
 Agent(s): W. Kevin Massengill, County Administrator _____ Home/Cell# _____
 Address: Same as above _____ Work# _____

Property Owner Contract Purchaser Other: _____

3) PROPERTY OWNER INFORMATION

Property Owner's Name and address (see note on last page):
 County of Dinwiddie Virginia _____
 14016 Boydton Plank Road Dinwiddie, Va. 23841 _____
 Contact#: 804-469-4500 _____

Property Owner's Mailing Address (If this address is different from that listed in the Assessor's Office.):

Property Tax Parcel Number: Part of 19-4 Phone# _____

4.)

SUBJECT PARCEL INFORMATION

General Location of Project: The property is located on the north side of River Rd. (Rt. 601) at the intersection of Hart Rd. and River Rd. _____

Tax Map #: Part of 19-4 _____
Subdivision Name: _____
Section: _____ **Block** _____
Address: _____
Zoning: R-R _____ **Acreage:** 2.741 _____
Existing Use: Manned Trash Site _____
Conditions: _____

Tax Map # _____
Subdivision Name: _____
Section: _____ **Block** _____
Address: _____
Zoning: _____ **Acreage:** _____
Existing Use: _____
Conditions: _____

Tax Map # _____
Subdivision Name: _____
Section: _____ **Block** _____
Address: _____
Zoning: _____ **Acreage** _____
Existing Use: _____
Conditions: _____

Tax Map # _____
Subdivision Name: _____
Section: _____ **Block** _____
Address: _____
Zoning: _____ **Acreage:** _____
Existing Use: _____
Conditions: _____

1. Explain fully the proposed use, type of development, operation program, reason for this request, etc.:

To allow for a public manned convenience trash collection site on the 2.741 acre site; as part of the County's effort to eliminate the unmanned trash sites located throughout the County.

2. State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood or county in general. Include, where applicable, information concerning: Use of public utilities; effect of request on public schools; effect on traffic, to include means of access to nearest public road; effect on existing and future area development; etc.:

The trash collection area is located so that the existing trees buffer the manned trash site from the road and surrounding property. There have not been any traffic issues with vehicles entering and exiting the existing site.

3. List case numbers and explain any existing use permit, special exception, conditional use or variance previously granted on the parcels in question:

N/A

4. If requesting a variance or special exception, explain the unique physical hardship or extraordinary situation that is justification for the request:

N/A

5. Complete names and address (including Zip codes) of all owners adjacent, across the road or highway from the property and across any railroad right-of-way, creek, river, from such property must be obtained by the applicant from the Commissioner of the Revenue, Pamplin Administration Building. If such property lies in another county or city, the respective jurisdiction will provide this information to the applicant. Applications with incomplete parcel information will not be accepted.

Property information records are attached.

6. The required fee must accompany this application. A fee schedule is available from the Planning Department, 14016 Boydton Plank Road, Pamplin Administration Building, Dinwiddie Virginia. Checks must be made payable to: "Treasurer, County of Dinwiddie".
7. Enclosed with the application, a copy of the appropriate county tax map with the property marked (provided at pre-application conference) and, if available, a surveyed plat of the entire parcel.
8. Enclose with this application any required plans or plats (plans must be folded).
9. I/We hereby certify that to the best of my/our knowledge all the above statements and the statements contained in any exhibits transmitted are true and that the adjacent property owners listed herewith are the owners of record as of the date of the application:

Date: _____ February 23, 2016

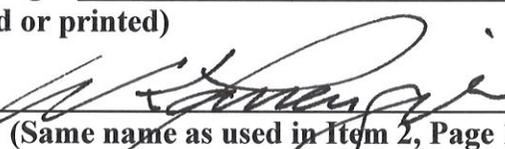
SIGNATURE OF AGENT*

 (Name of person other than, but acting for, the property owner and responsible for this application.)

AGENT'S NAME W. Kevin Massengill

(Typed or printed)

SIGNATURE OF APPLICANT**



 (Same name as used in Item 2, Page 1)

APPLICANT'S NAME

W. KEVIN MASSENGILL

 (Typed or printed)

I authorize you, the merchant, to initiate an electronic debit to my account for the amount rendered on this check plus the legal limit returned check fee if the item is dishonored. The use of a check for payment is my acceptance of this policy. Signature _____

Notes: Incomplete application will not be accepted. Any request that requires plans must be accompanied by those plans at the time submission of the application.

*Agent must file power of attorney from the property owner(s) giving the agent authority to submit this application.

** If the applicant is not the owner of the property, the applicant must file power of attorney from the property owner(s) giving the applicant authority to submit this application.



River Rd

Wallace Rd

601

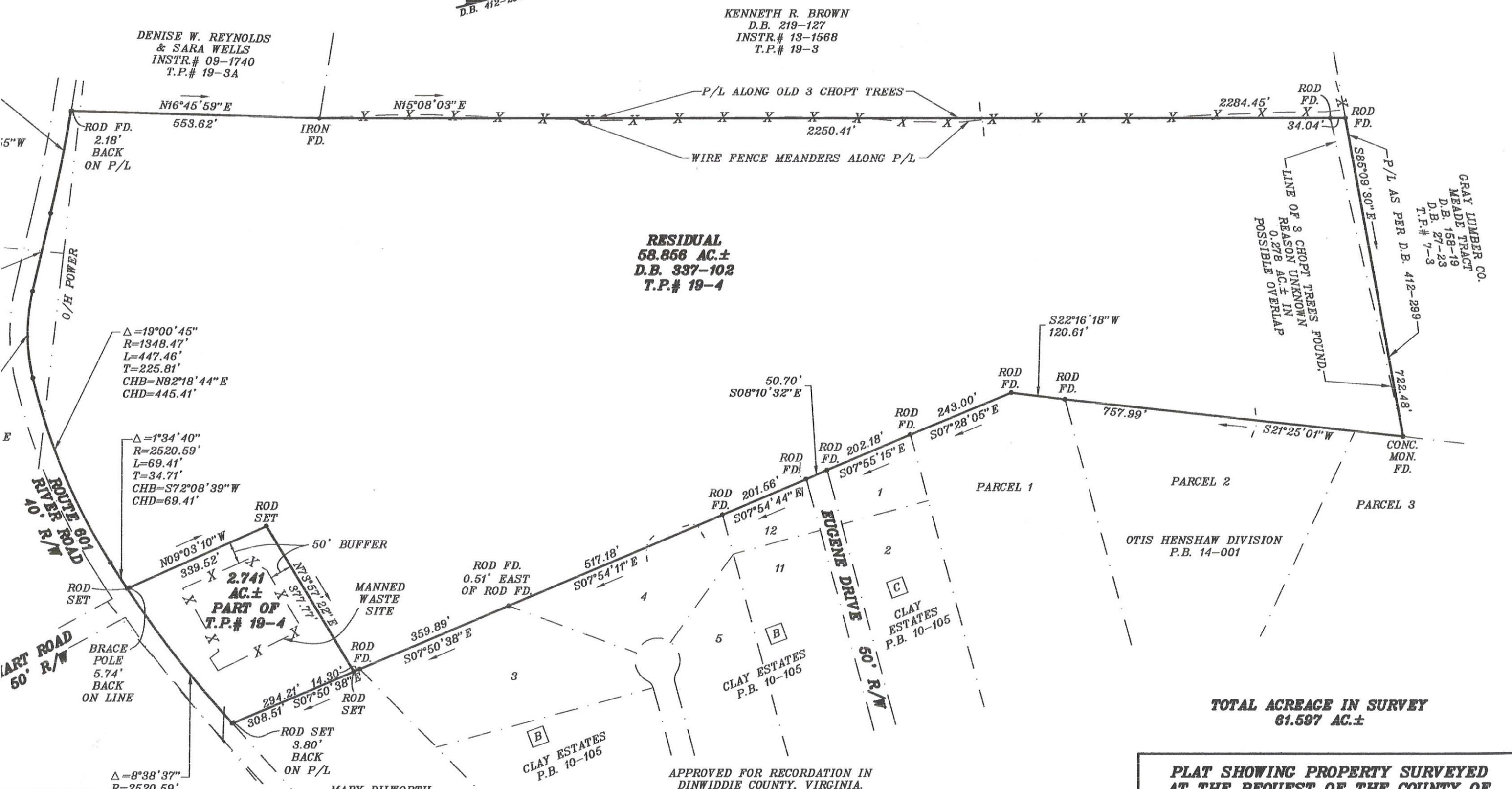
71

743

Bird Ln

made without the benefit of a title binder and subject to any easements or other pertinent in prior claim of title to the extent they may to the property herewith surveyed.

* FEDERAL JURISDICTIONAL WETLANDS MAY OCCUR ALONG THE MAJOR DRAINAGE WAYS AND STREAMS OF THIS PROPERTY. THESE WETLANDS MUST NOT BE DISTURBED WITHOUT PRIOR PERMISSION AND PERMITTING BY THE U.S. ARMY CORPS. OF ENGINEERS AND/OR THE DEPARTMENT OF ENVIRONMENTAL QUALITY.



RESIDUAL
58.856 AC.±
D.B. 337-102
T.P.# 19-4

TOTAL ACREAGE IN SURVEY
61.597 AC.±

APPROVED FOR RECORDATION IN
 DINWIDDIE COUNTY, VIRGINIA.

DIRECTOR OF PLANNING DATE

NOTE: FAILURE TO RECORD THIS PLAT WITHIN (6) MONTHS OF DATE ABOVE, SHALL RENDER THIS



PLAT SHOWING PROPERTY SURVEYED AT THE REQUEST OF THE COUNTY OF DINWIDDIE TO DIVIDE 2.741 AC.± OFF OF 61.597 AC.± FOR THE MANNED WASTE SITE LOCATED ON THE NORTH SIDE OF RTE. 601, IN NAMOZINE DISTRICT, DINWIDDIE COUNTY, VIRGINIA

that this y to the best e and belief complies with procedures and lished by the Board of

$\Delta = 8^{\circ}38'37''$
 R=2520.59'
 L=380.26'
 T=190.49'
 CHB=S67°02'01"W
 CHD=379.90'

MARY DILWORTH
 INSTR.# 14-1594
 T.P.# 19-5

2.741
 AC.±
 PART OF
 T.P.# 19-4

CLAY ESTATES
 P.B. 10-105

CLAY ESTATES
 P.B. 10-105

CLAY ESTATES
 P.B. 10-105

OTIS HENSHAW DIVISION
 P.B. 14-001

GRAY LUMBER CO.
 MEADE TRACT
 D.B. 158-19
 D.B. 27-23
 T.P.# 7-3

LINE OF 3 CHOPT TREES FOUND.
 REASON UNKNOWN
 0.278 AC.± IN
 POSSIBLE OVERLAP

$\Delta = 19^{\circ}00'45''$
 R=1348.47'
 L=447.46'
 T=225.81'
 CHB=N82°18'44"E
 CHD=445.41'

$\Delta = 1^{\circ}34'40''$
 R=2520.59'
 L=69.41'
 T=34.71'
 CHB=S72°08'39"W
 CHD=69.41'

KENNETH R. BROWN
 D.B. 219-127
 INSTR.# 13-1568
 T.P.# 19-3

DENISE W. REYNOLDS
 & SARA WELLS
 INSTR.# 09-1740
 T.P.# 19-3A

Tax Parcel No. Part of 19-4

PROFFERS

THESE PROFFERS are made this 4th day of March, 2016 by Dinwiddie County Board of Supervisors together with its successors and assigns, (the "Owner").

RECITALS

- A. Owner legally possess the tract or parcel of land located in Dinwiddie County, Virginia, (the County) located on the north side of River Road at the intersection of River Road and Hart Road, Sutherland, Virginia and being a part of Tax Parcel No. 19-4 containing approximately 2.741 acres as more fully shown on that certain plat by R. H. Gordon, Jr. dated January 29, 2016 and titled Plat showing property surveyed for the County of Dinwiddie, to divide 2.741 acres +/- off of 61.597 acres +/- for the manned waste site located on the north side of Rte. 601, in Namozine District, Dinwiddie County, Virginia (the "Property").
- B. The Property is within the Urban Area on the County's Comprehensive Plan and is zoned Residential, Conservative, R-R. An application has been made to rezone the Property from Residential, Conservative, R-R to Industrial, Limited, M-1.
- C. The Owner desires to offer to the County certain conditions on the development of the Property not generally applicable to land zoned Industrial, Limited, M-1.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2298 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted by the County, these proffers shall be null and void. The following proffered conditions are stated as follows:

CONDITIONS

1. The uses on the Property will be limited to a public utility use for a manned-convenience trash site.
2. Any security lighting installed on the Property will be directed downward and inward to the site to avoid casting site lighting on to the adjacent properties and into the night sky.

WITNESS the following signature:

County of Dinwiddie, Virginia

BY *W. Kevin Massengill*
W. Kevin Massengill, County Administrator

COMMONWEALTH OF VIRGINIA

County of Virginia, to-wit:

The foregoing was acknowledged this 4 day of March, 2016 by
W. Kevin Massengill, County Administrator.

My commission expires: 11/30/2019.



Stephanie Belton Wray (SEAL)
Notary Public