

Amherst County
Department of Planning and Zoning
Matthew D. Rowe, Assistant Zoning Administrator/Planner

Preliminary Subdivision Plat
Staff Report
November 16, 2011

RE: Subdivision Name: Shrader Lake Estates
Tax Parcel #: 112-A-65
Owner(s)/Applicant(s): William Miles Wallace
Zoned: A-1 Agricultural Residential

Summary:

In accordance with Section 1007, Appendix A of the Code of the Amherst County, William Miles Wallace (owner) submitted a request for approval of a preliminary plat prepared by Fred Edward Willman, of Acres of Virginia, Inc., for a five (5) lot subdivision on the above-referenced property located on Buffalo Ridge Road (State Route 659) and abutted to the southeast by Larkin Mountain Road (Private). The total project area is 211.92 acres. No common areas are being reserved for parks or open space.

Procedure for Review:

According to Sec. 1007.03, the Planning Commission shall vote within 45 days to approve, approve with conditions, or disapprove the preliminary plat. The Planning Commission must provide in writing two (2) copies of a statement listing the [specific] reasons for Commission disapproval or conditional approval, as applicable.

Per Sec. 1007.04, within one (1) year of approval of the preliminary plat, the subdivider must submit five (5) copies of the final plat to the subdivision agent for final approval.

In addition, per Section 1301.01.2, "the name of the subdivision must have the approval of the Commission. The name shall not duplicate nor closely approximate the name of an existing subdivision". The given subdivision name does not duplicate nor closely approximate the name of an existing subdivision.

Findings:

Zoning

- The proposed subdivision is located within the A-1 Agricultural Residential Zoning District. The subdivision is not located within the Watershed Protection District, the County's Designated Growth Area, or the FEMA 100 Year Flood Plain. According to the National Wetlands Inventory (NWI), there are no non-tidal wetlands located on the property.

Lots

- Each of the proposed lots conforms to the minimum lot area (1 acre) and frontage width (100 feet) required.

Buildings

- All buildings constructed within the subdivision will be required to meet the minimum yard (setback) requirements specified on the plat. Appropriate building setback lines are shown on the plat.

Water/Sewer Facilities

- The lots will be served by private wells and on-site sewage disposal systems (septic). The wells and sewage disposal systems must be approved and permitted through the local office of the Virginia Department of Health.
- All drainfield sites shown on the plat for the five (5) lots will have 100% reserve areas in case of drainfield failure.
- A 20' wide public utility easement has been provided along the lots' frontage along Buffalo Creek Road (State Route 659) and Larkin Mountain Road (Private). The easement must be accepted and approved by the Amherst County Service Authority.

Utility Lines and Structures

- Appalachian Power will be able to provide electrical service to the newly created lots.

Streets/Entrances

- Access to "Lot 2", "Lot 3" and the "Residue" parcel will be provided through a 50' wide private right-of-way. In accordance with Section 1301.07.2.b, the private road/street shall not be required to be constructed to VDOT standards if it

serves a maximum of five (5) lots all of which are ten (10) acres or greater in size. A homeowners' association shall be established for the maintenance of the private road and a copy of the homeowners' association agreement shall be submitted as part of the final subdivision plat approval process. The homeowners' association shall include all lots accessing the private road.

- The private road's connection to Buffalo Ridge Road (State Route 659) will need to be built to commercial entrance standards. If construction of the private road exceeds 10,000 sq. ft., an Erosion & Sediment Control Plan shall be required to be submitted, reviewed and approved by the Combined Administrator and Program Administrator, prior to any land disturbance activities associated with the private road.
- Access to "Lot 1" will be through a private driveway onto Buffalo Ridge Road (State Route 659), which will require a private entrance permit from the Virginia Department of Transportation.
- A 10' road widening easement has been provided along the frontage of Buffalo Ridge Road (State Route 659). The easement must be approved by the Virginia Department of Transportation.

Buffering/Landscaping

- Since no common areas or entryways are proposed, a landscape plan is not required (Sec. 1603).

Erosion and Sediment Control

- The preliminary subdivision plat shows a 50' wide private right-of-way that will serve four (4) of the five (5) lots. It appears that future improvements to be made within the right-of-way associated with the private road construction will exceed 10,000 sq. ft. of land disturbance, which would require the submittal and approval of an Erosion & Sediment Control Plan. In addition, if land disturbance is planned to occur on multiple lots at any given time (associated with any clearing, grading, drainfield installation, driveway construction, etc.), then a comprehensive Erosion & Sediment Control Plan must be submitted and approved prior to such activity occurring. For single residential lot construction on lots not owned by the developer (post-sale of lots), the County's Program Administrator shall have the authority and discretion to potentially waive the Erosion & Sediment Control Plan requirement and may issue an Agreement-in-Lieu of plan document.

Recommendation:

Staff recommends that the preliminary subdivision plat be approved.

Attachments:

Subdivision Plat dated 6/23/2011

Subdivision Application

Tax Parcel Map

DRC Comments



APPLICATION FOR SUBDIVISION Amherst County, Virginia

Section A: Applicant Information

(Please print in blue or black ink)

Case No. 0311-SUB-007

Wallace	William	Miles
Last (Name of Applicant)	First	MI
901 Jefferson Street, Suite 3I, Lynchburg, VA 24504		
Mailing Address		
		434-841-4398
Telephone Number (s)	Home	Business
same		
Property Owner Name		
Buffalo Ridge Road, Route 659, Amherst County		
Property Address		
Shrader Lake Estates	Miles Wallace	
Name of Subdivision	Name of Developer	
Fred Edward Willman, LS	Acres of Virginia, Inc.	
Person Preparing Plat	Name of Company/Firm	
Buffalo Ridge Road, near Shrader Lake		
Location of Property (landmarks, intersections, or other)		
Tax Parcel ID#: 112-A-65		
1119	308	
1119	304	
Deed Book: 1178	Page Number:	12

Please note: A preliminary plat of the property must be submitted with this application. In accordance with Sec. 1201.01, a preliminary plat must be prepared by a professional engineer or land surveyor certified in the Commonwealth of Virginia.

Section B: Plat Information

(Please answer all questions as completely as possible)

Type of plat: Preliminary Final

Type of subdivision (Check all that apply):

Reconfiguration Family Division Subdivision

How will lots within the subdivision be provided with water and sewer? (Check all that apply)

Public water Private wells
Public sewer On-site septic systems Mass drainfield(s)

Zoning: A-1 Comprehensive Plan Land Use Designation: _____

Magisterial District: Court House

How many lots comprise the subject property? 1 Total area: 203.73 acres

How many new lots are proposed for the subdivision? 4 Total area: 137.91 acres

Total area of remaining and/or residue parcels: 65.82 acres

Total area of open space/common areas: 0 acres

Total area of streets: 0 acres

Will a property owners' association be created for maintenance of open-space areas or common areas?
no

Is the subdivision located within the Watershed District? YES NO

Are there any covenants of record or deed restrictions existing or proposed for the subject property?
If so, please attach a copy. YES NO

ADDITIONAL COMMENTS (To be completed by the subdivision agent):

Please complete and submit the attached subdivision checklist along with twelve (12) copies* of the preliminary subdivision plat containing all information listed on the checklist. All items listed must appear on the preliminary plat.

(For plats that only require administrative review, please submit not more than six (6) copies of the final plat. All plats must be prepared by a professional engineer or land surveyor licensed in the Commonwealth of Virginia)*

Section C: Signature

I do hereby certify that I have read and am familiar with the requirements for the submission of plats as provided for under the Subdivision Ordinance of the Code of Amherst County and further that this submittal is in compliance with those requirements.

Acres of Virginia, Inc. Agent
Applicant's Signature

3/28/11
Date

Section D: Items to Accompany Preliminary Plat

Please mark the appropriate spaces below to indicate whether the subdivision will result in improvements that require official review by one or more of the departments/agencies listed. Your answers below will determine which departments and/or agencies will need to sign statements indicating that the subdivider has consulted with the relevant department/agency as to improvements within the subdivision. The Department of Planning & Zoning will mail the prepared statement to head of the department or agency for signature prior to the next meeting of the Development Review Committee (if applicable). If you believe that one or more of these signed statements is unnecessary because the development will not result in improvements that require official review by the agency or department or (b) the development will not result in improvements that require a permit from the agency or department, please check the box "N/A".

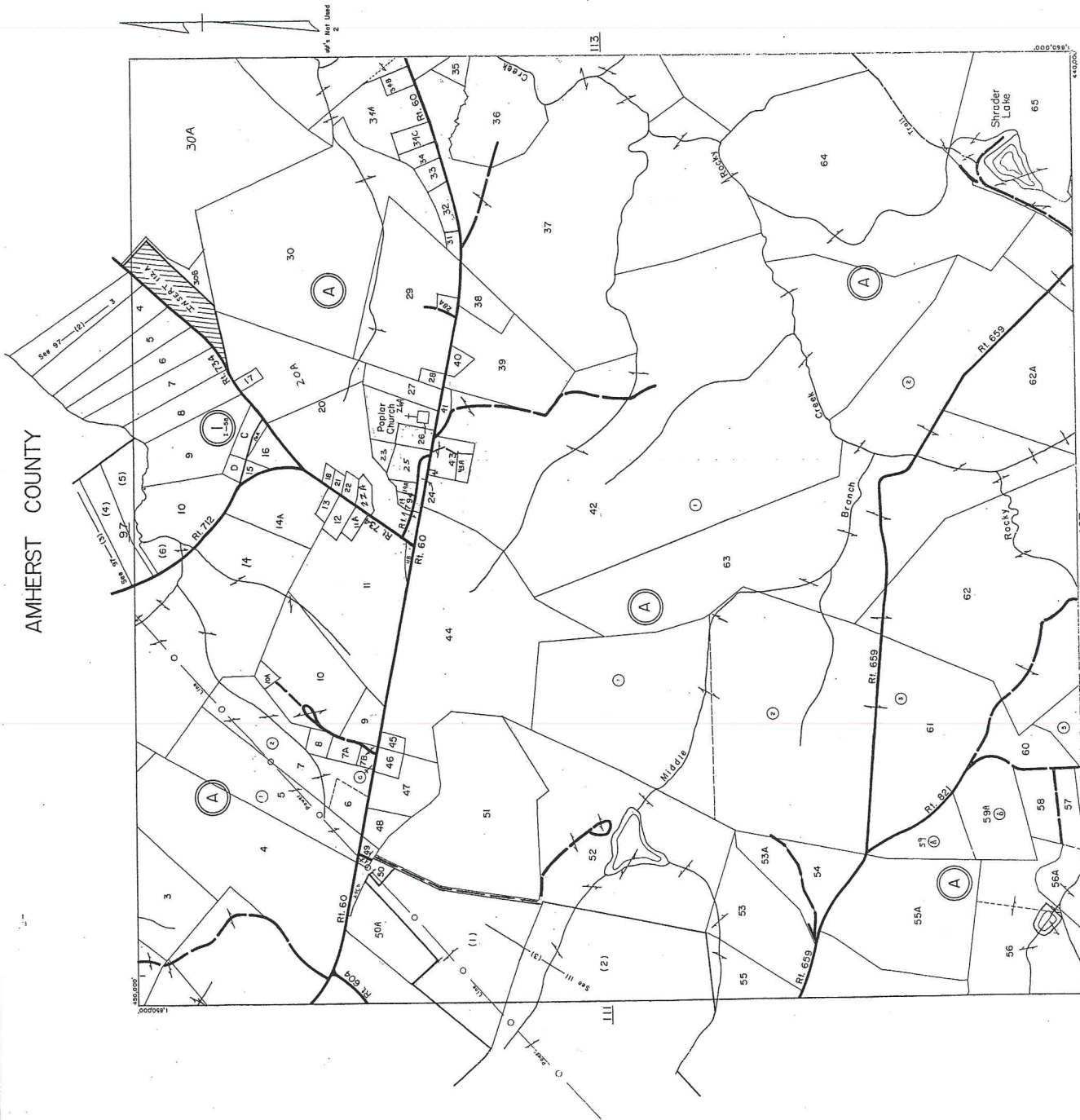
This subdivision requires official review by:

Virginia Department of Transportation (VDOT) _____ N/A _____
 Amherst County Health Dept. (VDH) _____ N/A _____
 Amherst County Public Service Authority (ACSA) _____ N/A _____
 Amherst County Erosion & Sediment Control Administrator _____ N/A _____

*******DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY*******

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY			
DATE SUBMITTED: _____		INITIAL _____	
SUBDIVISION REVIEW REQUIRED:		PC REVIEW	ADMINISTRATIVE
TOTAL FEE (For submission of preliminary plat): _____		DATE PAID: _____	
Are the lots in compliance with the zoning district requirements for minimum lot width and area? _____			
Is any portion of the proposed subdivision located within 1,000 feet of a public water/sewer line? _____			
DATE OF DRC MEETING: _____		REVISED? YES NO	DATE: _____
PLANNING COMMISSION ACTION:		APPROVED	DENIED MODIFICATIONS/CONDITIONS
DATE: _____			
COMMENTS _____ _____ _____ _____			
PRELIMINARY PLAT APPROVED/DENIED BY SUBDIVISION AGENT OR PLANNING COMMISSION:			
_____ SIGNATURE		_____ DATE	

AMHERST COUNTY



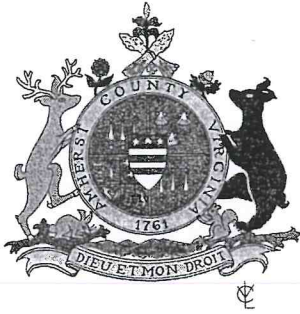
SECTION 112

COURTHOUSE DISTRICT



REVISED: 12/31/88

PROPERTY: S.A. SMITH - VIRGINIA DEPT. OF TAXATION



Amherst County
Planning & Zoning Department

P.O. Box 390, Amherst, Virginia 24521
Phone: 434-946-9303 Fax: 434-946-9370
www.countyofamherst.com

April 7, 2011

DRC Meeting – Shrader Lake Estates Subdivision

The following comments need to be addressed regarding planning and zoning:

1. Per Sections 1203.02.3 and 1204.02.7, please have the owner(s) sign and notarize the owner's consent statement.
2. Per Sections 1203.02.11 and 1204.02.3, please provide the building setback lines for all parcels within the subdivided parent parcel.
3. Per Section 1203.02.18, if the residue lot is not to be served by an on-site private sewage treatment system and/or well (as currently shown), please provide the following note: "The approval of this residue lot by the County of Amherst does not certify or guarantee the owner or purchaser the presence of adequate soils to support an on-site wastewater treatment system for any development as no demonstration has been made by the developer/subdivider of the same".
4. Per Section 1203.02.20, please provide the following note (since you are creating new drainfields): "All newly created lots shall have another on-site wastewater system area reserved for use in the event of failure of the initial on-site wastewater system. The reserve on-site wastewater system area shall be sufficient to accommodate a minimum of one hundred (100) percent of the capacity of the initial on-site wastewater system". In addition, please add the following note: "The Virginia Department of Health advises that septic tanks be pumped every three (3) to five (5) years to maximize the life of the on-site wastewater system area".
5. Per Section 1204.03.5, a performance bond will be required for the installation of all required improvements; mainly being a road that will be located within the designated fifty (50) foot right-of-way. Please note that if the project requires an Erosion and Sediment Control Plan for more than 10,000 sq. ft. of land disturbance that an additional bond may be required. Please provide a certified estimate of the cost of proposed improvements. Also, the road plans (to be submitted) must detail the square footage of proposed land disturbance.
6. Per Section 1301.2, if the subdivision is to be formally named, the Planning Commission must approve the formal name.
7. Please designate if the proposed road is to be private or will be petitioned into the State's highway system. Per Section 1301.07.2, a private road may be constructed that does not meet VDOT standards if the road serves no more than 5 lots which are all more than 10 acres in size. A homeowners' association agreement must be established to maintain the road, and must be submitted as part of the subdivision plat approval process.

**Shrader Lake Estates – William Wallace Subdivision
DRC Meeting Comments – 4/12/2011**

Lots 1 has road frontage along State Route 659 and can be served directly by means of a private entrance from Route 659. This entrance would require the acquisition of a VDOT Land Use Permit.

Private road shown running through the residue parcel and along the property line between the residue parcel and Lot 4 will provide access for Lot 4 and the residue parcel to State Route 659. If this road is intended to function as a private entrance and serve no more than two residential dwellings, then the private road will need to be terminated prior to the property line of lots 2 and 3. If the private road is intended to serve as a means of access for lot 3 to State Route 659, then its connection to Route 659 will need to conform to the commercial entrance standards outline in Appendix F of the VDOT Road Design Manual as well sight distance requirements. This information will need to be provided to VDOT for review. This road's connection to Route 659 will require a VDOT Land Use Permit.

Lot 2 has frontage along existing Private Road – Larkin Mt. Road – and will not require a VDOT Land Use Permit for a private entrance. Larkin Mt. Road provides this lot with access to Route 659.

Lot 3 does not appear to have access off of Larkin Mt. Road or have direct access off of Route 659. If Lot 3 is to be served by the private road that runs along the property line for Lot 4 and the residue parcel then that road's connection to Route 659 will need to be built to commercial entrance standards.

This plat will need to have the following note added to it:

The maintenance of this private road is the responsibility of the property owners or other designated party, and is not the responsibility of the Virginia Department of Transportation (VDOT). Any future request for the road to become part of the VDOT secondary road system is subject to the prevailing VDOT requirements for acceptance and is done so at no cost to VDOT.

Jeremy S Bryant/Amherst
04/12/2011 11:05 AM

To jcadams@aep.com
cc Stacey G Stinnett/Amherst@Amherst
bcc
Subject Re: Fw: no comments from ApCo 

Jim,
Stacey's e-mail address is: sgstinnett@countyofamherst.com

Jeremy S. Bryant, Director
Amherst County Planning/Zoning Department
P.O. Box 390
Amherst, VA 24521
434-946-9418 - O
434-946-9370 - F

jcadams@aep.com



jcadams@aep.com
04/12/2011 08:37 AM

To jsbryant@CountyOfAmherst.com
cc
Subject Fw: no comments from ApCo

resent

I had planned to attend but was told I needed to be in another meeting.

Both the Leslie Peters and the William Wallace Subdivision have power adjacent to the property. Please encourage them to apply for servie 1 800 956 4237 so a Technitian will meet them in the field and discuss their plans. This is better done sooner rather than later.

I need Ms Stinnetts email address



glturner@amherstsheriff.org
03/30/2011 11:11 AM

To "Stacey Stinnett" <sgstinnett@countyofamherst.com>
cc
bcc
Subject DRC

Good morning,

I have reviewed the proposed plans for both Leslie Peters and William Wallace and haven't found anything of concern to our office.

Thanks you for forwarding the plans.

Greg

Lt GL Turner
Amherst County Sheriff's Office
PO Box 410
115 Taylor Street
Office (434) 946-9378
Fax (434) 946-9380

Please consider the environment before printing this email.

CONFIDENTIALITY NOTICE: The information in this e-mail and in any attachment may contain information that is legally privileged, law enforcement sensitive and not subject to Freedom of Information Disclosure. It is intended only for the attention and use of the named recipient. If you are not the intended recipient, you are not authorized to retain, disclose, copy or distribute the message and/or any of its attachments. If you received this e-mail in error, please notify sender at the Amherst County Sheriff's Office and delete this message. Thank you.



AMHERST COUNTY PUBLIC SAFETY

P.O. Box 140, 119 TAYLOR STREET, AMHERST, VIRGINIA 24521
EMERGENCY 911 ~ BUSINESS 434.946.9307 ~ FAX 434.946.9470 ~ COMMUNICATIONS 434-946-9300
GMRoakes@COUNTYOFAMHERST.COM

GARY M. ROAKES
DIRECTOR

DRC Meeting: William Wallace (Subdivision)

April 12, 2011

The Department of Public Safety has no comments regarding this project.

Sincerely,

Gary M. Roakes



AMHERST COUNTY SERVICE AUTHORITY

**P. O. BOX 100
MADISON HEIGHTS, VA 24572-0100**

**PHONE (434) 845-1605
FAX (434) 845-1613**

April 12, 2011

DRC COMMENTS

Subject: William Wallace Subd. (Shrader Lake Estates)

This development is outside of both the Designated Growth Areas and the Watershed Protection Districts. ACSA's only comment is that the "proposed drainfield" notations do not indicate the presence of a 100% reserve drainfield.

Sincerely,

Dan E. French
Director of Public Utilities



