

2018-016

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**APPLICATION FOR A ZONING PERMIT /  
SPECIAL EXCEPTION  
Amherst County, Virginia**

The undersigned applicant wishes to petition Amherst County for an amendment, supplement, or change in the district boundaries or zoning classification on the Official Zoning Map. Please refer to Section 1004 of the zoning ordinance regarding changes to the Official Zoning Map. Please call the Department of Planning and Zoning at 434-946-9303 if you have any questions regarding the County zoning map or zoning ordinance.

**Applicant / Property Owner Information**

Jamie H. and Joyce A Kirby  
Applicant Name

2532 Console Ave Norfolk Va 23518  
Applicant Address City/Town State Zip Code

757-335-2351 757-431-1007 jamiehk@cox.net  
Applicant phone number Applicant fax number Applicant E-Mail

You are the ☒ property owner; ( ) agent for the property owner.

If you are the agent for the property owner, do you have consent of the owner attached? Please circle one: Yes/No

Jamie H. and Joyce A Kirby  
Property Owner Name

2532 Console Ave Norfolk Va 23518  
Property Owner Mailing Address City/Town State Zip Code

757-335-2351 757-431-1007 jamiehk@cox.net  
Property owner telephone number Property owner fax number Property owner E-Mail

**Location of Property**

257 W. Highlands Dr Amherst, Va 24521 48-2-5  
Street Address Tax parcel ID number

**General Description of Property**

3 bedroom / 2 bath Log Home

**Current Use(s) of Property**

2nd Home

**Proposed Use(s) of Property**

Second Home and short term rental (Airbnb)

Total Acreage: 5.275

Check all categories that apply for the parcels requesting to be heard for special exception:

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

Comprehensive Plan Land Use Designation: Agriculture

**Current Zoning:**

(please circle one)

P-1 (A-1) R-1 R-2 R-3 V-1 B-2 M-1 FH Other \_\_\_\_\_

Requested Special Exception Code Section: 702.03.11

VDOT Review: Will the proposed development require Chapter 527 review? YES (NO)

**Petitioner Comments** (Continue on separate sheets if necessary.)

How will the proposed special exception affect adjacent property?

This should be minimal impact on adjacent properties.

W. Highlands Drive deadends with our driveway. Lot

4 has not been improved.

How will the proposed special exception affect the character of the district(s) surrounding the property?

no change

How is the use in harmony with the purpose and intent of the Zoning Ordinance?

It will continue to be used as a residential dwelling  
when it is rented.

How is the use in harmony with the uses permitted by right in the district?

The home will continue to be used as a residential dwelling  
when it is rented.

How will the use promote the public health, safety, and general welfare of the community?

This will promote the general welfare of Amherst County  
by contributing to tourism when the property is rented.  
It will bring customers to local business and increase  
general awareness of Amherst County.

Has the Planning Commission and/or Board of Supervisors heard a request for special exception of this property within twelve (12) months of the date of this application? Yes/No No

### Proffers and Conditions

List any conditions or proffers currently associated with this property.

none

### Expiration

Any zoning permit shall automatically expire twelve (12) months from the date of issuance if the persons, firm, or corporation to which the permit was issued has not clearly demonstrated that the permit is being exercised for the purpose for which it was issued, or if the work so authorized is suspended or discontinued for a period of twelve (12) months.

### Application fee and other requirements

A \$300.00 application fee must be paid to the County of Amherst upon submission of this application for the cost of advertising and for expenses of notifying the adjacent property owners and incidental to reviewing, publishing, and processing the application.

A survey plat of the property by a certified land surveyor must accompany this application. The scale must be 1"=100'.

### Zoning Permit

Has a zoning permit been filled out and attached with this application? Yes \_\_\_ No \_\_\_

### Signatures

The undersigned Applicant hereby affirms that all information contained herein is accurate to the best of his/her knowledge and confirms that he/she has read the Application and its Instructions and has paid all fees currently due and is aware of costs which may be assessed to Applicant related to this Application process. The undersigned Applicant (and Landowner, if applicable) also authorizes entry onto the subject property by the Zoning Administrator, Planning Director and/or Board of Zoning Appeals and/or Board of Supervisors during the normal discharge of their duties regarding the above Applicant.

Jamie H. Kirby 1/16/18  
Property Owner Signature Date

Jane A. Kirby 1/16/18  
Property Owner Signature Date



Agent Signature

Date

Agent Signature

Date

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

For use by the County of Amherst Department of Planning and Zoning

Case No. 2018-016

Actions Taken:

S. Bennett  
County Official Receiving Application

1/22/18  
Date

S. Bennett  
Public Hearing fee received by

1/22/18  
Date

Application returned for correction/additional information

Date

Amended application received by

Date

Public Hearing advertised in

Date(s)

Adjacent property owner(s) notified by mail

Date

Action by Planning Commission

Date

Action by Board of Supervisors

Date

Jamie H. + Joyce A Kirby

THE FOLLOWING DESCRIBED LAND (SEE TITLE BLOCK AND  
INVESTMENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED  
WITNESSES, IF ANY, THE STATEMENT SHALL BE SIGNED BY SUCH  
WITNESSES BEFORE AN OFFICER AUTHORIZED TO TAKE ACKNOWLEDGEMENT

M O. TUCKER, JR.

OF

GAY C. TUCKER

CITY / COUNTY OF

I, ROBERT R., JR. & LOUISE M. LACLAIR DB 1021 P. 173 (48-A-30) A NOTARY PUBLIC IN AND FOR THE CITY / COUNTY AND STATE OF MISSOURI DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS DAY OF 20

NOTARY PUBLIC

WESTVIEW PROPERTIES, INC./AGENT

TO WIT: STATE OF

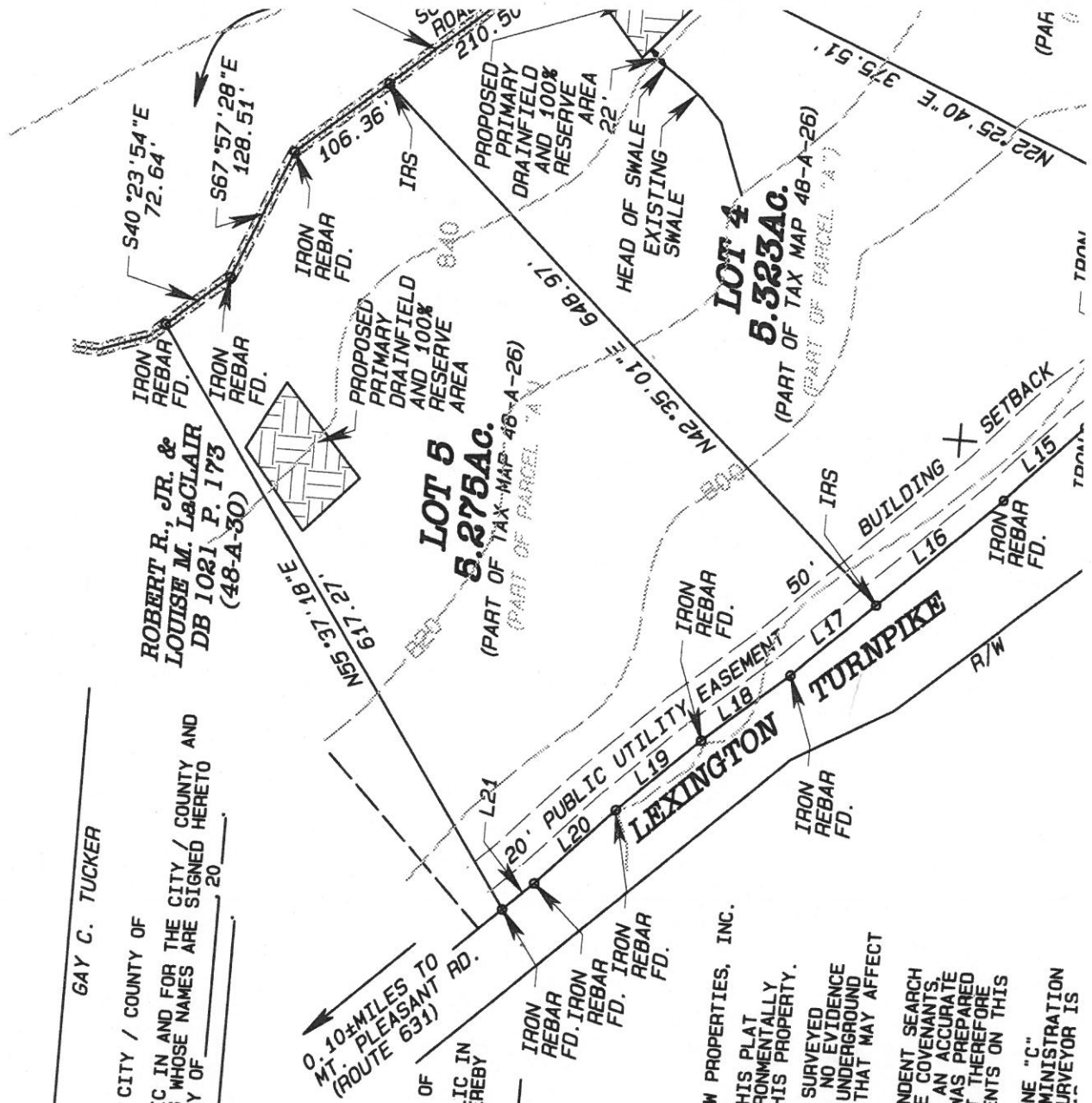
CITY / COUNTY OF

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NOTARY PUBLIC

NOTES:

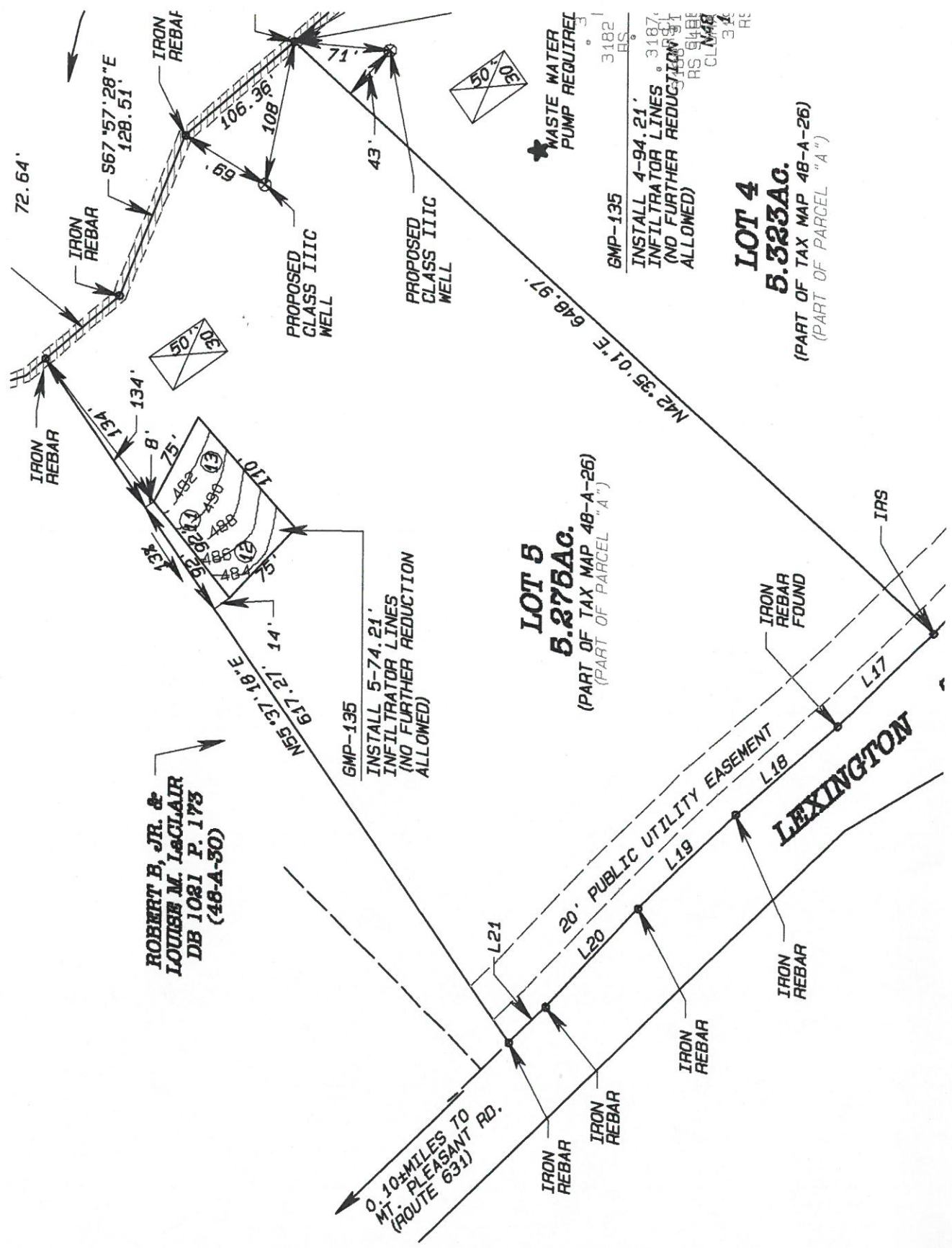
1. THIS PLAT WAS PREPARED AT THE REQUEST OF WESTVIEW PROPERTIES, INC.
2. NO DETERMINATION OF WETLANDS WAS MADE NOR DOES THIS PLAT ADDRESS THE EXISTENCE OR DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS IN OR AROUND THE BOUNDARIES OF THIS PROPERTY.
3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND THE USE OR DEVELOPMENT OF THIS PROPERTY.
4. THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OR CURRENT TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES OR IMPROVEMENTS ON THIS PROPERTY AS PLATTED FALLS WITHIN THE FLOOD ZONE "C" DETERMINED BY U.S.D.H.U.D. FEDERAL INSURANCE ADMINISTRATION SHOWN ON THEIR MAP. NO CERTIFICATION BY THIS SURVEYOR IS MADE TO THE ACCURACY OF THE FLOOD INSURANCE DATA.







Jamie +  
Joyce A Kirby



ROBERT B, JR. &  
LOUISE M. LACLAIR  
DB 1021 P. 173  
(48-A-30)

**LOT 5**  
**5.275Ac.**  
(PART OF TAX MAP 48-A-26)  
(PART OF PARCEL "A")

**LOT 4**  
**5.323Ac.**  
(PART OF TAX MAP 48-A-26)  
(PART OF PARCEL "A")

GMP-135  
INSTALL 4-94.21'  
INFILTRATOR LINES  
(NO FURTHER REDUCTION  
ALLOWED)

GMP-135  
INSTALL 5-74.21'  
INFILTRATOR LINES  
(NO FURTHER REDUCTION  
ALLOWED)