

Notice of Public Hearing of the Amherst County Planning Commission

The Amherst County Planning Commission will conduct a public hearing during its regular meeting on Thursday, March 21, 2019 at 7:00 P.M., or as soon thereafter as may be heard, in the Amherst County Administration Building, 153 Washington Street, Amherst, Virginia, 24521, to consider the following request(s):

SPECIAL EXCEPTION REQUEST NO. 2019-033

Request by J. David McCormack for a special exception use in the R-3 Multi-Family Residential District. The purpose of the special exception is to increase the density to forty (40) multi-family residential units at 123 Phelps Road (former Seminole Elementary School). Currently, the maximum density allowed is twenty-nine (29) units for a by-right use. The Amherst County Comprehensive Plan Future Land Use designation is High Density Residential. The property is identified as tax map number 155D-A-44.

SPECIAL EXCEPTION REQUEST NO. 2019-081

Request by Maple Spring Farm B&B LLC., for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow for a short-term tourist rental of a dwelling. The property is located at 683 Maple Run Road and further identified as tax map number 40-A-37.

The proposed packet is available for review Monday through Friday from 8:30 A.M. to 5:00 P.M. in the Office of the County Administrator at the above address.

Accommodations for disabled persons may be made with the Office of the County Administrator by calling 434-946-9400 or at least five (5) days prior to the hearing date.

Jeremy S. Bryant
Director of Community Development

3/21 PC
mk

2019-033



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

J. David McCormack

Applicant Name

230 E. Bank Street

Petersburg

VA

23803

Applicant Address

City/Town

State

Zip Code

804-677-5728

dave@waukeshaw.com

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

COUNTY OF AMHERST VA

Property Owner Name

PO 390

AMHERST VA

24521

Property Owner Mailing Address

City/Town

State

Zip Code

434-946-9400

dcrodgers@countyofamherst.com

Property owner telephone number

Property owner fax number

Property owner E-Mail

Location of Property

123 Phelps Road, Madison Heights, VA 24527

155D A 44X

Street Address

Tax parcel ID number

General Description of Property

The property comprises approx. 3 acres. The former Seminole Elementary School campus is located on the property, including several building sections in varying degrees of blight.

Current Use(s) of Property

The buildings on the property are not in use and have sat vacant for nearly 30 years.

Proposed Use(s) of Property

Multi-family residential dwelling with forty (40) units, a higher density that is currently permitted by-right in the district.

Total Acreage: 2.82

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: High Density Residential

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: NA

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?

The redevelopment of this property will have a positive impact on the adjacent properties in several ways. The school buildings will no longer be blighted and will be much more visually pleasing to the community. It will also result in a decrease of crime rates in the neighborhood, as the vacant building has been a target for crime. The former use of the building as a school already had a high volume of vehicular activity associated with it, and this use will not increase that level of activity.

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

The character of the district will be positively impacted as the exterior of the building will be enhanced to preserve its historic elements and it will no longer be a blighted property. The redevelopment of the school will bring vitality to the community while preserving its character as an historic, residential district by providing additional, desirable housing options to the Madison Heights area.

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

The use of the property for multi-family housing with additional density is in complete harmony with the intent of the Zoning Ordinance. It maintains and improves the historic characteristics of the community and puts the building into a current, permitted use in the district. It will also stabilize a property that has long been a target for crime and has been in deep disrepair. Finally, the building already has the appropriate public infrastructure access in the form of water and sewer services as the building's original use as a school was built to accommodate a larger population with higher water/wastewater demands.

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

The use is in harmony with the permitted uses in the district as multi-family housing is a permitted use in the district. We are seeking the higher density allowance to enable the property to be redeveloped in the most efficient and financeable way.

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

The use of multi-family housing will promote public health and safety as the building and grounds will receive the necessary remediation to eliminate hazardous materials from the site as part of the redevelopment process. Additionally, the property will be put back into use and maintained, reducing the risk of crime both at the property and in the neighborhood. The community will benefit from having the building no longer be a blighted property in the neighborhood, by seeing an increase in property values, and by having a new housing option in the community.

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

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

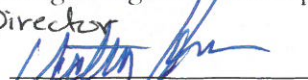
Has a zoning permit been filled out and attached with this application? Yes ___ No **X**

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.


Property Owner Signature

EDA - Assistant Director
1/16/19
Date


Property Owner Signature

3-1-19
Date

Applicant

1/15/18
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. 2019-033

Actions Taken:

J Bryant
County Official Receiving Application

1/16/19
Date

J Bryant
Public Hearing fee received by

1/16/19
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

Special Exception Permit Application Addendum
123 Phelps Road, Madison Heights, VA

Waukeshaw Development Inc. is seeking a Special Exception Permit from Amherst County, VA for additional density in the R-3 district. As stated in the County's Zoning Ordinance, the goal of the R-3 district is "to maximize the use of available public sewer and water and roads by allowing dense developments," (Section 705). By redeveloping the former Seminole Elementary School into higher-density multi-family housing, Waukeshaw will be maximizing public roads, water and sewer services available at the property.

Additionally, this proposed redevelopment will add a significant property to the County's tax rolls, enhancing the existing tax base. Waukeshaw will be employing historic tax credits to preserve the historic character of the building, while bringing life to the former school and providing a new desirable housing option to the community.

Finally, the redevelopment of this former school will remove blight from the Madison Heights community and reduce crime by repurposing what has been an abandoned, deteriorating building. This is expected to have a positive impact both on the character of the neighborhood and on property values throughout the neighborhood.

ZONING PUBLIC NOTIFICATION

Case: 2019-033

Board/Commission: Planning Commission
Board of Supervisors

Public Hearing Dates: **March 21, 2019 - Planning Commission**
April 16, 2019- Board of Supervisors

Applicant: J David McCormack
230 E Bank Street
Petersburg VVA 23803

Property Owner
County of Amherst
PO Box 390
Amherst, VA 24521

Tax Map Number: 155D-A-44

Adjoining Property Owners:		
Tax Map # 155D-A-44A	Tax Map # 155D-A-51	Tax Map # 155D-6-D
Amherst County	Pamela Parrish	Johnny Waters
Dean Rogers or David Proffitt	136 Center Street	122 Phelps Rd
POB 390	Madison Heights, VA, 24572	Madison Heights, VA 24572
Amherst, VA 24521		
	Tax Map # 155D-A-45	Tax Map # 155D-6-B
Tax Map # 155-D-A-54	Verna & William Layne	Ricky Lee Jr. Gammon
Yvonne Lewis	114 Williams Rd	112 Phelps Rd
398 Hilltop Dr.	Madison Heights, VA 24572	Madison Heights, VA 24572
Madison Heights, VA 24572		
	Tax Map # 155D-6-F	Tax Map # 155D-6-A
Tax Map # 155D-A-53	George Jr Huffman	Wahoo Properties LLC
Christine & Timothy Rowe	138 Phelps Rd	1311 Valley Vista Ln
148 Center Street	Madison Heights, VA 24572	Forest, VA 24551
Madison Heights, VA 24572		
	Tax Map # 155D-6-E	Tax Map # 155D-A-50
Tax Map # 155D-A-52	Juanita & Robert Harlow	Amherst County Service Authority
Rebecca Hall	132 Phelps Rd	POB 100
138 Center St.	Madison Heights, VA, 24572	Madison Heights, VA 24572
Madison Heights, VA 24572		
	Tax Map # 155D-A-47	
Tax Map # 155D-6-G	Elaine Cash	
Merrill Burton	5089 S. Amherst Hwy	
148 Phelps Rd	Madison Heights, VA, 24572	
Madison Heights VA 24572		

COMMONWEALTH OF VIRGINIA)

COUNTY OF AMHERST) to wit:

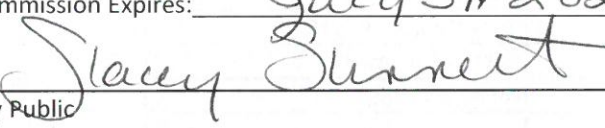
This day in the County of Amherst, Jeremy Bryant, Community Development Director, on behalf of Amherst County, Virginia, personally appeared before me, Stacey Stinnett, a Notary Public in and for the County aforesaid, in the Commonwealth of Virginia, and made oath that he is the agent for Amherst County, Virginia: and that he duly caused a public hearing before the Planning Commission on March 21, 2019 and the Board of Supervisors on April 16, 2019 to be advertised in a newspaper with general circulation in Amherst County, Virginia, the New Era Progress. The affiant has declared to me under penalty of perjury that the foregoing is true and correct and further the affiant declareth not.



Jeremy Bryant
Director of Community Development
March 4, 2019

This affidavit is subscribed and sworn before me this 4th day of March, 2019
by Stacey Stinnett, Planning & Zoning Administrative Assistant for Amherst County, Virginia, on
behalf of Amherst County, Virginia, who is personally known to me. In testimony whereof I have
set my hand on the day, month, and year aforesaid.

My Commission Expires: July 31, 2020



Notary Public

7211620

Registration Number

STACEY GODSEY STINNETT
NOTARY PUBLIC
REGISTRATION # 7211620
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
JULY 31, 2020

AMHERST COUNTY



- ACREAGE PARCELS
- RESUB OF LOTS 4,5,6,7,8,9 & 10 & PART OF 1,2,3,12,13,14
 - R 15 ROBIN WOOD PARK - P.B. G, Pg. 4
 - ROBIN WOOD PARK - P.B. D, Pg. 7
 - RESUB OF LOTS 28-39 ROBIN WOOD PARK - P.B. D, Pg. 207
 - RESUB OF LOTS 2 & 3, J.A. WEAVER PROP. - D.B. 255, Pg. 298
 - WELLS LOT SUBDIVISION -
 - G.L. WOODY SUBDIVISION - P.B. C, Pg. 187

