

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, April 20, 2017 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:

SPECIAL EXCEPTION REQUEST, NO. 2017-03

Request by Fran Paul for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow an educational facility, event venue and a short term tourist rental of a dwelling. The parcel is located at 1656 Thrashers Creek Road and is further identified as tax map number 26-A-10A.

The proposed case 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 (TTD) 434-946-9335 at least three (3) days prior to the hearing date.

Jeremy S. Bryant
Director of Planning/Zoning

SPECIAL EXCEPTION STAFF REPORT
APRIL 2017

ZONING REQUEST: 2017-03

PETITIONER: Fran Paul

OWNER: Matthew Komoroksi

REQUEST: Request by Fran Paul for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow an educational facility, event venue and a short term tourist rental of a dwelling.

LOCATION/ MAP NUMBER: 1656 Thrashers Creek Road / TM# 26-A-10A

SIZE: 24.76 acres

EXISTING LAND USE: Wooded / Dwelling

ZONING: A-1 Agricultural Residential District

SURROUNDING ZONING/LAND USES:

NORTH: A-1 – Vacant land / Single-Family Dwelling

SOUTH: A-1 – Vacant land / Single-Family Dwelling

EAST: A-1 – Vacant land / Single-Family Dwelling

WEST: A-1 – Vacant land / Single-Family Dwelling

LAND USE PLAN DESIGNATION: Agricultural Limited

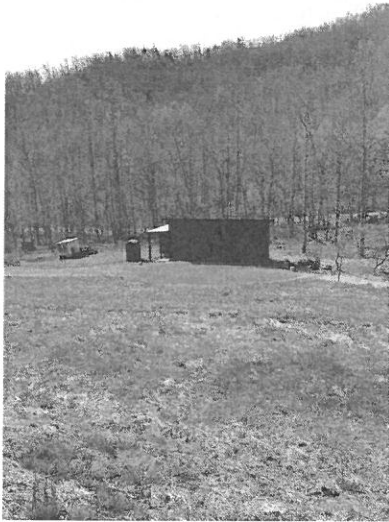
SEWER AND WATER CONDITIONS: Private water and private sewer.



*Proposed Short-Term Tourist Rental of a
Dwelling*



*Multi-Purpose Facility
(Dwelling/Classroom/Garage/Bathroom)*



Stage



Public Hearing Sign

ANALYSIS

Fran Paul has requested a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow an educational facility, event venue and a short term tourist rental of a dwelling. The applicant is requesting approval of three different and distinct uses that require the approval of multiple special exceptions. Staff recommends that the Planning Commission make separate motions for each of the three uses.

Currently, the property has a single-family dwelling that, according to the Commissioner of the Revenue was constructed in 1931. The dwelling is located approximately 100 feet from Thrashers Creek Road. The applicant applied for and was approved for a second dwelling with multiple uses in the structure. The applicant has also applied for multiple zoning permits for accessory structures. The parcel of land is approximately 24 acres with road frontage on Thrashers Creek Road, and Thrashers Creek runs parallel to the road. The owner of the property (Mathew Komoroski) owns an adjacent parcel that is approximately 57 acres in size and borders the George Washington National Forest.

HISTORICAL PERSPECTIVE – PLANNING/ZONING DEPARTMENT

In April of 2016, the Department of Planning and Zoning sent the owner a letter detailing a complaint concerning the number of structures on the property. It was noted that zoning permits had been approved for the location of current structures on the property and the property was found to be in general compliance in regards to zoning permits as they related to structures. It was also pointed out that terracing and grading of an area appeared to have taken place in order to use a potential amphitheater. The letter noted that as of April 2016, the permitted uses on the property were for two single-family dwellings and accessory structures serving those dwellings. The purpose of the letter was to inform the owner that additional permits were required for changes to uses or structures.

On October 12, 2016, the Department of Planning and Zoning sent the owner a NOTICE OF CORRECTION concerning camping that was occurring on the property without issuance of a zoning permit. According to the owner, the use of camping has ceased and shall cease unless a zoning permit is issued.

On October 26, 2016, the Department of Planning and Zoning sent the owner a NOTICE TO COMPLY for violations of Erosion and Sediment Control laws for activities of land disturbance. The owners of the property received a land disturbance permit on October 31, 2016 for land disturbance activities.

CONSIDERATION OF THREE SPECIAL EXCEPTION USES

The applicant is seeking approval for three separate special exception uses. Staff recommends that the Planning Commission handle these uses with three separate motions for consideration.

Special Exception Use #1: Educational Facility

The first special exception request is for the use of an educational facility. This facility was constructed as a single-family dwelling, garage, and has two bathrooms and two shower facilities. The remaining space on the top floor of the structure is proposed to be used as an educational facility. According to the applicant the educational facility:

"Would include instruction and education on a variety of subjects based on our natural world. Goals for students would include increased knowledge of the nature and its' processes, increased self-sufficiency, and the ability to manage a small farm or homestead while following ecologically-based principles of conservancy of nature and sustainability of production. Class size would be limited to a maximum of 2 classes per day of 20 students each. No excessive noise is expected to be generated by these classes."

Special Exception Use #2: Event Venue

The second special exception request is for the use of an event venue. The applicants have constructed an outdoor stage and a terraced seating area. According to the applicant:

"Special events would also be held at our stage and terraced seating area. These would be much less frequent in nature, as our current hope is to hold 10-12 concerts from May to September. These events would be less than 12 hours in duration, comprising of multiple artists performing live music. Actual starting and ending times are to be determined by Planning and Zoning through the Board of Supervisors and would be strictly enforced. It is only during these limited times that excessive noise could be produced by our operations."

"The planned maximum number of attendees would be 300 or less, to be limited by tickets sales. No one will be admitted to the venue without a ticket, except for venue personnel, official representatives of local or state government, or law enforcement."

Special Exception Use #3: Short-Term Tourist Rental of a Dwelling

The third special exception request is for the use of a yurt for a short-term tourist rental of a dwelling. Short-term rental of a dwelling requires a number of special approvals as referenced in Section 916 of the Zoning Ordinance. The special exception process could allow the approval for the use, but according to the Building Official the structure would need to be carefully reviewed to determine what would need to be done in order to meet the Virginia Statewide Building Code.

TRAFFIC IMPACT:

The property is addressed off of Thrashers Creek Road. Thrashers Creek Road is a Rural Collector and is a State maintained paved road.

According to the Virginia Department of Transportation (VDOT) the pavement width is approximately 16 feet, and a 2015 traffic volume of 140 vehicle trips per day. Also according to VDOT, events with 300 attendees may expect 120 vehicle trips (2.5 persons per vehicle), adding 240 round trips days of events.

LAND USE IMPACT/CONCERNS/NOTABLES

- The property has been approved for two-single family dwellings. The original dwelling was built in 1931; the second dwelling was permitted with a zoning permit in 2016.
- Special events will be held outdoors. The hillside opposite of the stage has been terraced for seating.
- The existing yurt does not currently meet the Virginia Statewide Building Code.
- Parking will be primarily located in a parallel manner alongside the road that is constructed within the parcel.
- The parcel is 24.76 acres in total size.
- The property is currently served by a private well an outhouse and an on-site sewerage system.
- The parcel is located within the primary drinking water supply district – Buffalo River Watershed.

REQUIREMENTS OF A SPECIAL EXCEPTION

- Will be harmonious with and in accordance with the general objectives, or with any specific objective of the county's comprehensive plan and/or this article;
- Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

- Will not be hazardous or disturbing to existing or future neighboring uses;
- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structure, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
- Will not create excessive additional requirements at public costs for public facilities and services and will not be detrimental to the economic welfare of the community;
- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odors, or water pollution;
- Will have vehicular approaches to the property which shall be so designed as not to create any interference with traffic on surrounding public streets or roads; and
- Will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance.

SPECIAL EXCEPTIOIN USE #1: EDUCATIONAL FACILITY
STAFF RECOMMENDATED CONDITIONS:

1. Transportation: Prior to the issuance of a zoning permit, the applicant shall contact the Virginia Department of Transportation to determine if the existing entrances are safe and adequate.
2. Drainfield: Prior to the issuance of a zoning permit, the applicant shall contact the Virginia Department of Health to determine if the drainfield is adequate for the proposed combined use.
3. Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
4. Number of Classes/Students: No more than 2 classes per day. No more than 20 students per class.

SPECIAL EXCEPTIOIN USE #2: EVENT VENUE
STAFF RECOMMENDATED CONDITIONS:

1. Transportation: Prior to the issuance of a zoning permit, the applicant shall contact the Virginia Department of Transportation to determine if the existing entrances are safe and adequate.
2. Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
3. Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.
4. Parking: A parking attendant shall be directing traffic with events greater than seventy-five (75) guests.
5. Parking: No parking alongside Thrashers Creek Road. All cars shall be parked on tax map parcel number 26-A-10A.

6. Noise: All noise shall be in compliance with Chapter 10, Article II of the noise ordinance.

No person shall cause or permit to be caused, operating or permitting the use or operation of any radio receiving set, musical instrument, television, phonograph or any other device for the production of sound between the hours of 11:00 p.m. and 7:00 a.m. of the following day, at a volume sufficient to be plainly audible in the dwelling unit or on the property of another, or through partitions common to two (2) or more residences within a building.

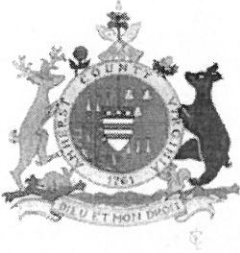
7. Hours of Operation: All events shall cease by 11:00 p.m.
8. Number of Guests: No more than 300 guests may be on the property at any time.
9. Sheriff's Department: The Amherst County Sheriff's Office shall be notified when events exceed 20 persons.
10. Security Requirement: At least two (2) security officers for the first one hundred (100) patrons, or portion thereof, shall be in attendance at any event. Thereafter, an additional security officer shall be provided for every additional one hundred (100) such patrons, or portion thereof. For purposes of this condition, a "security officer" shall be a deputy, peace officer, or special police officer, if such an off-duty assignment is permitted by such appointee's department, or a private security officer procured by the owner or operator, through a private security business licensed pursuant to the Code of Virginia (1950), as amended.

SPECIAL EXCEPTIOIN USE #3: SHORT TERM-TOURIST RENTAL OF A DWELLING

STAFF RECOMMENDATED CONDITIONS:

1. Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.
2. Short Term Tourist Rental: The applicant shall meet all requirements of Section 916 which regulates short-term tourist rental of dwellings.
3. Building: The structure shall meet the Virginia Statewide Building Code or any other applicable regulations as approved by the Building Official.

2017-03



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

Fran Paul

Applicant Name

1658 Thrashers' Creek Rd Amherst Virginia 24521
Applicant Address City/Town State Zip Code

434 381 0036 n/a Arcadiaretreat@gmail.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

Matthew Komoroski

Property Owner Name

1656 Thrashers' Creek Rd Amherst Virginia 24521
Property Owner Mailing Address City/Town State Zip Code

434 381 0036 n/a arcadiaretreat@gmail.com
Property owner telephone number Property owner fax number Property owner E-Mail

Location of Property

1658 Thrashers' Creek Rd 26-A-10A
Street Address Tax parcel ID number

General Description of Property

Sloping Hillside

Current Use(s) of Property

Single-Family Residential

Proposed Use(s) of Property

Education Facility with Event Venue AND SHORT TERM TOURIST USE
RENTAL OF A DWELLING PZ
4-4-11

Total Acreage: 24.76+/-

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

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

Comprehensive Plan Land Use Designation: A-1 Agricultural

Current Zoning:

(please circle one)

P-1 XA-1X R-1 R-2 R-3 V-1 B-2 M-1 FH Other _____

Requested Special Exception Code Section: 702.03

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

Petitioner Comments (Continue on separate sheets if necessary.)

How will the proposed special exception affect adjacent property?

Expected effects to adjoining properties will be minimal.

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

Expected effect to the character of the district will be minimal due to the small footprint
of our facility, limited scope and hours of operation, and a policy of transparency
and open communication between all parties affected by our facility or operations.

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

While our intended uses do not fall specifically within the stated purpose and intent
of the Zoning Ordinance for A-1 Agricultural, they do fall within the first two categories
of recognized Special Exemption uses as outlined in section 702.03.

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

Our facility would promote agriculturally-based learning principles, developed on a philosophy

of self-sufficiency, sustainability, and environmental awareness. We will also develop
partnerships with local farms, vineyards, etc to encourage agri-tourism within the county.

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

The facility would promote lifelong learning among it's students, promote ecologically
responsible living, and provide an outdoor venue for enjoyment of live music and stage
performances.

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** X

Proffers and Conditions

List any conditions or proffers currently associated with this property.

n/a

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 X 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.

M.C. 3-24-2017
Property Owner Signature Date

Property Owner Signature Date

Chen Fan
Agent Signature

03/24/2017
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. 2017-03

Actions Taken:

S. Sinner / G. Bryant
County Official Receiving Application

3/24/17
Date

S. Sinner
Public Hearing fee received by

3/24/17
Date

Application returned for correction/additional information

Date

Amended application received by

Date

New Era Progress
Public Hearing advertised in

Date(s)

Adjacent property owner(s) notified by mail

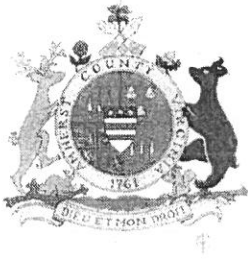
Date

Action by Planning Commission

Date

Action by Board of Supervisors

Date



Application for Zoning Permit Amherst County, Virginia

Section A (Please print in blue or black ink)

Permit No: _____

<u>Komoroski</u>	<u>Matthew</u>	<u>J</u>
Last (Name of Applicant)	First	MI
<u>1656 Thrashers' Creek Rd</u>	<u>Amherst</u>	<u>VA</u>
Mailing Address	City	State
<u>1658 Thrashers' Creek Rd</u>	<u>Amherst</u>	<u>VA</u>
Property Address	City	State
<u>4343810036</u>	<u>n/a</u>	<u>arcadiaretreat@gmail.com</u>
Telephone Number(s) Home	Business	E-Mail Address
<u>n/a</u>		
Last (Name of Property Owner, if different)	First	MI

Is the lot recorded? Yes ☒ No ☐
If yes, complete section B

Section B (Please fill out as completely as possible)

Date lot recorded (if applicable) <u>12/3/98</u>	Date lot surveyed (if applicable) _____
Name of subdivision _____	Tax Map # <u>26-A-10A</u>
Deed Book/Page No. _____	
Lot area: <u>25.67</u> acres.	
Lot width: _____ ft.	
The lot is served by (check all that applies):	Public water: _____
	Private well: <u>X</u>
	Public sewer: _____
	Septic system: <u>X</u>
Are the water and sewage systems adequate for the proposed use?	YES NOX
Is the lot a corner lot? YES NOX	
Does the lot have frontage on more than one street (i.e. double frontage)?	YES NOX
Does the owner of the property own any adjacent lots? <u>no</u>	
(If so, please include the locations and dimensions of adjacent lots on attached sketch)	
Is the parcel of land located in a flood district? YES NOX	If so, what flood district? _____
Is the parcel of land located in a dam inundation zone? YES NOX	If so, what zone? _____
The erection, modification, replacement of a sign or sign structure requires approval of a sign permit.	

Directions to project site (from Amherst County Administration Building):

West on 60 to Mt. Pleasant Rd, turn right. Follow Mt. Pleasant to Thrashers' Creek, bear left. Follow Thrashers' Creek to 1658, on right, 1/4 mile from end of road.

Section C (Please fill in the blanks where applicable)

For construction of a new building (including accessory buildings and building additions):

Type of building: n/a Existing floor area: n/a sq. ft.
Proposed floor area: n/a sq. ft. Number of dwelling units proposed: n/a

DATE _____

Description of Planned Activities at 1658 Thrashers' Creek Rd Amherst, VA

STATEMENT OF PURPOSE:

We are planning to open and operate a nature-based, outdoor education facility with an event venue on our property at 1658 Thrashers' Creek Rd in western Amherst County.

NOTE: The address of 1658 was recently "pinned" by the Dept of Public Safety as the address of our "new" building. Any prior applications may be listed under 1656, which is on the same lot as the "new" address of 1658. I include this only to avoid any confusion as to the address listed on any former applications or references to this venue.

DESCRIPTION OF OPERATIONS:

Daily activities of the education center would include instruction and education on a variety of subjects based on our natural world. Goals for students would include increased knowledge of the nature and its' processes, increased self-sufficiency, and the ability to manage a small farm or homestead while following ecologically-based principles of conservancy of nature and sustainability of production.

Class size would be limited to a maximum of 2 classes per day of 20 students each. No excessive noise is expected to be generated by these classes.

SPECIAL EVENTS:

Special Events would also be held at our stage and terraced seating area. These would be much less frequent in nature, as our current hope is to hold 10-12 concerts from May to September. These events would be less than 12 hours in duration, comprising of multiple artists performing live music. Actual starting and ending times are to be determined by Planning and Zoning through the Board of Supervisors and would be strictly enforced. It is only during these limited times that excessive noise could be produced by our operations.

PLANNED MAXIMUMS:

The planned maximum number of attendees would be 300 or less, to be limited by tickets sales. No one will be admitted to the venue without a ticket, except for venue personnel, official representatives of local or state government, or law enforcement.

FOOD/ALCOHOL:

No alcohol or food vending is planned at this time. However, a "BYOB" policy will be in

effect for those who choose to personally ingest alcohol during our events. We will offer an overnight camping option to those who choose to ingest alcohol, as an attempt to limit drunk driving by those who attend our Special Events.

SECURITY CONCERNS:

Private security will be in place to discourage alcohol misuse, public intoxication, or any other violations of Virginia law. Any violations will be reported to the Amherst County Sheriffs Office promptly for resolution. (Changes could be made to this part of the plan pending input from the Sheriffs' Office)

OUTDOOR LIGHTING: No purpose-built outdoor lighting (ie: Stadium lighting, mobile lighting units, etc) are planned for use at the venue, either during normal operations or during Special Events. Stage Lighting will be used, but it will be positioned to only shine on the stage itself or on the ground immediately in front of the stage (20' radius), and should not pose any danger of illuminating adjacent properties or causing disturbance to neighbors. Stage lighting is only to be used during Special Events, and will be disconnected from power at all other times. Contour and safety lighting for Special Events will consist of readily-available "solar garden path lights" and/or "Tiki Torches" to illuminate the edges of the Terraced Seating Area, pathways, and other areas where needed. These lights will be collected and stored within 24 hours after the Special Event has ended, and have no use during normal operations of the education center.

NOISE CONCERNS: During Special Events, we expect to generate a certain amount of noise. We intend to fully and voluntarily comply with any restrictions placed by the Board of Supervisors or any other governmental body in order to limit or eliminate the generation of excessive noise. Quiet hours will be strictly enforced by venue personnel, and violators will be asked to leave the property.

PARKING: Parking will be conducted on our property as possible. We are in the process of conducting a parking survey for the property. We are working under the assumption that we will need 75 parking spaces for our expected maximum of 300 guests. We are also assuming a 9' x 18' standard for each parking space. I will update you all when I have finished my Parking Survey as to the number of spaces available on our property.

WATERSHED CONSIDERATIONS: We recognize and enthusiastically accept our role as "Water Keepers" for our small stretch of the South Fork of Thrashers' Creek. It is with that responsibility in mind that we will strive to maintain all necessary vegetative buffers, "no-mow" areas, and any other conservancy measures necessary to maintain or improve the basin of the South Fork in its' ability to support the species native to it.

SUMMARY: Our plans couldn't be more varied, and we planned it that way. Yes, we

would like to host a few evenings of loud music to give people the opportunity to get out of the house on a Saturday night. But on the other hand, we would also like the opportunity to grow a school where anyone can come add to their knowledge base, learning things as simple as gardening basics or as complex as adding wireless internet across multiple buildings on their property.

AMENDED - ZONING PUBLIC NOTIFICATION

Case: 2017-03

Board/Commission: Planning Commission
Board of Supervisors

Public Hearing Dates: April 20, 2017 - Planning Commission
May 16, 2017- Board of Supervisors

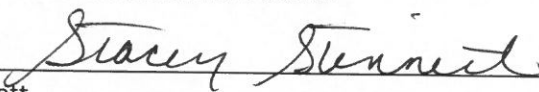
Applicant: Fran Paul
1658 Thrasher's Creek Rd
Amherst, VA 24521

Property Owner
Matthew Komoroski
1656 Thrasher's Creek Rd
Amherst, VA 24521

Tax Map Number: 26-A-10A

Adjoining Property Owners:		
Tax Map # 27-A-4A	Tax Map # 26-A-11	
Edward & Martha Brown	Janelle Thomas	
1630 Thrashers Creek Rd	2031 Echo CV	
Amherst, VA 24521	Virginia Beach, VA 23454	
Tax Map# 27-A-5	Tax Map # 26-A-12	
Robert & Deborah Beckel Walter	David & Nannie Martin	
POB 10904	1645 Trahshers Creek Rd	
Lynchburg, VA 24506	Amherst, VA 24521	
Tax Map# 26-A-10	Tax Map # 27-A-5A	
Matthew Komoroski	Michael & Deborah Ware	
1656 Thrashers Creek Rd	2553 River Rd	
Amherst, VA 24521	Madison Heights, VA 24572	
Tax Map# 26-A-7A		
Marion Maddox		
1824 Thrashers Creek Rd		
Amherst, VA 24521		

I hereby make affidavit that the notices of public hearing for this case as required by Section 15.2-2204 of the Code of Virginia, 1950, as amending, have been sent by first class mail to the last known address of the owners of abutting property as shown on the current real estate tax assessment books.


Stacey Stinnett (Signature)
Planning & Zoning Administrative Assistant (Title)
5-Apr-17

ZONING PUBLIC NOTIFICATION

Case: 2017-03

Board/Commission: Planning Commission
Board of Supervisors

Public Hearing Dates: April 20, 2017 - Planning Commission
May 16, 2017- Board of Supervisors

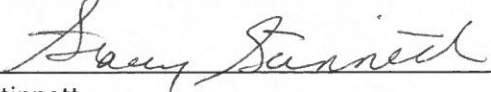
Applicant: Fran Paul
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Property Owner
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Stacey Stinnett
Planning & Zoning Administrative Assistant
31-Mar-17

(Signature)

(Title)

(Date)

AMHERST COUNTY TREASURER – PROPERTY TAXES FORM



Case #: 2017-03 Special exception

Case Request for: Iran Paul

Date Contacted Treasurer Department: 3-24-17

Caller: Stacey Dineen

Spoke with: Janey Coffey

Has Owner Paid All Property Taxes with Amherst County: YES ☐ NO ☒

If Not Please Include Comments: _____

owner name - Philip Komorski



COUNTY OF AMHERST FREEDOM OF INFORMATION ACT REQUEST

Date of Request: 3-28-2017 Name of Requestor Edward P Brown Jr

Address: 1630 Thrashers Creek City Amherst State VA Zip Code 24521

Phone #: 434-277-8470 Cell Phone #: _____ Email: _____

Please describe in detail the document(s) being requested: Planning + Zoning Applications and Permits, Building Permits + Applications, E + S control Documents

Request Documents for: _____ Inspection ✓ Copies copies of information Komoroski submitted Copies for Mail Delivery: _____
Address (If different than above): _____

**** If your document request is for inspection, an appointment must be made with the County Public Information Officer to view the documents during regular business hours.**

Signature of Requesting Party: Edward P Brown Jr

Unless otherwise noted, your request for public records will be complied within five business days after its receipt.
If documents are over 50 pages, there will be a charge of \$.05 per page thereafter.

For Office Use Only:

Delivered to Requestor by: Mail on _____ In Person on 3-28-17 Fax on _____ E-mail on _____

Or notified Requestor: for and extension on _____ or a Denial on _____

Request fulfilled by: _____



Re: Site Plan?

Jeremy S Bryant to: Fran Paul
Cc: Austin R Mitchell

03/17/2017 04:48 PM

From: Jeremy S Bryant/Amherst
To: Fran Paul <arcadiaretreat@gmail.com>
Cc: Austin R Mitchell/Amherst@Amherst

Philip,

I believe you got a good start on your sketch.

Although, staff, Planning Commission and the Board of Supervisors could ask for more detail, these are some comments that I have at this time.

1. How many entrances do you have that connects to Thrashers Creek Road? Have those entrances been approved by VDOT?
2. How many cars can be parked in the "parking" area?
3. Will you have any exterior lighting?
4. Where is the drainfield? What has the drainfield been approved for (capacity)?
5. How will you deal with noise to stay in compliance with the noise ordinance?
6. How many people do you anticipate at a normal event? At a large event?
7. Do you propose any other structures or uses?

Please let me know if you have any further questions.

Sincerely,

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

Fran Paul

Jeffery, Is this acceptable as a site plan?

03/16/2017 08:44:53 PM

From: Fran Paul <arcadiaretreat@gmail.com>
To: jsbryant@countyofamherst.com
Date: 03/16/2017 08:44 PM
Subject: Site Plan?

Jeffery,

Is this acceptable as a site plan?
(see attached)

If it is not, please list any additional information you all would like to be included.

Thank you

Philip Komoroski

--

Arcadia Sanctuary
1656 Thrashers Creek Road
Amherst
VA 24521
Tel 434 381 0036

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Re: Site Plan?
Fran Paul
to:
jsbryant
03/17/2017 09:17 PM
Hide Details
From: Fran Paul <arcadiaretreat@gmail.com>

To: jsbryant@countyofamherst.com

History: This message has been replied to and forwarded.

Jeremy,

- 1) We have one entrance to the property that will be used by the public, which I hopefully noted on the left hand side of the Site Plan. The other (lower right-hand side of site plan) will be designated for private use only and closed with a post-and-chain gate. Jeffery Kessler with VDOT has been contacted for review, and I emailed him a copy of my "site plan". Is this the Chapter 527 review that is mentioned in the Special Exemption Application? What does that entail?
- 2) If you can give me the specifications a standard parking space I can give you an estimated number of spaces after I measure and do the math. I figured VDOT would be my contact for parking questions but if you know what is expected, then I have a few questions for you.
- 3) Exterior Lighting: We do not have anything like pole-mounted wide area "stadium" lighting. We will, however, be using colored stage lighting inside the stage which could also reflect or "spill over" onto the lower 1/4 of the "Terraced Seating Area" as noted on the Site Plan. Other than that we will be using LED garden path lights and /or "Tiki Torches" to mark the contours of the terraced seating area and denote walking paths as

a safety consideration for guests. No lights will be pointed or aimed towards property lines or above the horizontal plane to prevent shining onto adjacent properties, and all stage lighting will be extinguished immediately upon the "ending time" specified by the Special Event Permit.

4) As per the drainfield: we would face considerable expense refitting our bathrooms up to handicapped-accessible, commercial grade units. Therefore: we propose to use Porta-potty type facilities with a contract for waste removal and disposal being the responsibility of the third party vendor. If this is unacceptable please let me know. Would we still need the drainfield approved if we are not opening our bathrooms to the public?

5) We would limit production of excessive noise to the dates and times listed on our Special Event Permit(s). During daily operation, our facility will not produce abnormal levels of noise outside of what is currently acceptable for the A-1 Agricultural district.

6) The maximum number of attendees would be 300 for Special Events. This projection is based on the maximum number of tickets to be made available. A daily average would be 40, based on 2 classes per day of 20 persons each.

7) Structures and Uses: No new structures are planned at this time. However, the building I have labeled as "class room" on the Site Plan was only recently inspected as a Residential building. It is our hope to eventually use it as a "class room", however changes may have to be made before it could be inspected as a Commercial building, particularly to the layout of the bathrooms in order to make them handicapped accessible. At the current time, we are unable to budget that expense. It was included on the site plan only as a "best case scenario" and to insure transparency on our part as to future plans. If you know of some means by which we could use our 450sqft meeting/class room occasionally *without* having to reinspect the entire building as Commercial, that would be a great help. I would really like to show you a floorplan sketch and explain what I am trying to describe here.

I noticed that most of these questions are also on the Parks and Rec Special Events Permit application. I will bring you a copy of that as well when I turn in my application for Zoning Special Exemption. I have contacted the Sheriff, Fire Marshal, and Dept of Public Safety for safety plans and letters of approval, and am awaiting their responses at this time. Any information you have that might speed up those processes would be greatly appreciated as well.

Also, (FYI) we have reached out to our neighbors along Thrashers' Creek Rd via US Mail,

requesting their attendance at a meeting this Saturday (3/18/17) from 2-4PM to discuss our plans and any concerns they may have. Therefore, I may have additions or changes to our plan if they are the result of compromises made during this meeting. We are delaying turning in our applications pending this neighborhood meeting.

This is the second time we have invited them to the property to discuss our plans. Hopefully they will take us up on the invitation this time, as no one attended our last gathering. We ended up eating crackers and cheese and drinking canned soda for a week afterward!

Thank you for the information and your time with us,

Philip Komoroski

On 17 March 2017 at 16:48, <jsbryant@countyofamherst.com> wrote:

Philip,

I believe you got a good start on your sketch.

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Please let me know if you have any further questions.

Sincerely,

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

From: Fran Paul <arcadiaretreat@gmail.com>

To: jsbryant@countyofamherst.com

Date: 03/16/2017 08:44 PM

Subject: Site Plan?

Jeffery,

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(see attached)

If it is not, please list any additional information you all would like to be included.

Thank you

Philip Komoroski

--

Arcadia Sanctuary
1656 Thrashers Creek Road
Amherst
VA 24521

Tel 434 381 0036

[attachment "Site Plan.png" deleted by Jeremy S Bryant/Amherst]

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Arcadia Sanctuary
1656 Thrashers Creek Road
Amherst
VA 24521

Tel 434 381 0036



Komoroski Thrasher's Creek (Rte. 617)SE Request - Educational Facility with Event Venue
Kessler, Jeffery B., P.E. (VDOT)

04/01/2017 05:32 PM

To:

jsbryant@CountyOfAmherst.com

Cc:

Fran Paul, "Austin Sr., Donald L. (VDOT)"

Hide Details

From: "Kessler, Jeffery B., P.E. (VDOT)" <JefferyB.Kessler@VDOT.Virginia.gov>

To: "jsbryant@CountyOfAmherst.com" <jsbryant@CountyOfAmherst.com>

Cc: Fran Paul <arcadiaretreat@gmail.com>, "Austin Sr., Donald L. (VDOT)"
<Don.Austin@VDOT.Virginia.gov>

1 Attachment



Komoroski.pdf

Jeremy,

Based on the proposed change in use, the existing entrance onto Thrasher's Creek Road (Route 617) will be required to meet the current VDOT standards for a commercial entrance. This includes geometric, sight distance requirements, and pavement design. As you are aware Route 617 located on hilly terrain with a pavement width of approximately 16 feet and a 2015 traffic volume of 140 vpd. Events with 300 attendees may expect 120 vehicles (2.5 per vehicle) adding 240 round trips more on event day.

Please notify me if you have any questions or need further assistance.

Sincerely,
Jeff

Jeffery B. Kessler, P.E.
Area Land Use Engineer
VDOT - Lynchburg

434.856.8293 sgstinnett@CountyOfAmherst.com

JefferyB.Kessler@VDOT.Virginia.gov

From: sgstinnett@CountyOfAmherst.com [<mailto:sgstinnett@CountyOfAmherst.com>]

Sent: Wednesday, March 29, 2017 12:04 PM

To: Kessler, Jeffery B., P.E. (VDOT)

Cc: jsbryant@CountyOfAmherst.com

Subject: Komoroski

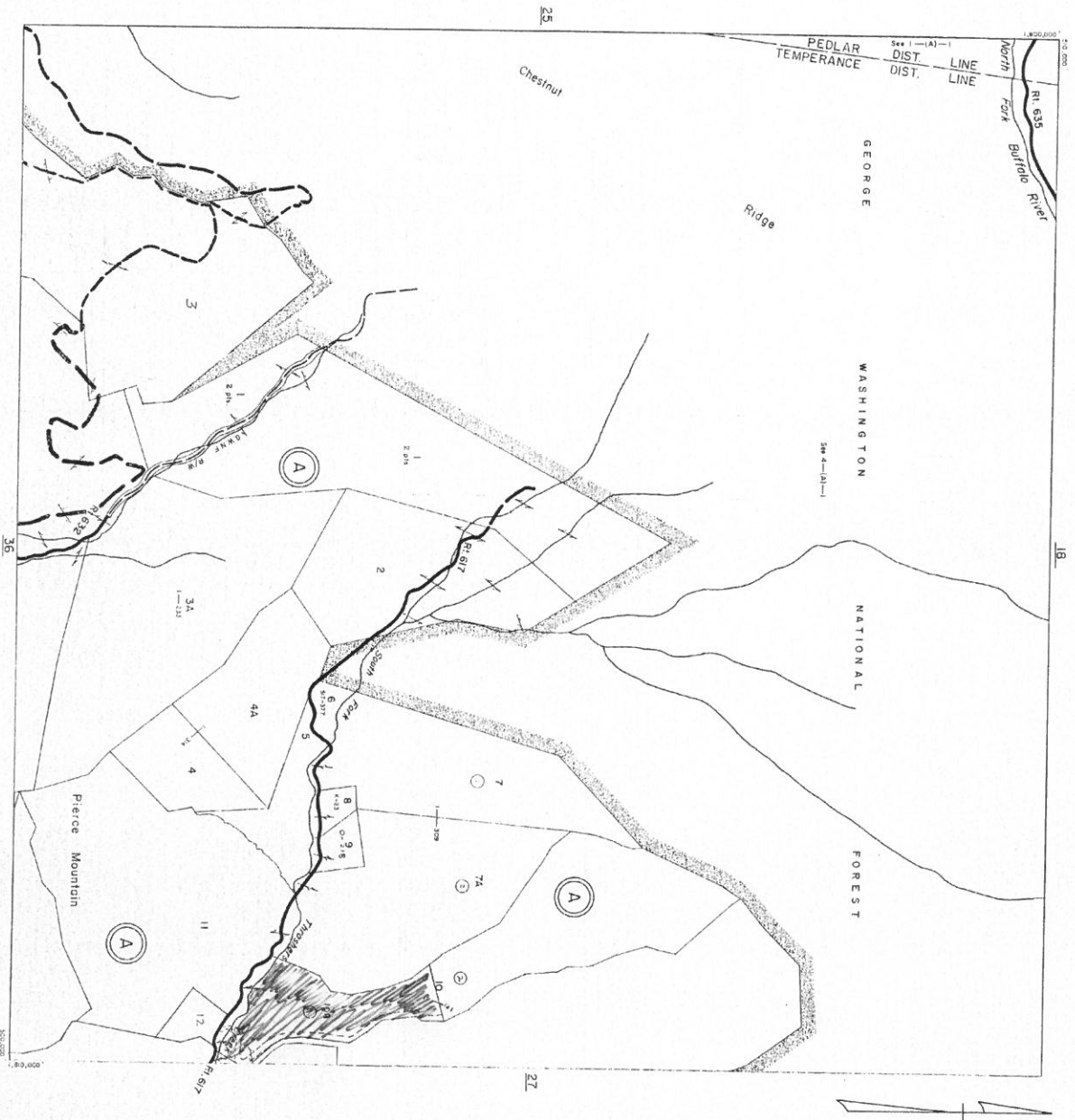
Mr. Kessler,

Attached is the Komoroski application for your review. If you have any questions please feel free to contact the office.

Sincerely,

Stacey G. Stinnett
Administrative Assistant
Planning & Zoning Dept.
P.O. Box 390
Amherst, VA 24521
Office: (434) 946-9303
Fax: (434) 946-9370
sgstinnett@countyofamherst.com

AMHERST COUNTY



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TEMPERANCE DISTRICT
PEDLAR

SECTION 26

AMHERST COUNTY, VIRGINIA

