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 19, 2018 at 7:00 P.M., or as soon thereafter as may be heard, in the consider the following request(s):

SPECIAL EXCEPTION REQUEST NO. 2018-065

Request by Shekinah Farm, LLC for a special exception request in the A-1 Agricultural Residential District. The purpose of the special exception is to allow a private aviation facility. The applicant wishes to allow medevac and law enforcement helicopters to safety land near their home. The property is located at 1551 Wares Gap Road and is further identified as tax map number 78-A-13.

SPECIAL EXCEPTION REQUEST NO. 2018-094

Request by Shenandoah Mobile, LLC for a special exception request in the A-1 Agricultural Residential District. The purpose of the special exception is to allow a personal wireless service facility to be constructed. The applicant wishes to construct and operate a 195-foot steel monopole telecommunications tower, with a 4' lightning rod extending to 199 feet, on a 49-acre parcel of land located on the south side of Richmond Highway (Route 60). The property is further identified as tax map number 112-A-44.

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 Planning and Zoning

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

Shekinah Farm, LLC			
1551 Wares Gap Road	Monroe	Virginia	24574
Applicant Address	City/Town	State	Zip Code
434/946-5331		ton	nfaughn@yahoo.com
Applicant phone number	Applicant fax numb	er App	olicant E-Mail
You are (X) property owner; () agent f If you are the agent for the property ow Please circle one: Yes/No Shekinah Farm, LLC		t of the owner a	ttached?
Property Owner Name			
1551 Wares Gap Road	Monroe	Virginia	24574
Property Owner Mailing address	City/Town	State	Zip Code
434/946-5331		tom	afaughn@yahoo.com
Property owner telephone number	Property owner fax i	number Pro	perty Owner E-Mail
Location of Property			
1551 Wares Gap Road		No.	78-A-13
Street Address		Tax	Parcel ID Number
General Description of Property			
Unfenced pasture.		· · · · · · · · · · · · · · · · · · ·	
Current Use(s) of Property			
Agricultural			

Proposed Use(s) of the Property

The rezoning of a fifty by fifty foot square space (or 250 square feet) of unfenced pasture for Shekinah Farm Heliport, which space has already been approved by the Federal Aviation Administration and by the Virginia Department of Aviation as a daytime VFR private use heliport.

Total Acreage: <u>0.005739</u>
Check all categories that apply for the parcels requesting to be heard for special exception: Public water Private wellsX Public sewer On-site septic systemsX Mass drainfield(s)
Comprehensive Plan Land Use Designation: Agriculture Current Zoning: (please circle one)
P-1 A-1 R-2 R-3 V-1 B-2 M-1 FH Other
Requested Special Exception Code Section: 702.03 #26
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 owners?
The proposed special exception will not affect adjacent property owners in any negative way.
How will the proposed special exception affect the character of the district(s) surrounding the property?
The proposed special exception will not in any way affect the character of the district(s) surrounding the property.
How is the use in harmony with the purpose and intent of the Zoning Ordinance?
To the extent that the proposed special exception will in no way diminish the purpose and intent of the Zoning Ordinance, this proposed special exception is in complete harmony with the Zoning Ordinance.
How is the use in harmony with the uses permitted by right in the district?
To the extent that the use proposed by this special exception does not conflict with the uses permitted by right in the district, the proposed special exception is in harmony with those uses.

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

The public health, safety, and general welfare of local residents will by enhanced by the existence of a nearby heliport, which will enable medevac and law enforcement helicopters to safely land near their homes.

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

Proffers and Conditions

List any conditions or proffers associated with this property.

Reference Case No. 2016-11

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 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.

Zoning Permit

Has a zoning permit been filled out and attached to this application? Yes _X_ No ____

Signatures

The undersigned Applicant hereby affirms that all of the 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 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.

President

Elizabeth H. Faughn, President

Shekinah Farm, LLC

Date

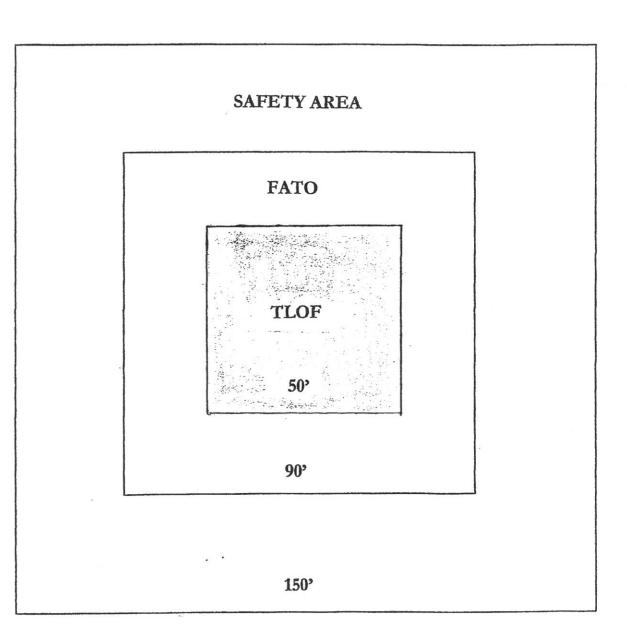
SHEKINAH FARM HELIPORT

(A Private Heliport) 1551 Wares Gap Road Monroe, VA 24574

Contact Information: Thomas M. "Tom" Faughn 434/946-5331 tomfaughn@yahoo.com

POWER LINE

Lat: 37-35-55.2N Long: 79-09-32.66W Elevation: ±875 feet Scale: 1 inch = 25 feet

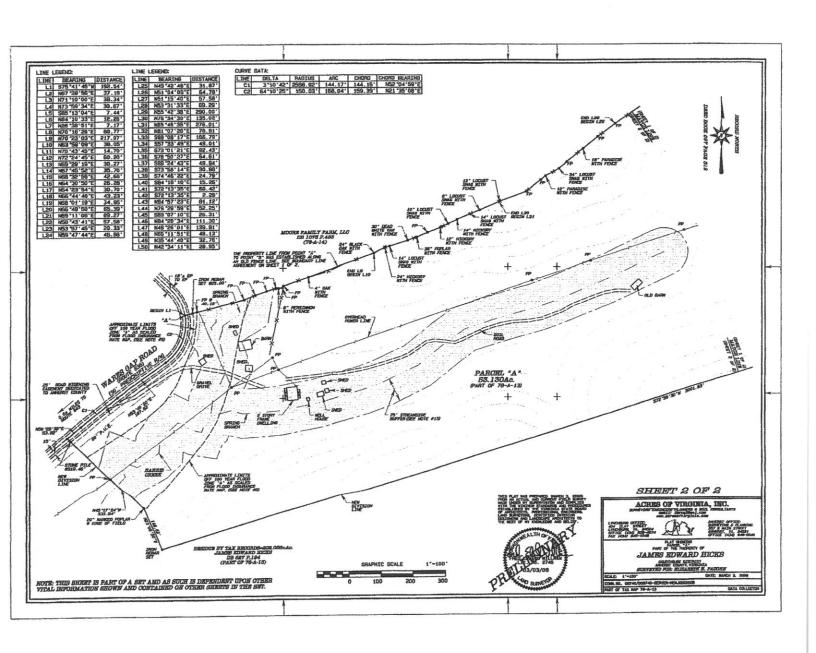


United States 77 Google, Map data ©2017 Google Imagery @20

FIGURE D. (NOT TO SCALE)

10/21/2017

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Federal Aviation Administration



December 13, 2017

TO: Shekinah Farm LLC 1551 Wares Gap Road Monroe, VA 24574 tomfaughn@yahoo.com

NOTICE OF HELIPORT AIRSPACE ANALYSIS DETERMINATION ESTABLISH PRIVATE USE HELIPORT **CONDITIONAL NO OBJECTION**

The Federal Aviation Administration(FAA) has conducted an aeronautical study under the provisions of Title 14 of the Code of Federal Regulations, Part 157, concerning:

RE: (See attached Table 1 for referenced case(s))

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN		Description	Location	Latitude (NAD83)	Longitude (NAD83)	Heliport Elevation (feet)
2017- AEA-2524- NRA		SHEKINAH FARM HELIPORT	Establish/Construct a new Heliport.	Lynchburg, VA	37-35-55.22N	79-09-32.66W	875

Our aeronautical study has determined that the private use heliport will not adversely affect the safe and efficient use of airspace by aircraft provided the following conditions are met and maintained. Reference FAA Advisory Circular (AC) 150/5390-2, Heliport Design (Current version).

Helipad is suitable for DAY/VFR operations only.

This determination does not mean FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of the navigable airspace by aircraft and with respect to the safety of persons and property on the ground. In making the determination, the FAA has considered matters such as the effect the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA) and known natural objects within the affected area would have on the heliport proposal.

The FAA cannot prevent the construction of structures near a heliport. The heliport environment can only be protected through such means as local zoning ordinances or acquisitions of property in fee title or aviation easements, letters of agreement, or other means. This determination in no way preempts or waives any ordinances, laws, or regulations of any government body or agency.

Please complete, sign, date, and return the enclosed Airport Master Record 5010 Form. Instructions for completing the form can be found online at https://www.faa.gov in AC 150/5200-35A, "Submitting the Airport Master Record in Order to Activate a New Airport". This action will ensure your heliport is activated.

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until 06/13/2019. Should the airport not be established and the Airport Master Record 5010-5 Form not returned by 06/13/2019, an extension of our determination should be requested in writing by 05/30/2019. Should you not elect to establish the airport, please notify the FAA in writing by 05/30/2019.

If you have any questions concerning this determination or completion of the Airport Master Record form, please contact me at diogenes.ramos@faa.gov or at (718) 553-3341.

Sincerely,

Diogenes Ramos

DivUser

Signature Control No: 348270740-351132192

Attachment: Airport Master Record 5010 Form

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION		AIRPORT MASTER RECORD		PRINT DATE: 12/13/2017 AFD EFF Form Approved OMB 2120-0015
1 ASSOC CITY: Lynchburg 2 AIRPORT NAME: SHEKINAH	FARM HELIPORT	4 STATE: VA	LOC ID: 5 COUNTY: Amb	FAA SITE NR: 0. nerst HT: CINCINNATI
3 CBD TO AIRPORT (NM): 16 N	I Thurs Albania	6 REGION/ADO: AEA/DCA	7 SECT AERO CI	
	ENERAL	SI	ERVICES	BASED AIRCRAFT
0 OWNERSHIP: 11 OWNER:	PR	70 FUEL:		90 SINGLE ENG: 91 MULTI ENG: 92 JET:
12 ADDRESS: 13 PHONE NR: 14 MANAGER: 15 ADDRESS:				TOTAL: 93 HELICOPTERS: 94 GLIDERS: 95 MILITARY: 96 ULTRA-LIGHT:
16 PHONE NR: 17 ATTENDANCE SCHEDULE: IONTHS DAYS HOURS		F/	CILITIES	
		> 80 ARPT BCN:		
18 AIRPORT USE:	Private 37-35-55.2200N	> 81 ARPT LGT SKEE > 82 UNICOM: 83 WIND INDICATOR	0.0	
19 ARPT LAT: 20 ARPT LONG:	79-09-32.6600W	84 SEGMENTED CIRC 85 CONTROL TWR:	NO NO	
21 ARPT ELEV: 22 ACREAGE:	875.0 0	86 FSS:	NO	
> 23 RIGHT TRAFFIC: 24 NON-COMM LANDING:		87 FSS ON ARPT: 88 FSS PHONE NR: 89 TOLL FREE NR:		
RUNWAY DATA > 30 RUNWAY IDENT: > 31 LENGTH: > 32 WIDTH: > 33 SURF TYPE-COND:	1 H S S S S S S S S S S S S S S S S S S)		
LIGHTING/APCH AIDS > 40 EDGE INTENSITY: > 42 RWY MARK TYPE-COND:				
OBSTRUCTION DATA 50 FAR 77 CATEGORY: 51 DISPLACED THR: 52 CTLG OBSTN: 53 OBSTN MARKED/LGTD: 54 HGT ABOVE RWY END: 55 DIST FROM RWY END:	1 1 1 1 1 1 1	·		
	1 1	*		
		EN CHANGES OCCUR TO ITEMS PR	ECEDED BY >	

113 DATE:

111 OWNER/MANAGER SIGNATURE



COMMONWEALTH OF VIRGINIA

Mark Flynn Director

Department of Aviation

5702 Gulfstream Road Richmond, Virginia 23250-2422 V/TDD - (804) 236-3624 FAX - (804) 236-3635

ISO 9001:2008 Certified IS-BAO Registered

January 16, 2018

To:

Mr. Thomas M. Faughn 1551 Wares Gap Road Monroe, VA 24574

From: Alton Jordan

Subject: Application to register private airport: "Shekinah Farm Heliport"

The Virginia Department of Aviation (DOAV) is in receipt of your request to register the subject heliport as a private-use facility in the Commonwealth of Virginia. In reviewing the provided Notice of Heliport Airspace Analysis Determination and other supporting documentation, DOAV concurs with the Federal Aviation Administration's (FAA) "No Objection" to suitable Day/VFR operations only at Shekinah Farm Heliport. Additionally, based on the criteria set forth by the FAA Advisory Circular 150/5390-2C: Heliport Design and *Virginia Administrative Code* 24VAC5-20-170, DOAV approves of a zoning regulation revision for the subject location at 1551 Wares Gap Road, Monroe, VA 24574.

Should you need additional information or have further questions, please feel free to contact me.

Sincerely,

Alton Jordan

Virginia Department of Aviation Security & Facilities Engineer



ZONING PUBLIC NOTIFICATION

Case: 2018-65

<u>Board/Commission:</u> Planning Commission

Board of Supervisors

Public Hearing Dates: April 19, 2018 - Planning Commission

May 17, 2018- Board of Supervisors

Applicant: Shekinah Farm, LLC Property Owner

1551 Wares Gap Rd Shekinah Farm LLC Monroe, VA 24574 1551 Wares Gap Rd

Monroe, VA 24574

Tax Map Number: 78-A-13

Adjoining Property Owners:		
Tax Map # 78-A-14	Tax Map# 93-A-11	
Moore Family Farm LLC	William Livingston	
15247 Northwood Cir	824 New Hampshire Ave	
Lynhcburg, VA 24503	Lynchburg, VA 24502	
Tax Map# 78-A-14A	Tax Map# 79-A-8A	
Ferd & Marilyn Kirshberger	Vance Wilkins	
1376 Wares Gap Rd	299 W. Monitor Rd	
Monroe, VA 24574	Amehrst, VA 24521	
Tax Map# 78-A-12A		
Thomas & Sylvia Woody		
1674 Wares Gap Rd		
Monroe, VA 24574		
Tax Map#78-A-13A		
Trustee James Hicks		
1829 Wisnesap Rd		
Madsion Heights, VA 24572		

I hereby make affidavit that the notices of public hearing for this case as required by Section 15.2-2204 of the <u>Code of Virginia</u>, 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 <u>assessment</u> books.

Stacey Stinnett

Planning & Zoning Administrative Assistant

March 30, 2018

(Signature)

(Title)

(Date)



Application for Zoning Permit Amherst County, Virginia

Section A (Please print in blue or bl	ack ink)	e ink) Permit No:		
Shekinah Farm, LLC				
Last (Name of Applicant)	First	***************************************	MI	
1551 Wares Gap Road	Monroe	VA	24574	
Mailing Address	City	State	Zip Code	
1551 Wares Gap Road	Monroe	VA	24574	
Property Address	City	State	Zip Code	
434/946-5331			tomfaughn@yahoo.com	
Telephone Number(s) Home	Business		E-Mail Address	
Faughn	Elizabeth		H.	
Last (Name of Property Owner, if di	fferent) First		MI	
Date lot recorded (if applicable) Name of subdivision Deed Book/Page No. Lot area: Lot width: The lot is served by (check all that application application of the lot a corner lot? YES Note the lot a corner lot? Does the lot have frontage on more tha	es): Public water: Private well: pate for the proposed u	.78-A	Public sewer: Sentic system:X YES NO	
Does the owner of the property own an (If so, please include the locations and dimension Is the parcel of land located in a flood of Is the parcel of land located in a dam in The erection, modification, replacement	y adjacent lots? NO ins of adjacent lots on attac istrict? YES NO undation zone? YES	hed sketch) If so, wi	hat flood district? If so, what zone?	
Directions to project site (from Amh	erst County Adminis	stration B	uilding):	
From Amherst ,follow Kenmore Roa	nd to Wares Gap Roa	ad to one	mile beyond Hicks Store.	
Section C (Please fill in the blanks w				
,		v building	gs and building additions):	
For construction of a new building Not Applicable.		v building	gs and building additions):	
For construction of a new building		27	gs and building additions): ng floor area: sq. ft.	

Number of stories:	Height of structure	(from finished	d grade):		_ ft.
Area of land disturban	ce: sq. ft. (Estimate the to	otal area of	all clearing, gra	ading,
excavating, transporting	ng, and filling activities on the s	ite. Include pr	oposed sep	tic drainfield a	reas.)
Will the driveway exit	on a private or public road? Pri	vate Road	Public Re	oad	
If the driveway exits o	n a public road, provide the VI	OOT entrance	permit nun	nber:	
Not Applicable. Current use: Provide details about temployees, etc. Attack Please see APPLIC attached.	Proposed uppe of business, machinery and a separate sheet, if necessary: CATION FOR A ZONING	sse:l equipment in	'SPECIAI		
	, survey plat, or sketch she primary building on any site will red			licansed trafession	nal)
	imensions and shape of parce				
	ng public and private streets.	(0) 00 50 50110	apon more	sumg the local	
	ocation and dimensions of exist	ing primary an	d accessory	buildings.	
The second secon	ocation and dimensions of propons/enlargements*	osed structure	s, accessory	buildings, or	
IV. Propo	sed front, rear, and side yard songs or additions.	et back lines fo	r all existing	g and proposed	d
	icable, applicants will need to show t	he location of (1)	existing publ	lic water and sew	er
facilities, inclu	ding the point of connection to those				
including prin	eary and reserve drainfield areas.				-
Applicant's Signati	ire		Marc	h 5,20	18
applicant s signati				Date	
corporation to which the pe	tonatically expire twelve (12) months rmit was issued has not clearly demon the work so authorized is suspended	strated that the p	ermit is being	exercised for the	purpose
	DO NOT WRITE IN THIS S	SPACE - OFFICE	E USE ONLY	•	
ZONING DISTRICT_	REQUIRED YARDS: F	RONTS	SIDE	_REAR	
CONFORMING:	LOT(S)	YES	NO		
	EXISTING BUILDING:	YES	NO		
	PROPOSED BUILDING:	YES YES	NO		
	EXISTING USE: PROPOSED USE:	YES	NO NO		
Is proposed development	located within the WS District?	_ Does the proje	ect require a L	DA permit?	_
COMMENTS					
					100-20-00000
ADDROVED/DENIED	RY ZONING ADMINISTRATOR				
APPROVED/DENIED	BY ZONING ADMINISTRATOR				

. . .

922. - Private aviation facilities.

922.01. Intent. The special provisions in this section are designed to allow for improved access to properties in rural areas of the county while minimizing adverse impacts to adjoining properties.

922.02. General standards. The following general standards shall be met for private aviation facilities:

- 1. Written approval shall be obtained from the Virginia Department of Aviation.
- 2. No flight strip or heliport shall be located within five hundred (500) feet of any adjoining residential structure, other than residences planned in conjunction with the private aviation facility.
- 3. Buildings and structures, such as hangers and maintenance sheds, shall be considered accessory uses to the private aviation facility, but shall otherwise comply with all requirements for a principal structure.
- 4. Nighttime use and operation of a private aviation facility shall be prohibited unless specifically approved as part of the special exception.

(Ord. No. 2015-0011, § 1, 11-17-15)

Virginia Administrative Code

Title 24. Transportation and Motor Vehicles

Agency 5. Virginia Aviation Board

Chapter 20. Regulations Governing the Licensing and Operation of Airports and Aircraft and Obstructions to Airspace in the Commonwealth of Virginia

24VAC5-20-170. Private Airports or Landing Areas.

- A. A person establishing or owning a private landing area, including airports, heliports, helipads, and seaplane bases, shall be required only to register the facility if it is more than five nautical miles from a licensed public-use airport.
- B. A person establishing or owning a private landing area, including airports, heliports, helipads, and seaplane bases, within five nautical miles of a licensed public-use airport shall be required to secure a Private-use Landing Area License for the facility if the applicant airport does not pose a hazard to the airspace and utilization by aircraft of the licensed public-use airport in question. These licenses shall be issued once and do not have to be renewed.
- C. Application for the registration or licensing of a private landing area, including airports, heliports, helipads, and seaplane bases, shall be made on the form prescribed by the department and accompanied by the required supporting documents as specified on the form, including written documentation with respect to zoning, special use permit, or other land use requirements.
- D. Aircraft landing at private landing areas, including airports, heliports, helipads, and seaplane bases, shall have prior approval of the landowners or controlling agency when reasonably practical. Aircraft landing at other than licensed public-use airports without prior approval shall not be removed therefrom without the consent of the owner or lessee of the property.
- E. Privately-owned or publicly-owned hospitals may establish and maintain airports, helipads, or landing areas and may restrict the public use of these facilities to the takeoff and landing of aircraft for hospital related uses only.

Statutory Authority

§§ 5.1-2.2, 5.1-2.15, and 5.1-7 of the Code of Virginia.

Historical Notes

Derived from VR165-01-02:1 § 3.6, eff. September 9, 1992; amended, Volume 12, Issue 17, eff. June 12, 1996; Volume 30, Issue 04, eff. November 20, 2013.

Website addresses provided in the Virginia Administrative Code to documents incorporated by reference are for the reader's convenience only, may not necessarily be active or current, and should not be relied upon. To ensure the information incorporated by reference is accurate, the reader is encouraged to use the source document described in the regulation.

As a service to the public, the Virginia Administrative Code is provided online by the Virginia General Assembly. We are unable to answer legal questions or respond to requests for legal advice, including application of law to specific fact. To understand and protect your legal rights, you should consult an attorney.

