

2019-299



## APPLICATION FOR VARIANCE/ MAP INTERPRETATION/APPEAL

### Amherst County, Virginia

The undersigned applicant wishes to petition Amherst County Board of Zoning Appeals for a Variance/Map Interpretation/Appeal. Please refer to Section 1006 and 1402 of the zoning ordinance regarding the proper procedure. Please call the Department of Planning and Zoning at 434-946-9303 if you have any questions regarding the County Board of Zoning Appeals duties.

#### Applicant / Property Owner Information

Mason Basten

Applicant Name

2351 Audubon Drive

Lynchburg

VA

24503

Applicant Address

City/Town

State

Zip Code

(434) 258-5874

Applicant phone number

Applicant fax number

ddbasten@yorktownfunds.com

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

Walter G. Mason II, David Mason Basten, Trustees of the David Dillard Basten Rev. Trust

Property Owner Name

2023 Yorktown Ave

Lynchburg

VA

24501

Property Owner Mailing Address

City/Town

State

Zip Code

(434) 941-2303

Property owner telephone number

Property owner fax number

ddbasten@yorktownfunds.com

Property owner E-Mail

#### Location of Property

122 & 124 Rocky Hill Road

Street Address

160A3-A-24 & 160A3-A-23

Tax parcel ID number

#### General Description of Property

Commercially developed property located on the banks of the James River. Building area is limited by steep bank to river and the right of way of Rocky Hill Road.

#### When and how did you acquire the property?

Property acquired by Basten in 2008. Has been transferred within the family a couple of times.

Revised Page

**Current Use(s) of Property**

Fabrication and manufacturing facility for River Road Jet Boats

connect to buildings on 2 different parcels 568 sq. ft.  
boat fabrication

**Proposed Use(s) of Property**

Renovation and addition to current buildings to expand jet boat production lines.

Total Acreage: 0.52

Check all categories that apply:

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

**Current Zoning:**

(Please circle all that apply)

P-1 A-1 R-1 R-2 R-3 V-1 **B-2** M-1 FH WS  
130 Overlay District Other \_\_\_\_\_

Request for variance in order to: Construct building addition within front setback.

Fill in only the line(s) that apply to your request	Code Section	Applicant has	Code requires	Variance requested
Total area:				
Lot width:				
Front yard setback:	Appendix A 804	0'	50'	50'
5 Side yard setback:				
Rear yard setback:				
Public street frontage:				
Other (write in): Road Centerline			75'	55'

Section 15.2-2309 of the Code of Virginia requires the Board of Zoning Appeals to make the following findings before a variance can be granted. Please read the factors listed below carefully and in your own words, describe how your request meets each factor. If additional space is needed, use an additional sheet of paper. Justification shall be based on the following three (3) criteria:

1. That the strict application of this ordinance would produce undue hardship.

River Road Jet Boats requires this building expansion in order to keep up with  
current production. The current building setbacks is not practical based on current  
building positions and the location of the 100 yr flood plain of the James River.

2. That such hardship is not shared generally by other properties in the same  
zoning district and the same vicinity.

The hardship is generally shared by adjacent properties, however none of those properties are developed.

3. That the authorization of such variance will not be of substantial detriment to  
adjacent property and that the character of the district will not be changed by  
the granting of the variance.

Supposing other adjacent properties were developed at some point in the future they would need a similar  
variance for the same reasons.

Has the BZA heard a request for this property within twelve (12) months of the date of this  
application? Yes ☒ No

### Proffers and Conditions

List any proffers or conditions currently associated with this property.

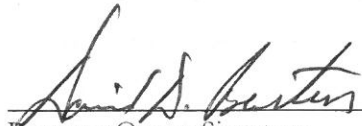
### Application fee and other requirements

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 (Section 1009, Administrative  
Fee Structure).

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

## 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 PC or BZA during the normal discharge of their duties regarding the above Applicant.

  
\_\_\_\_\_  
Property Owner Signature                      Date

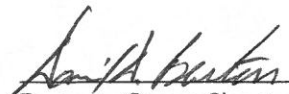
  
\_\_\_\_\_  
Property Owner Signature                      Date

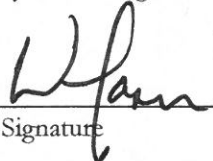
\_\_\_\_\_  
Agent Signature                                      Date

\_\_\_\_\_  
Agent Signature                                      Date

## Signatures

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\_\_\_\_\_  
Property Owner Signature      Date

  
\_\_\_\_\_  
Agent Signature      7/3/19  
Date

  
\_\_\_\_\_  
Property Owner Signature      Date

  
\_\_\_\_\_  
Agent Signature      7/3/19  
Date

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

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

Case No. 2019-299

Actions Taken:

S. Stineath  
County Official Receiving Application

7/3/19  
Date

S. Stineath  
Public Hearing fee received by

7/3/19  
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 (if applicable)

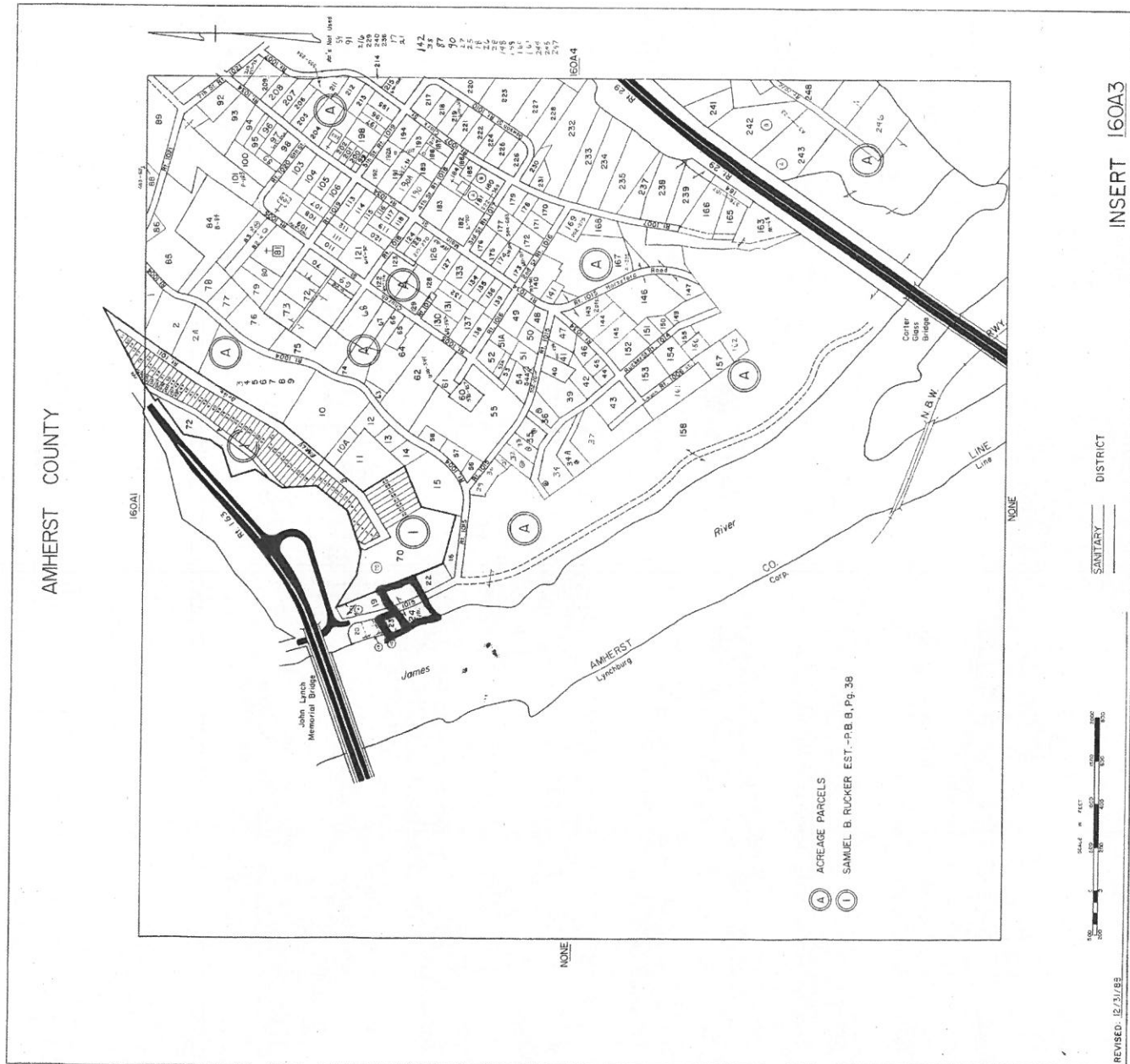
Date

Action by Board of Zoning Appeals

Date

160 A3-A-24,  
29

Mason Baston





SOURCE OF TITLE:

CURRENT OWNER: WALTER G. MASON II AND DAVID MASON BASTEN, TRUSTEES OF THE DAVID DILLARD BASTEN REVOCABLE TRUST DATED JULY 16, 1999

DEED BOOK 1222 PAGE 803 RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF AMHERST COUNTY, VIRGINIA.

NOTES:

1. THIS PLAT WAS PREPARED AT THE REQUEST OF DAVID D BASTEN.
2. THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP 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. ALL ADJOINING OWNERS ARE NOW OR FORMER OWNERS.
3. BY GRAPHIC SCALING ONLY A PORTION OF THIS PROPERTY AS PLATTED FALLS WITHIN THE 100 YEAR FLOOD ZONE "AE" AS DETERMINED BY F.E.M.A. AND SHOWN ON THEIR MAP NUMBER 51009C0395B DATED SEPTEMBER 19, 2007.
4. THIS PLAT WAS PREPARED FROM AN ACTUAL AND CURRENT FIELD SURVEY MADE UNDER MY SUPERVISION AND COMPLIES WITH THE MINIMUM STANDARDS AND PROCEDURES ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS TO THE BEST OF MY KNOWLEDGE AND BELIEF.
5. THE PROPERTY LINES ALONG THE JAMES RIVER REPRESENT THE APPROXIMATE MEAN LOW WATER MARK OF THE JAMES RIVER. BEARINGS AND DISTANCES ARE SHOWN FOR COMPUTATION OF AREA ONLY. THE CODE OF VIRGINIA SECTION 28.2-1202 STATES THE LIMITS AND BOUNDS OF TRACTS LYING ON RIVERS SHALL EXTEND TO THE MEAN LOW WATER MARK.
6. THERE IS AN UNRECORDED PLAT OF THE NORTH HALF OF LOT 2 BY FRED EDWARD WILLMAN, LS DATED JANUARY 9, 2009 ON FILE WITH ACCUPOINT SURVEYING & DESIGN, LLC AND WITH ACRES OF VIRGINIA, INC. ACRES OF VIRGINIA COMM NO 08377.

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY, THE STATEMENT SHALL BE SIGNED BY SUCH PERSONS AND DULY ACKNOWLEDGED BEFORE AN OFFICER AUTHORIZED TO TAKE ACKNOWLEDGEMENT OF DEEDS.

STATE OF Virginia

CITY/COUNTY OF Bedford

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 30th day of July 2019

DAVID MASON BASTEN

NOTARY PUBLIC

REGISTRATION NO. 7512758

MY COMMISSION EXPIRES 8/31/19

STATE OF Virginia

CITY/COUNTY OF Bedford

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 30th day of July 2019

WALTER G MASON, II

NOTARY PUBLIC

REGISTRATION NO. 7512758

MY COMMISSION EXPIRES 8/31/19

LINE	BEARING	DISTANCE
L1	S 12°48'28" E	60.00'
L2	S 64°34'32" W	4.57'
L3	S 17°34'55" E	8.14'
L4	S 18°01'10" E	49.01'
L5	S 22°41'05" E	19.86'
L6	N 20°52'50" W	40.31'
L7	N 28°08'29" W	36.36'
L8	N 28°08'29" W	5.68'
L9	N 24°22'02" W	36.20'
L10	N 14°17'01" W	43.97'
L11	N 22°41'05" W	16.32'
L12	N 18°01'10" W	47.23'
L13	N 17°33'56" W	13.50'

UTILITY POLE =  $\phi$   
 RIGHT OF WAY = R/W  
 EDGE OF GRAVEL = \_\_\_\_\_  
 APPROXIMATE LIMITS OF THE 100 YEAR FLOOD PLAIN = \_\_\_\_\_ 100 FP  
 OVERHEAD ELECTRIC LINE = \_\_\_\_\_ OHEL  
 EDGE OF BUILDING = \_\_\_\_\_

MCBRIDE INDUSTRIAL LLP  
 PARCEL ID 160A3 1 1-46,  
 47A-55A, 62-72, A, B  
 DB 831 PG 430

0.138 ACRES  
 PARCEL ID 160A3 A 24

A CARLTON PHILLIPS JR  
 PARCEL ID 160A3 A 22  
 DB 788 PG 18

ROCKY HILL ROAD  
 VA STATE ROUTE 1015

PROPERTY OCCUPIED &  
 CLAIMED BY MASON B.  
 BASTEN

0.183 ACRES  
 PARCEL ID 160A3 A 24

0.199 ACRES  
 PARCEL ID 160A3 A 23

JESSE A STEVENS JR  
 PARCEL ID 160A3 A 20  
 DB 627 PG 565

30th day of July 2019

WALTER G MASON, II

NOTARY PUBLIC

REGISTRATION NO. 7512758

MY COMMISSION EXPIRES 8/31/19

RECONFIGURATION PLAT SHOWING  
 122 & 124 ROCKY HILL ROAD  
 PROPERTY OF  
 DAVID DILLARD BASTEN  
 REVOCABLE TRUST  
 SANITARY DISTRICT  
 AMHERST COUNTY, VIRGINIA



**ACCUPOINT**  
 SURVEYING & DESIGN  
 SURVEYORS • ENGINEERS • SOIL EVALUATORS  
 950 AIRPORT ROAD, LYNCHBURG, VA 24502  
 PH: 434-610-4334 WWW.ACCUPOINTSURVEYING.COM

SCALE:	1" = 40'
ASD JOB#	2019-228
FILE #:	2019-228.DWG
DATE:	JULY 1, 2019
REV:	

SHEET 1 OF 1

