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, November 16, 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 requests:

SPECIAL EXCEPTION REQUEST, NO. 2017-17

Request by Vincent & Margo Baker for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow a short term tourist rental of a dwelling. The parcel is located at 203 Forks of Buffalo Drive and is further identified as tax map number 35-2-9.

SPECIAL EXCEPTION REQUEST, NO. 2017-18

Request by Rutcom Properties for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow a short term tourist rental of a dwelling. The parcel is located at 1025 Lexington Turnpike and is further identified as tax map number 80-A-16.

AMHERST COUNTY COMPREHENSIVE PLAN UPDATE

Request by the County of Amherst to approve proposed modifications to the Amherst County Comprehensive Plan. The Comprehensive Plan was written in 2007; the County is proposing to update the current Plan. In general, sections that are proposed to be updated include the Introduction, Process, Development and Growth Trends, Community Facilities, Anticipated Growth Trends, Land Use, and the Mixed Use and Urban Development Areas Sections.

More specifically, updates were made to the demographic data found in the Development and Growth Trends Section that include population projections, employment and unemployment data, household income, housing units constructed, housing value and rent distribution by census tract; policies were updated in the Public Water and Wastewater Section that improve the readability of that Section, and includes a strategy that address annual increases of water and sewer rates and fees rather than periodic large increases, also including the addition of a strategy for future funding; the Solid Waste Management Section includes a name change to the Department of Public Works and addresses the enforcement of inoperative motor vehicles; the Transportation Section reflects amendments to updated road projects, specifically updating the current Six Year Improvement Program and other updates to proposed road projects; the Public Education Section was re-written to address primary and secondary education, higher education, adult education and to reflect the Amherst County Public School's Six-Year Strategic Plan, four goals have been added to ensure continuous improvement in student and school achievement, promoting and maintaining a safe, clean, inviting, supportive and healthy school environment that is conducive to teaching and learning for all students and staff, strengthen relationships with

students, parents, community members and local organizations and to expand opportunities to learn; Public Library Services was modified to clarify library services; objectives and strategies were updated in the Law Enforcement Section to clarify their services, the Public Safety Section was re-worded to better address their operations; the Social Services and Health Care Section was updated with budgetary information and office space additions; the Economic Development Section was modified to address a number of changes including the closure of Central Virginia Training Center, objectives dealing with business friendly policies and procedures, references to the 2016 Economic Development Strategic Plan, policies to address business growth, funding plans, creation of business sites and buildings, job creation, removal of irrelevant goals, objectives and strategies; additions to Cultural Resources and the Natural Heritage Resources Section that promote Sweet Briar College and the Virginia Center for the Creative Arts and identify and support conservation practices that protect rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geological formations; the Future Land Use Map is modified to reflect a change in a growth boundary near the Town of Amherst and the Land Use Section has been updated to support tourism and agritourism, promoting parks, clarify objectives and strategies, support of Planned Unit Developments, retirement communities and the redevelopment of Central Virginia Training Center.

The proposed hearing 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 at least five (5) days prior to the hearing date.

Jeremy S. Bryant Director of Planning/Zoning

SPECIAL EXCEPTION STAFF REPORT NOVEMBER 2017

ZONING REQUEST: 2017-18

PETITIONER: Rutcom Properties LLC / Terry Morcom

OWNER: Rutcom Properties LLC / Terry Morcom

REQUEST: Request by Rutcom Properties for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow a short term tourist rental of a dwelling.

LOCATION/ MAP NUMBER: 1025 Lexington Turnpike / 80-A-16

PARCEL SIZE: 102.32 acres

EXISTING LAND USE: Single Family Dwelling

ZONING: A-1 Agricultural Residential District

SURROUNDING ZONING/LAND USES:

NORTH: A-1 – Wooded Land / Residential

SOUTH: A-1 – Wooded Land

EAST: A-1 – Wooded Land / Residential

WEST: A-1 –Wooded Land

LAND USE PLAN DESIGNATION: Agriculture Limited

SEWER AND WATER CONDITIONS: On-site water and on-site septic system

ANALYSIS

This is a request by Rutcom Properties LLC for a special exception request in the A-1 Agricultural Residential District. The purpose of the special exception is to allow a short term tourist rental of a dwelling (vacation rental). The parcel is located at 1025 Lexington Turnpike and is further identified as tax map number 80-A-16.

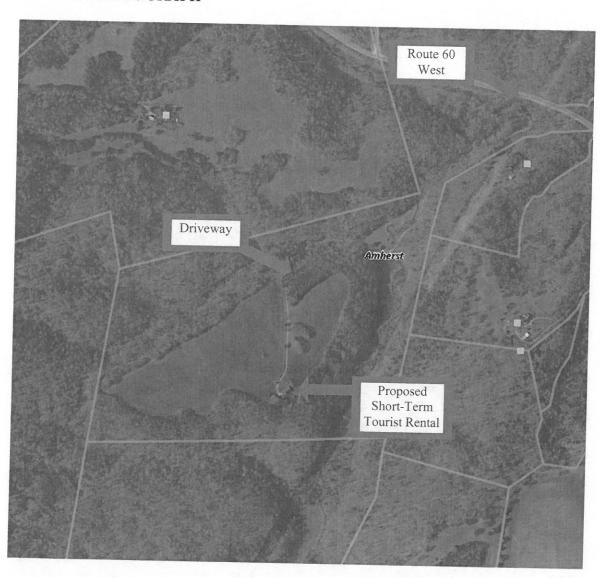
The dwelling is located on Route 60, west of the Town of Amherst. The dwelling rest on a parcel of land that is greater than 100 acres in total size and is at the end of a driveway that is approximately a half of a mile in total length.

Short-term tourist rentals of dwellings are allowed only as a special exception use in the A-1 Agricultural Residential District. Section 916 regulates short-term rentals of residential dwellings; the regulations are below:

- 1. Site Plan. Before a building and zoning permit shall be issued for any dwelling to be rented to transients for any period less than thirty (30) consecutive days, a site plan of the proposed development shall be approved by the planning commission or the zoning administrator, whichever is applicable, in conformance with Section 1003 and Article XI herein. In addition to the requirements thereof, site plans pursuant to this section shall include a maintenance schedule proposed by the developer or property owner, and shall incorporate low impact development techniques, such as those about which information is available from the Virginia Department of Environmental Quality.
- 2. There shall be no change in the outside appearance of the dwelling or premises, or other visible evidence of the conduct of such short-term rentals.
- 3. The maximum number of occupants in the dwelling unit for overnight accommodation shall be calculated as two (2) adults per bedroom. An adult, for the purpose of this regulation, is any person over the age of sixteen (16). The number of bedrooms shall be determined by reference to health department permits specifying the number of bedrooms or the certificate of occupancy issued by the Amherst County Department of Building Inspections. Private septic systems shall be pumped out or inspected once every three (3) years.
- 4. All vehicles of tenants shall be parked in driveways or parking areas designed and built to be parking areas. In the case of multifamily dwellings, all vehicles must be parked in spaces specifically reserved for the dwelling unit being rented. No vehicles shall be parked in, along, or on the sides of roads at any time.
- 5. All boats and trailers of tenants shall be parked on the lot on which the dwelling unit is located. In the case of multifamily dwellings, boats and trailers must be parked in areas specifically reserved for the dwelling unit being rented. No boats or trailers shall be parked in, along, or on the sides of the roads at any time.
- 6. There shall be a working, two-pound minimum, ABC rated, fire extinguisher located in a visible and readily accessible area (i.e., kitchen or hallway) within each dwelling unit. Working smoke detectors shall be installed in each bedroom of the dwelling unit as well as one (1) on each floor (including the basement) outside of any bedrooms.

- 7. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times.
- 8. Notice of the application for special exception, and the hearing thereon, shall be conspicuously posted on the property, in the same manner and for the same duration as though the property were the subject of an application for variance, rezoning, or conditional zoning.

AERIAL PHOTOGRAPH



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.

TRAFFIC IMPACT:

The property is addressed off of Route 60 West. Route 60 West is a primary highway according to the Virginia Department of Transportation.

STAFF RECOMMENDED CONDITIONS:

- 1. <u>Lighting:</u> All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
- 2. <u>Sewerage Facilities:</u> The applicant shall follow all regulations prescribed by the Virginia Department of Health.
- 3. <u>Short Term Tourist Rental</u>: The applicant shall meet all requirements of Section 916 which regulates short-term tourist rental of dwellings.

2017-18 Pd ck



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 In	nformation	/		
(121)	1.	/ /		
Andrew Mrc	perhes L	W Fle	My Norcom	
Applicant Name		1		ł.
10 BOX 481 V	1 port	16	74571	
Applicant Address Cit	ty/Town	State	7:00-1	
434 54 000	1811 0	0 -	Zip Code Morcomid	2001
Applicant phone number	434-70	27-5560	5 ///5 (0//)	Each, cor
	Applicant fax nu		Applicant E-Mail	
You are the property owner; () a	gent for the property of	owner.		
If you are the agent for the property circle one: Yes/No	owner, do you have co	nsent of the owne	r attached? Please	
Property Owner Name				
Troperty Owner Name				
	2			
Property Owner Mailing Address	City/Town	State	Zip Code	
			zip code	
Property owner telephone number	Property owner fa	ny number - I		
	owner is	ix number 1	Property owner E-Mail	
Location of Property	1-01/0	Ca 1	1.17	
Street Address	wipline	00-P	1-10	
	1	1 ax parcel	ID number	
General Description of Property	11 Sinds 1	/ . ,		
Hypiauta	m 01.24 X	cerrity		
V				
Current Use(s) of Property	11	/		
Harcustur	w/ Since al	ma /		
0	1000			
	7			

Proposed Use(s) of Property Vacation revtal Short term tourist revta
Total Acreage: 100, 30
Check all categories that apply for the parcels requesting to be heard for special exception: Public water Private wells Mass drainfield(s)
Comprehensive Plan Land Use Designation: Agricul tural
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: 102.03 # []
VDOT Review: Will the proposed development require Chapter 527 review? YES
Petitioner Comments (Continue on separate sheets if necessary.)
How will the proposed special exception affect adjacent property? Let want. Let has a proude drive way that 18 not shared. Eltis own 100 acres and the
house is not near other houses. Very remote
How will the proposed special exception affect the character of the district(s) surrounding the property? The want - for the district(s) surrounding the same was as
How is the use in harmony with the purpose and intent of the Zoning Ordinance? IN Zoning allows Single family dwellings & Agriculture Zoning & This is a Single family Owelling
How is the use in harmony with the uses permitted by right in the district?

How will the use promote the public health, safety, and general welfare of the community? Momode publism notes	
Cay revenue in Amherst Co + will turn a	
Has the Planning Commission and or Board of Supervisors heard a request for special exception this property within twelve (12) months of the date of this application? Yes/No	1
Proffers and Conditions List any conditions or proffers currently associated with this property.	
Vane	
	_
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 an incidental to reviewing, publishing, and processing the application.	ıd
A survey plat of the property by a certified land surveyor must accompany this application. The scal must be 1"=100'.	e
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.	
Property Owner Signature Date Property Owner Signature Date Property Owner Signature Date	

Agent S	Signature
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Date

Agent Signature

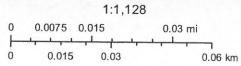
Date

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

For use by the County of Amherst Departmen Case No. 2017–18	et of Planning and Zoning
Actions Taken:	
aum But	10/20/10
County Official Receiving Application	Date
Slavy Gennett	10/24/17 Date 10/20/17
Public Hearing fee received by	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



October 24, 2017



The GIS data is proprietary to the County, and title to this information remains in the County. All applicable common law and statutory rights in the GIS data including, but not limited to, rights in copyright, shall and will remain the property of the County. Information shown on these maps are derived from public records that are constantly undergoing change and do not replace a site survey, and is not warranted for content or accuracy.



0 0.075 0.15 0.3 mi 0 0.1 0.2 0.4 km

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Sewage Disposal System Construction Permit

PAGE OF 2

	Satisfactory Preirestment unit: Satisfactory Intel-outlet structure: Satisfactory Pump & pump station: Satisfactory Conveyance method: Satisfactory Distribution box: Satisfactory Header lines: Satisfactory Percolation lines:	D. PVC 40, or equivalent.
NOTE: INSPECTION RESULTS location: Satisfactory yes no ved: yes no not applicable	3 0 2	lled: cla
lerence Case No. Case No. Telaphone On/at Lot	FHA VA Construction permit	alth Department d

Health Department ISH-86-0300

Schematic drawing of sewage disposal system and topographic teatures.

Show the lot lines of the building lot and building site, sketch of property showing any topographic features which may impact on the design of the system, all existing and/or proposed structures including sewage disposal systems and wells within 100 feet of sewage disposal system and reserve area. The schematic drawing of the sewage disposal system shall show sewer lines, pretreatment unit, pump station, conveyance system, and subsurface soil ebsorption system, reserve area, etc. When a nonpublic drinking water supply is to be located on the same fot show all PAGE 2 OF 2

☐ The information required above has been drawn on the attached copy of the sketch submitted with the application. Attach additional sheets as necessary to illustrate the design.

The sewage disposal systen	4-86'x 96"LINES ON 9'CENTERS 1000 GALS. TOMA 1032 SPFT.
The sewage disposal system is to be constructed as specified to the	Hoposed House
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	102.32 hc.

This sewage disposal system construction permit is null and void if (a) conditions are changed from those shown on the application (b) conditions are changed from those shown on the construction permit. as specified by the permit $oxed{eta}$ or attached plans and specifications $oxed{\Box}$.

No part of any installation shall be covered or used until inspected, corrections made if necessary, and approved, by the local health department or unless expressly authorized by the local health dept. Any part of any installation which has been covered prior to approval shall be uncovered, if necessary, upon the direction of the Department.

Regional Sanitarian	Supervisory Sanifarian 11-2A	.H.S. 2029 Revised 5/84
	- Date	Reviewed by Date
		If FHA or VA financing
	Supervisory Sanitarian	
Permit Valid until	Date: 11-70- 84 Reviewed by:	Date: 11- 20- 11 Revie
This Construction	Sanitarian	
	W. Co.	Date: 1114/86 Issued by:



Application for Zoning Permit Amherst County, Virginia

Section A (Please print in blue or black ink)	Permit No:
Property Address Company 434-546-0718 43	First MI Source Va 24574 Sity State Zip Code The Amhly Va 24501 State Zip Code We Amhly Va 24501 State Zip Code White State Zip Code
Last (Name of Property Owner, if different)	First MI
Is the lot recorded? If yes, complete section B Section B (Please fill out as completely) Date lot recorded (if applicable)	y as possible)
Priv	blic water: Public sewer:
Are the water and sewage systems adequate for the Is the lot a corner lot? YES NO Does the lot have frontage on more than one street Does the owner of the property own any adjacent (If so, please include the locations and dimensions of adjacent Is the parcel of land located in a flood district? Is the parcel of land located in a dam inundation z	ne proposed use? YES NO Tet (i.e. double frontage)? YES NO
Directions to project site (from Amherst Cour	nty Administration Building):
Section C (Please fill in the blanks where application of a new building (include	icable) ling accessory buildings and building additions):
Type of building:	-
Proposed floor area:sq. ft.	Number of dwelling units proposed:

Number of dwelling units proposed: _

Area of land disturb	- I reight of structure	(from finished grad	de): ft.
Thea of faild disturba	nce:sq. ft. (Estimate the total a	rea of all clearing, grading
excavating, transporti	ng, and filling activities on the s	ite. Include propos	sed septic drainfield areas
	on a private or public road? Pri		
	on a public road, provide the VI		
For a change in use	to an existing structure or pro-	operty:	
Current use: Sincle	Fanity Proposed u	se Shot ter	m tarnitresta
Provide details about	type of business, machinery and	equipment involve	d hours of operation no
of employees, etc. At	tach separate sheet, if necessary:	equipment in or,	d, nours or operation, no.
	, , , , , , , , , , , , , , , , , , , ,		
	n, survey plat, or sketch sho	Andrew Washington	
III. The leaddition including prime	pocation and dimensions of existing cation and dimensions of properties on some properties of the prop	osed structures, acc back lines for all e e location of (1) existin cilities, or (2) proposed	essory buildings, or xisting and proposed ag public water and sewer d well and septic facilities
/ 1	8 mg mg manon and anaiments at	re true and accurate to	the best of my knowledge.
Ama	gong injormation and unacomens ar	e true and accurate to	the best of my knowledge.
Applicant's Signatu		e true and accurate to	the best of my knowledge. O Date
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DATE

ZONING PUBLIC NOTIFICATION

Case 2017-18

Board/Commission:

Planning Commission

Board of Supervisors

Public Hearing Dates:

November 16, 2017 - Planning Commission

December 19, 2017 - Board of Supervisors

Applicant/Property Owner:

Rutcom Properties LLC

Site Address

136 Shady Oaks Dr

Rutcom Properties LLC

Amherst VA 24521

1025 Lexington Tpke

Amherst, VA 24521

Tax Map #:

35-2-9

Adjoining Property Owners: Tax Map # 80-A-17 Tax Map # 81-A-13D Tax Map # 81-A-38A,39 William Cox Roger & Susan Oneil W.W III Turner PO Box 381 915 Lexington Tpke PO Box 20 Amherst, VA 24521 Amherst VA 24521 Amherst, VA 24521 Tax Map # 80-A-14,15 Tax Map # 81-A-13C Tax Map # 81-A-8A George & Jennifer Chadrue Paul, Lucinda & Charles Duff Scott & Desiree Sandidge 960 Kenmore Rd PO Box 1423 171 Baileys Sawmill Rd Amherst, VA 24521 Amherst, VA 24521 Amherst, VA 24521 Tax Map# 81-A-14 95-A-2 Tax Map #81-A-12 Debra Speyer Wayne & Barbara Bailey 3908 Leafy Way 127 Cherry Hill Rd Coconut Grove, FI 33133 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)

November 1, 2017

(Date)

