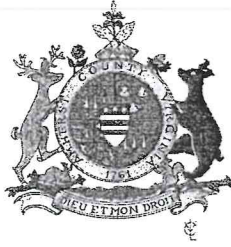


NOTICE OF MEETING

AMHERST COUNTY BOARD OF ZONING APPEALS

The Amherst County Board of Zoning Appeals will hold a public hearing on Thursday, December 8, 2011, in the Amherst County Administration Building, 153 Washington Street, Amherst, VA, at 7:00 PM on the following request. Information pertaining to the request is on file and available for public review at the Planning Department in the Amherst County Administration Building weekdays, between 8:30 AM and 5:00 PM. Accommodations for persons with a sight, speaking or hearing disability will be made by this office if notified a minimum of four working days prior to the hearing date. Telephone 434-946-9303, TDD 434-946-9335.

2011A-04 Request by Rising Sun Missionary Baptist Church, for approval of a variance from Sections 804 and 601.02.2 of the Zoning & Subdivision Ordinance to decrease the minimum permitted front property line setback from fifty (50) feet to twenty-eight and one-half (28.4) feet and allow the existing non-conforming structure to be enlarged in excess of fifty (50) percent of its original floor area through a non-conforming addition, in order to construct a new sanctuary for the existing church. The request is referenced by a site plan submitted by Acres of Virginia, Inc., dated 10/18/11. The property is located at 230 Rising Sun Circle in Monroe, VA, and is further identified as being tax map parcel numbers 137-A-13 &15.



Amherst County
Department of Planning and Zoning
Matthew D. Rowe, Assistant Zoning Administrator / Planner

Variance Review
Staff Report
November 21, 2011

RE: Case #: 2011A-04
Tax Parcel #: 137 – A – 13
Magisterial District: Elon
Lot Size: 3.092 Acres
Zoning: A-1 Agricultural Residential

Applicant:
Rising Sun Missionary Baptist Church
P.O. Box 265
Monroe, VA 24574

Property Owner:
Same as Applicant

Request:
A variance request from Sections 804 and 601.02.2 of the Zoning & Subdivision Ordinance to decrease the minimum permitted front property line setback from fifty (50) feet to approximately twenty-eight and one-half (28.4) feet and allow the existing non-conforming structure to be enlarged in excess of fifty (50) percent of its original floor area through a non-conforming addition, in order to construct a new sanctuary for the existing church.

Summary:

In accordance with Section 1006 of the Zoning & Subdivision Ordinance of Amherst County, Rising Sun Missionary Baptist Church, has submitted a request for a variance from Sections 804 and 601.02.2 of the Ordinance. The variance request is to decrease the minimum permitted front property line setback from fifty (50) feet to approximately twenty-eight and one-half (28.4) feet and allow the existing non-conforming structure to be enlarged in excess of fifty (50) percent of

its original floor area through a non-conforming addition, in order to construct a new sanctuary for the existing church located on property within the A-1 Agricultural Residential District. The property line separating lots "15" and "13" has been vacated (reconfiguration plat approved by Staff on 11/21/2011 and recorded on the same day) resulting in a reconfigured "Lot 13", consisting of 3.092 acres; removing the conflict of constructing the proposed addition over the mentioned property line.

If the request is approved by the Board of Zoning Appeals, the applicant/property owner must still receive approval for a Special Exception permit and the submitted Site Plan.

Staff Comment(s):

When dealing with the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), there are typically two fundamental themes that emerge:

-The neutral application of generally applicable and legitimate land use regulations will usually not be found to impose a substantial burden on religious exercise;

-And, the arbitrary, capricious, or unlawful application of generally applicable and legitimate land use regulations will likely result in a finding that the locality substantially burdened religious exercise.

In a related case, *Living Water Church of God v. Charter Township of Meridian*, 2007 U.S. App. LEXIS 28825 (6th Cir. 2007)(unpublished), the court suggested that the following consideration was helpful to the analysis: "though the government action may make religious exercise more expensive or difficult, does the government action place substantial pressure on a religious institution to violate its religious beliefs or effectively bar a religious institution from using its property in the exercise of its religion?" *Living Water Church of God* noted that denial of the permit (increasing the floor area from 11,000 sq. ft. to 35,000 sq. ft.) would burden the church in several ways: (1) it would prevent the church from expanding to its desired size; (2) it required the church to apply for a special use permit (similar to a variance request); and (3) would require the church to develop new plans to meet requirements. Nonetheless, the court said that the fact that the church's "current facility is too small does not give the church free reign to construct on its lot a building of whatever size it chooses, regardless of limitations imposed by the zoning ordinance". The court then concluded that, although the locality's action burdened the church's hope and objective to have a building size it desired and made the church's religious exercise more expensive or difficult, "we cannot say that it places substantial pressure on this religious institution to violate its religious beliefs or that it effectively bars the institution from using its property in the exercise of religion". Please note, that the court emphasized that its decision was grounded in facts and said that if the church had proffered evidence showing that it cannot carry out its church missions and ministries due to the locality's denial, the outcome might be different. (Per *Zoning Law for the Virginia Zoning Official*; Zoning Officials Certification Test Preparation Program; written by Greg Kamptner, Deputy County Attorney, County of Albemarle; July 29, 2010)

In addition, on a local level, the Amherst County Board of Zoning Appeals considered a request by Oronoco Brethren Church (case #2009A-001) for approval of a variance from the required minimum setback from the National Forest. The request was for 102 feet of the required 200-foot setback from the National Forest, such that the proposed structure would encroach to within 98 feet of the National Forest setback. According to the Board in the given case, the church was an existing use prior to the adoption of the Zoning & Subdivision Ordinance and the National Forest setback. In addition, the Board heard numerous comments from the church and its agent regarding the need for additional bathrooms, ADA accessibility, and potential religious worship restrictions by not having the addition for class space. The church and their agent provided examples of church members who would benefit directly from the project; the meetings minutes state that the pastor gave several names of those individuals who were disabled (as defined by the ADA) and how the improvements would benefit them. After discussion, the Board approved the request 4-1, based upon the rationales: That Federal ADA requirements should “trump” local zoning code requirements; the church use existed prior to the Zoning & Subdivision Ordinance; the setback hardship reasonably restricts the property; ADA ramps and accessibility are a necessity, and the request is in harmony and spirit of the Zoning & Subdivision Ordinance.

Procedure for Review:

Under Section 403 of the Zoning & Subdivision Ordinance, “...no building or part thereof shall be erected, constructed, moved or structurally altered except in conformity with the regulations” listed in the Ordinance. The original Zoning Permit for the structure was approved by the Planning Director/Zoning Administrator (Jeremy S. Bryant) based upon the submitted information, which was in conformance with the requirements of the Ordinance. Unfortunately, the structure was not constructed in the approved location resulting in a self created hardship.

Under §15.2-2309 of the Code of Virginia, 1950, as amended, and Sec. 1402.03 (b.) of the County Code, no variance shall be authorized by the Board unless it finds:

- a. That the strict application of the ordinance would produce undue hardship.

The property is occupied by an existing church which is a special exception use within the A-1 Agricultural Residential District. The church would like to construct a new sanctuary addition to serve its expanding membership. There appears to be a potential conforming footprint area (not requiring a variance) to construct an addition of similar size towards the rear portion of the property, however, that area is affected by a moderate front-to-back slope and would be an additional distance from the proposed parking area for parishioners. The church would be able to construct a 1,760 sq. ft. addition without exceeding fifty (50) percent of the existing structure’s floor area (which is 3,520 sq. ft.)

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

The front yard setback requirement applies to all lots in the A-1 zoning district. All structures permitted after the adoption date of the current Zoning & Subdivision Ordinance (circa 1982) are required to meet all setbacks and restrictions for the A-1 District. There are numerous adjoining properties that also contain structures that encroach into the A-1 District's front property line setback (along Rising Sun Circle/ Rt. 747). There are no records or data related to the expansion of existing non-conforming structures in excess of fifty (50) percent of their original floor area.

- c. That the authorization of the 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.

The property is located at the terminus of Rising Sun Circle/ Rt. 747, and the church owns several acres adjacent to the property. The addition may result in additional traffic on Rising Sun Circle/Rt. 747, as the church expands its ministries and activities. It is important to note, that according to various sources, the church was established in 1922, prior to the construction of the majority of structures in the vicinity and prior to state maintenance of the road. The structure meets all other side and rear property line setbacks, and does not encroach towards any other neighboring structures. No other structures in the vicinity are similar in size and use as the proposed final floor area for the church. Staff believes that the granting of the variance request will not change the character of the district, since the church use has been located on the property for decades, and will not be of substantial detriment to adjacent property.

Additional Considerations:

It is important to note, that § 15.2-2309 of the Code of Virginia, 1950, as amended, also declares that the requesting property owner must have "*acquired the property in good faith*";

The church has existed on the property since 1922 (according to various sources). The existing structure has served the current membership adequately for many years, however as the church membership has grown it has created the need for additional sanctuary space. Since both, the proposed area does not contain an outstanding violation and the variance request is not for an existing structure in violation, the property must be considered to have been acquired in good faith. (Per *Zoning Law for the Virginia Zoning Official*; Zoning Officials Certification Test Preparation Program; written by Greg Kamptner, Deputy County Attorney, County of Albemarle; July 29, 2010)

And that the hardship must be caused by “*reason of the exceptional narrowness, shallowness, size or shape*” of the parcel (including topographic conditions).

The property is affected by a moderate front-to-back slope that eventually leads to a perennial stream bed. The flattest area on the property is where the existing church and proposed church are located.

In addition, no variance shall be authorized unless the board finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of general regulation to be adopted as an amendment to the ordinance.

In authorizing a variance the board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

Should the Board of Zoning Appeals approve this request; Staff recommends the following conditions:

1. The variance is granted for Tax Map Parcel No. 137 – A – 13 to reduce the front property line setback from fifty (50) feet to approximately twenty-eight and one-half (28.4) feet and allow the existing non-conforming structure to be enlarged in excess of fifty (50) percent of its original floor area through a non-conforming addition, in order to construct a new sanctuary for the existing church..
2. The church addition shall be located as shown in the “Site Plan” for Rising Sun Missionary Baptist Church, certified by Thomas C. Brooks Sr., and dated October 18, 2011.
3. The granting of this variance shall not be construed to vest in the applicant a right to the variance until all necessary local, State and Federal plan application, review and approval processes have been completed.
4. This approval may be revoked by the County of Amherst or its designated agent for failure by the applicant or its assigns to comply with any of the listed conditions or any provision of Federal, State or local regulations.

Attached:
Notice to Adjacent Property Owners
Tax Parcel Map
Plat
Variance Request Application



E.ON DISTRICT

SECTION 137

REVISED: 12/31/88

AMHERST COUNTY, VIRGINIA

ZONING PUBLIC NOTIFICATION

Case: 2011A-04

<u>Board/Commission:</u>	<u>Meeting Date/Public Hearing:</u>
Boar of Zoning Appeals	12/8/2011
Planning Commission	12/15/2011
<u>Board of Supervisors</u>	1/17/2012


Applicant/Owner: Rising Sun Missionary Baptist Church
 PO Box 265
 Monroe, VA 24574

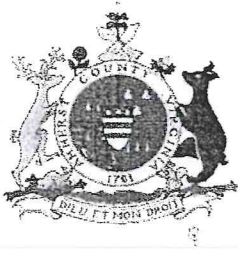
Property Owner Same

Adjoining Property Owners:

Tax Map # 137-A-14	Tax Map # 137-A-12	Tax Map # 137-A-19,22,43,51,53,54
James & Peggy Burford	Ray & Carolyn Burford	Danny & Jamie Curd
11509 Glissade Dr.	176 Rising Sun Cir	142 Clover Hill Lane
Clinton MD 20735	Monroe, VA 24574	Monroe, VA 24574
Tax Map # 137-A-15	Tax Map # 137-A-27	
Tax Map # 137-A-13	Rose Mary Burford	
Rising Sun Missionary Baptist Ch	203 Rising Sun Cir	
POB 265	Monroe, VA 24574	
Monroe, VA 24574		
	Tax Map # 137-A-24	
	William & Mary Burford	
	203 Rising Sun Circ	
	Monroe VA 24574	

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)
Administrative Assistant Administrative Assant (Title)
 11-22-11 (Date)



**APPLICATION FOR VARIANCE/
MAP INTERPRETATION/APEAL
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

Rising Sun Missionary Baptist Church

Applicant Name

P. O. Box 265, 230 Rising Sun Circle, Monroe, VA 24574

Applicant Address City/Town State Zip Code

434-929-1957

Applicant phone number Applicant fax number Applicant E-Mail

You are the (x) 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

n/a

Property Owner Name

n/a

Property Owner Mailing Address City/Town State Zip Code

n/a

Property owner telephone number Property owner fax number Property owner E-Mail

Location of Property

230 Rising Sun Circle, Monroe, VA 137A-13 & 15

Street Address Tax parcel ID number

General Description of Property

3.092 acres as shown on attached site plan

When and how did you acquire the property?

The property was purchased by the church over 125 years ago and is currently recorded in DB 862, page 157 and DB 943, Page 143, in the Clerk's Office

Current Use(s) of Property

religious facility

Proposed Use(s) of Property

same

Total Acreage: 3.092 acres

Check all categories that apply:

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

Current Zoning:

(Please circle all that apply)

** Zoning is A-1 JSB*

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: decrease front yard 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:	801.01	28.4'	50'	25'
Side yard setback:				
Rear yard setback:				
Public street frontage:				
Other (write in):				

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.

Due to the topographic natures of the property.

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

The other properties along Rising Sun Circle are built out. The dwellings were constructed closer to the road. The average front yard setback by measurement is 30.1'.

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.

The existing and proposed new church buildings are at the dead end of Rising Sun Circle. The church owns the majority of the surrounding properties. Building the new facility will not change the character of the district since the property has been occupied by a church facility.

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.

none

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
Thomas P. ...

Agent Signature Date *AGENT*

Property Owner Signature Date
ACRES OF VIRGINIA, INC

Agent Signature Date

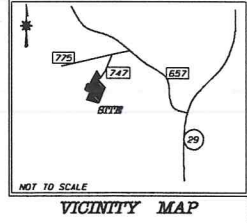
- NOTES:**
- THIS SITE PLAN WAS PREPARED FOR RISING SUN MISSIONARY BAPTIST CHURCH. THIS PLAN IS NOT FOR RECONSTRUCTION PURPOSES.
 - THE PROPERTY IS LOCATED IN THE UNINCORPORATED AREA OF AMHERST COUNTY, VIRGINIA. THE PROPERTY IS NOT SUBJECT TO ANY FEDERAL, STATE OR LOCAL ZONING REGULATIONS OR ORDINANCES. THE EXISTENCE OR NON-EXISTENCE OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR OTHER REGULATORY CONSTRAINTS HAS NOT BEEN DETERMINED.
 - RESEARCH AND ENVIRONMENTAL CONDITIONS HAVE NOT BEEN CONDUCTED TO DETERMINE THE PRESENCE OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR OTHER REGULATORY CONSTRAINTS. THE EXISTENCE OR NON-EXISTENCE OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR OTHER REGULATORY CONSTRAINTS HAS NOT BEEN DETERMINED.
 - THIS PROPERTY IS NOT SUBJECT TO ANY FEDERAL, STATE OR LOCAL ZONING REGULATIONS OR ORDINANCES. THE EXISTENCE OR NON-EXISTENCE OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR OTHER REGULATORY CONSTRAINTS HAS NOT BEEN DETERMINED.
 - THIS PROPERTY IS NOT SUBJECT TO ANY FEDERAL, STATE OR LOCAL ZONING REGULATIONS OR ORDINANCES. THE EXISTENCE OR NON-EXISTENCE OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR OTHER REGULATORY CONSTRAINTS HAS NOT BEEN DETERMINED.
 - IN PREPARING THIS PLAN NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING ERECTION, HEIGHT, LOCATION, CAPACITY OR MAINTENANCE OF ANY UTILITIES EXISTING ON THE SITE, NEITHER PRIVATE OR PUBLIC. THE ENGINEER HAS NOT BEEN ADVISED OF ANY SUCH UTILITIES.
 - IF THE SUPPLIER/ENGINEER'S SIGNATURE ON THIS PLAN IS NOT SIGNED AND ALTERNATE SIGNATURES ARE OBTAINED, CENTER AND IS LISTED TO BE THE DESIGNER OF RECORD FOR THIS PROJECT.
 - ANY SUBSEQUENT BESS LOCATED WITHIN THE BOUNDARIES OF THIS PROPERTY SHALL BE THE RESPONSIBILITY OF THE OWNER. THIS ENGINEER HAS NOT BEEN ADVISED OF ANY SUCH UTILITIES.
 - IT IS UNLAWFUL TO DESTROY ANY GRAVE OR GRAVE MARKER. ACCORDING TO 28 OF THE CODE OF VIRGINIA, SECTION 1-203.1, ANY PERSON WHO DESTROYS OR REMOVES ANY GRAVE OR GRAVE MARKER SHALL BE CONSIDERED TO BE IN VIOLATION OF THE LAW. THE ENGINEER HAS NOT BEEN ADVISED OF ANY SUCH UTILITIES.
 - PRIOR TO THE IMPROVEMENT OR DISTURBANCE OF ANY LOT IN THE COUNTY BY ANY PERSON OR ENTITY, THE CURRENT ZONING REGULATIONS AND ORDINANCES SHALL BE REVIEWED AND THE APPLICABLE ZONING REGULATIONS AND ORDINANCES SHALL BE OBTAINED FROM THE ZONING ADMINISTRATOR. THE ENGINEER HAS NOT BEEN ADVISED OF ANY SUCH UTILITIES.
 - NOTICE IS GIVEN TO THE OWNER AND TO ALL OTHERS THAT THIS PLAN IS NOT SUBJECT TO ANY FEDERAL, STATE OR LOCAL ZONING REGULATIONS OR ORDINANCES. THE EXISTENCE OR NON-EXISTENCE OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR OTHER REGULATORY CONSTRAINTS HAS NOT BEEN DETERMINED.
 - THIS PROPERTY IS BOUND BY PRIVATE WATER.
 - THIS SITE IS CURRENTLY SERVED BY PRIVATE SEWER (INDIVIDUAL SEPTIC TANK AND GRASSY FIELD).
 - SEWER REQUIREMENTS FROM 1994 AS PER CHAPTER 10 OF THE VIRGINIA DEPARTMENT OF HEALTH 10-1-1000 TO 10-1-1005. THE ENGINEER HAS NOT BEEN ADVISED OF ANY SUCH UTILITIES.
 - PARKING PROPOSED MAXIMUM OCCUPANCY = 250
 - LANDSCAPING SHOWN WILL BE IN ACCORDANCE WITH THE COUNTY OF AMHERST ZONING ORDINANCES.
 - PRIOR TO CONSTRUCTION OR LAND DISTURBANCE TO EXCEED 10,000 SQUARE FEET, THE OWNER SHALL NOTIFY THE COUNTY OF AMHERST, AN INSPECTOR AND ALL PERMITS FROM ALL APPLICABLE AGENCIES.
 - PARKING:
 - 40 EXISTING 9' X 18' PARKING SPACES
 - 4 PROPOSED ADA COMPLIANT 9' X 18' SPACES
 - 40 PROPOSED 9' X 18' PARKING SPACES IN PHASE I
 - 17 PROPOSED 9' X 18' PARKING SPACES IN PHASE II
 - 40 TOTAL EXISTING AND PROPOSED PARKING SPACES
 - THIS PROPERTY WILL BE SERVED BY A PRIMARY GRASSY FIELD WITH A 1900 RESERVE AREA.
 - THE VIRGINIA DEPARTMENT OF HEALTH ADVISES THAT SEPTIC LINES SHOULD BE INSTALLED THREE FEET TO FIVE FEET DEEPER TO MAINTAIN THE LIFE OF THE ON-SITE SEPTIC SYSTEM.
 - PRIOR TO CONSTRUCTION OR LAND DISTURBANCE TO EXCEED 10,000 SQUARE FEET, THE OWNER SHALL NOTIFY THE COUNTY OF AMHERST, AN INSPECTOR AND ALL PERMITS FROM ALL APPLICABLE AGENCIES.
 - THE PROPOSED MULTI-PURPOSE CENTER WILL BE SERVED BY OVERHEAD POWER.
 - OVER 100 LIGHTS WILL BE PLACED ON THE FRONT AND SIDE OF THE PROPOSED "NEW SACRATORY". ALL LIGHTS WILL BE SHIELDED.
 - THE HEIGHT OF THE PROPOSED "NEW SACRATORY" IS 20 FEET.

- CONTACT NUMBERS:**
- GAS: COLUMBIA GAS SERVICES, 2000 LEBANON ROAD, COLUMBUS, VA 22501, PHONE: (703) 440-9111 EXT. 3000
 - ELECTRIC: AMERICAN ELECTRIC POWER, 1200 JONES ROAD, LYNCHBURG, VA 24501-5004, PHONE: (434) 542-4329
 - TELEPHONE: VERIZON - VIRGINIA, INC., ENGINEERING DEPARTMENT, 321 LITTLEFIELD ROAD, LYNCHBURG, VA 24504, PHONE: (434) 239-2117
 - COUNTY INSPECTIONS: AMHERST COUNTY BUILDING INSPECTIONS, AMHERST, VA 24501, PHONE: (434) 542-5320
 - OWNER: RISING SUN MISSIONARY BAPTIST CHURCH, 404 CLAY STREET, LYNCHBURG, VIRGINIA, PHONE: (434) 502-4874
 - SITE CONTRACTOR: DESIGN & BUILD LLC, 202 S. WALN STREET, AMHERST, VA 24501, PHONE: (434) 542-5321
 - ENGINEER/SURVEYOR: ACRES OF VIRGINIA, INC., 404 CLAY STREET, LYNCHBURG, VA 24504, PHONE: (434) 502-4874
 - AMHERST COUNTY DEPARTMENT OF PLANNING AND ZONING: AMHERST COUNTY DEPARTMENT OF PLANNING AND ZONING, P.O. BOX 300, AMHERST, VA 24501, PHONE: (434) 542-5321
 - ROADS: VIRGINIA DEPARTMENT OF TRANSPORTATION (V.D.O.T.), 4310 CAMPBELL AVE, LYNCHBURG, VA 24501, PHONE: (434) 947-8550
 - WATER - ON-SITE: VIRGINIA DEPARTMENT OF HEALTH, 202 SECOND STREET, P.O. BOX 300, AMHERST, VA 24501, PHONE: (434) 542-5321
 - SEWER - ON-SITE: VIRGINIA DEPARTMENT OF HEALTH, 202 SECOND STREET, P.O. BOX 300, AMHERST, VA 24501, PHONE: (434) 542-5321

NOTE: ALL SITE PLANTINGS OF TREES AND SHRUBS SHALL BE ALLOWED TO REACH AND MAINTAIN THE FULL MATURE HEIGHT. THE TOLERANCE OF TREES IS UNLIMITED. SHRUBS AND TREES SHALL BE PLANTED TO PROTECT THE VISUAL HEALTH OF THE PLANT.

LANDSCAPE LEGEND:

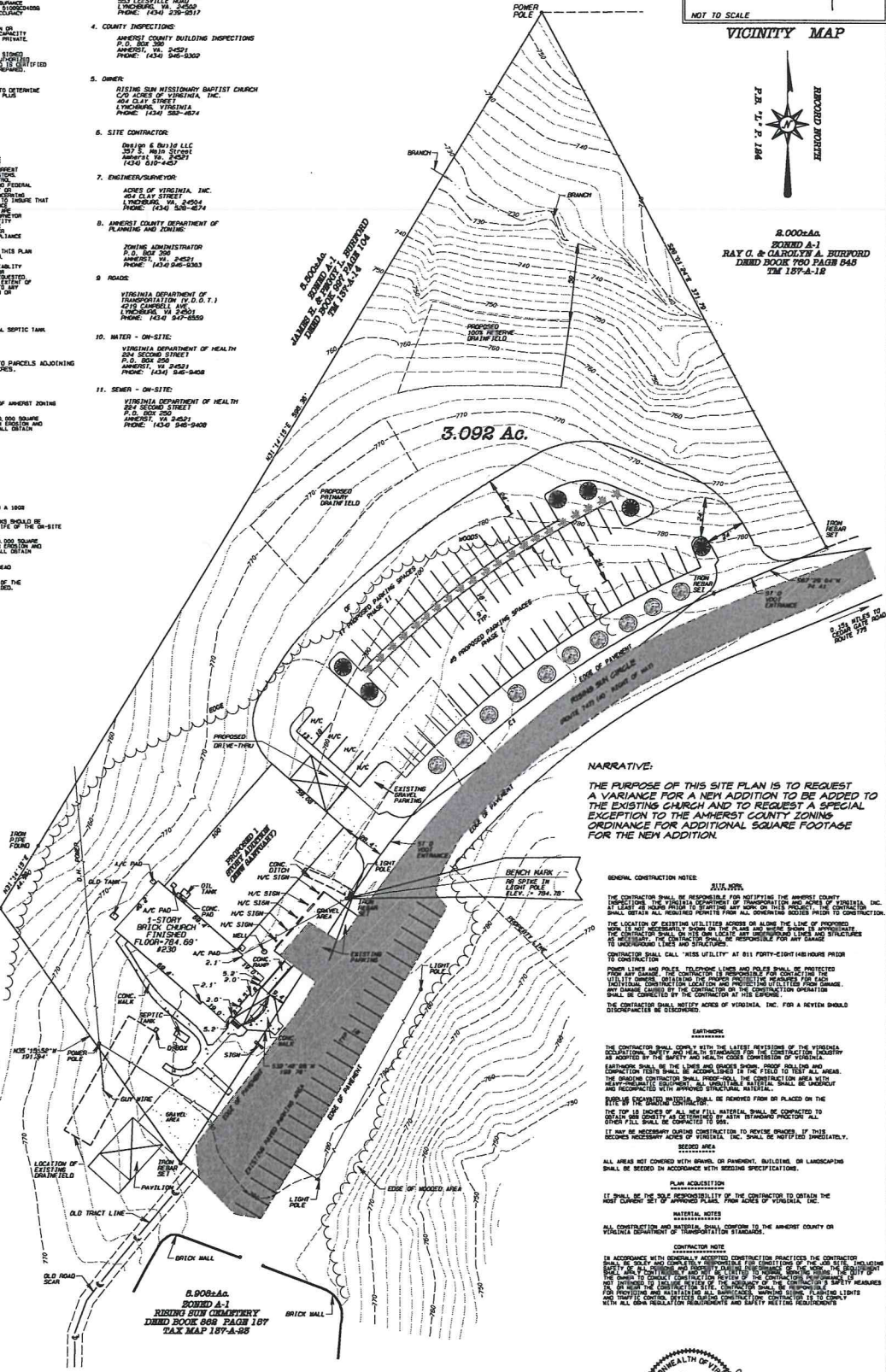
COMMON NAME	SCIENTIFIC NAME
DOGWOOD	KOENIGS FLORIDA
RED MAPLE (RED SUNSET OR OCTOBER GLODY)	ACER RUBRUM
JANIPERS (3" x 6" CENTER IN MULCH BED)	CAESALPINIA HORIZONTALIS [LACINIA]



APPROVED BY

AMHERST COUNTY ZONING ADMINISTRATOR	DATE
VIRGINIA DEPARTMENT OF TRANSPORTATION	DATE
VIRGINIA DEPARTMENT OF HEALTH	DATE

- LEGEND:**
- R/W - RIGHT OF WAY
 - FENCE
 - O.H. - OVERHEAD
 - CONC. - CONCRETE
 - HWY. - HIGHWAY
 - NON. - NONMENT
 - H/C - HANDICAP
 - EDGE OF WOODS
 - DB - DEED BOOK
 - AC - AIR CONDITIONER
 - ELEC. - ELECTRIC
 - LP - LIGHT POLE
 - CL - CENTERLINE
 - BM - BENCHMARK
 - EXISTING CONTOURS
 - R.R. - RAILROAD
- GRAPHIC SCALE** 1" = 30'
- CURVE DATA**
- | LINE | DELTA | RADIUS | ARC | CHORD | CHORD BEARING |
|------|-----------|--------|-----------|--------|---------------|
| CL | 34.16(95) | 400.00 | 211.26(1) | 203.71 | 90.70(37.8) |



NARRATIVE:

THE PURPOSE OF THIS SITE PLAN IS TO REQUEST A VARIANCE FOR A NEW ADDITION TO BE ADDED TO THE EXISTING CHURCH AND TO REQUEST A SPECIAL EXCEPTION TO THE AMHERST COUNTY ZONING ORDINANCE FOR ADDITIONAL SQUARE FOOTAGE FOR THE NEW ADDITION.

GENERAL CONSTRUCTION NOTES:

DATE: 10/18/11

THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE AMHERST COUNTY INSPECTOR, THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND ACRES OF VIRGINIA, INC. AT LEAST 48 HOURS PRIOR TO STARTING ANY WORK ON THIS PROJECT PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

THE LOCATION OF EXISTING UTILITIES ACROSS OR ALONG THE LINE OF PROPOSED WORK IS NOT NECESSARILY SHOWN ON THIS PLAN AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO EXISTING UTILITIES AND STRUCTURES AS A RESULT OF CONSTRUCTION.

CONTRACTOR SHALL CALL "MISS UTILITY" AT 811 FORTY-EIGHT HOURS PRIOR TO CONSTRUCTION TO LOCATE ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND STRUCTURES FROM DAMAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

THE CONTRACTOR SHALL NOTIFY ACRES OF VIRGINIA, INC. FOR A REVIEW SHOULD DISCREPANCIES BE DISCOVERED.

Earthwork

THE CONTRACTOR SHALL COMPLY WITH THE LATEST REVISIONS OF THE VIRGINIA ACQUISITION, INSTALLATION, MAINTENANCE AND REPAIR ACT AND THE VIRGINIA DEPARTMENT OF HEALTH AND HEALTH CARE COMMISSION OF VIRGINIA.

LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

IT MAY BE NECESSARY DURING CONSTRUCTION TO REVISE PERMITS. IF THIS OCCURS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING IMMEDIATELY.

SEWER AREA

ALL AREAS NOT COVERED WITH BRICK OR PAVEMENT, BUILDINGS, OR LANDSCAPING SHALL BE SEEDING IN ACCORDANCE WITH SEEDING SPECIFICATIONS.

PLAN ACQUISITION

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN THE MOST CURRENT SET OF APPROVED PLANS FROM THE COUNTY OF AMHERST.

MATERIAL NOTES

ALL CONSTRUCTION AND MATERIAL SHALL CONFORM TO THE AMHERST COUNTY OR VIRGINIA DEPARTMENT OF HEALTH SPECIFICATIONS.

CONTRACTOR NOTE

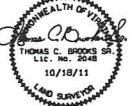
IN ACCORDANCE WITH SECTION 10-1-1000 OF THE VIRGINIA DEPARTMENT OF HEALTH AND HEALTH CARE COMMISSION OF VIRGINIA, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

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SOURCES OF TITLE:

DEED BOOK 87 PAGE 44 (7/1/13-4-15)
 DEED BOOK 943 PAGE 1-3 (7/1/13-4-13)



DRAWING	PROPOSED ADDITION AND PARKING LOT FOR	CONTRACT NO. 10899 DATE: OCTOBER 18, 2011 FILE NO. 10899-010 SERVANT: ACRES OF VIRGINIA, INC. SCALE: 1" = 30' ACRES OF VIRGINIA, INC.	ACRES OF VIRGINIA, INC. ENGINEERS SURVEYORS & GEOTECHNICAL ENVIRONMENTAL SOIL CONSULTANTS 8041: Sercs2001.com www.acresofvirginia.com	REVISION	DATE						
	Site Plan					<table border="1"> <tr><td>1</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>5</td><td></td></tr> </table>	1		2		3
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Rising Sun Missionary Baptist Church WELCH DISTRICT AMHERST COUNTY, VIRGINIA		Site Plan for Variance and Special Exception		AMHERST OFFICE: SURVEYING & PLANNING 404 CLAY STREET 257 SOUTH MAIN STREET AMHERST, VA 24501 PHONE: (434) 542-5320							