

**TOWN OF AMHERST
BOARD OF ZONING APPEALS
Tuesday, April 4, 2017**

AGENDA

6:00 PM

1. Call to Order and Determination of Quorum
2. Moment of Silence
3. Confirmation of Minutes of March 7, 2017
4. Election of Officers
The Board indicated that it plans to elect officers at this session. Staff suggests a nomination of a slate that includes a Chairman, Vice Chairman and Secretary.
5. Clemson Investments Variance Application (195 Mount Olive Road)
A public hearing on this application has been scheduled and duly advertised.
6. Adjournment

Town of Amherst
Board of Zoning Appeals
March 7, 2017

A meeting of the Town of Amherst Board of Zoning Appeals was called to order by Chairman Gary Mays at 6:00 PM on March 7, 2017, in the Council Chambers of the Town Hall at 174 S. Main Street. Members Kevin Akershoek, Marvin Hensley and Gary Mays were present. Member Ed Carton arrived late as noted below and member Teresa Tatlock was absent. Town Manager Jack Hobbs, in his capacity as Secretary to the Board, and Deputy Town Manager Vicki Hunt were present.

The Chair noted that a quorum was present and asked for a moment of silence.

Mr. Hensley made a motion that was seconded by Mr. Akershoek to dispense with the reading and approve the minutes from the September 1, 2015, meeting. The motion carried 3-0-2 with Messrs. Mays, Akershoek and Hensley voting in favor. Mr. Carton and Ms. Tatlock were absent.

By consensus, election of officers will be deferred to the next meeting.

Mr. Carton entered the meeting.

Variance Application Review: Clemson Investments, LLC – 195 Mt. Olive Road

The Secretary provided a report on a variance application as follows:

Clemson Investments, LLC, through signatory James W. “Jeep” Newman, Jr. and representative Tommy Brooks, has applied for variances for property located at 195 Mount Olive Road (TM#96A3-2-5), zoned Light Commercial District B-1.

The application pertains to the conversion of an existing accessory building into a multifamily dwelling. If approved:

1. The 25’ yard on the right side of the lot required by Section 18.1-804 of the Town Code would be reduced to 7’, and
2. A gravel parking lot and driveways for the proposed total 7 dwelling units on the site (adjusted to 10 as outlined below) would be allowed instead of being constructed from concrete, asphalt, brick or paving stones as required by Sec. 18.1-602.04.1 of the Town Code.

Factors favoring the approval of this proposal involve the desire of the property owner to improve the old building on the site and convert it to a more usable state. The impact of a reduction in actual setback on the adjacent property which is currently being used as a cowpasture is expected to be minimal. Gravel surfacing allows stormwater to infiltrate into the soil instead of running off, concentrating and creating potential downstream erosion and flood control problems as is the case with “hard” surfacing.

A significant consideration that is not favorable to the petitioner is the theory that the Town should work towards conformity with established ordinances. This case is similar to many variance requests in that the Board of Zoning Appeals must be concerned with the preservation of the integrity of the ordinance. From a practical perspective, adjusting setbacks and waiving paving requirements would be somewhat harder to justify in the case of a proposed new building.

The state code was recently changed so that a variance must be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property and 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 a general regulation to be adopted as an amendment to the ordinance (in addition to other criteria).

The Planning Commission reviewed this application per §18.1-1006.02 of the Town Code during its March 1 meeting at which time by a vote of 4-0 a motion carried to recommend that the Board of Zoning Appeals approve the Clemson Investments' proposal as requested.

As always, the Board should pay close attention to the state law and the Town's Zoning and Subdivision Ordinance in addition to the testimony during the required public hearing. As a procedural note, three affirmative votes by Board members will be required to approve this request. Everyone involved should also remember the "one year" rule at §18.1-1006.05 which indicates that "substantially the same petition affecting the same land shall not be considered within any twelve (12) month period."

Thomas Brooks, Sr., from Acres of Virginia, representative for Applicant/property owner James Newman came forward to explain the application.

Applicant/property owner James Newman was present to answer questions. Mr. Carton asked for clarification on the use of property being multifamily housing instead of single family as stated in the application. Mr. Newman advised that there would be a total of 10 apartments which includes 7 units in the repurposed garage building in addition to the three that currently exist in the former Bobby Yancey house. It is the consensus of the Board that it will hold a public hearing on the application per the following advertisement:

PUBLIC HEARING NOTICE

The Town of Amherst Board of Zoning Appeals will hold a public hearing at PM on April 4, 2017 at 7:00 PM in the Council Chambers of the Town Hall at 174 South Main Street. The subject of the hearing is a variance application by Clemson Investments, LLC for property located at 195 Mt. Olive Road. (TM#96A3-2-5, zoned Light Commercial District B-1) that would support the conversion of an existing accessory building into a multifamily dwelling. If approved:

1. The 25' yard on the right side of the lot required by Section 18.1-804 of the Town Code would be reduced to 7', and
2. A gravel parking lot and driveways for the proposed total 10 dwelling units on the site would be allowed instead of being constructed from concrete, asphalt, brick or paving stones as required by Sec. 18.1-602.04.1 of the Town Code.

Documents relating to the request are available for public inspection at www.amherstva.gov and in the Town Hall during normal working hours.

The Board discussed the adequacy of the number of parking spaces shown on the submitted drawings as both a practical matter and for compliance with the Zoning Ordinance.

There being no further business to discuss, Mr. Carton made a motion that was seconded by Mr. Akershoek to adjourn the meeting at 6:46 PM. The motion carried 4-0-1 with Messrs. Messrs. Mays, Akershoek, Carton and Hensley voting in favor. Ms. Tatlock was absent.

Gary Mays
Chairman

ATTEST: _____
Secretary

PUBLIC HEARING NOTICE

The Town of Amherst Board of Zoning Appeals will hold a public hearing on April 4, 2017 at 7:00 PM in the Council Chambers of the Town Hall at 174 South Main Street. The subject of the hearing is a variance application by Clemson Investments, LLC for property located at 195 Mt. Olive Road. (TM#96A3-2-5, zoned Light Commercial District B-1) that would support the conversion of an existing accessory building into a multifamily dwelling. If approved:

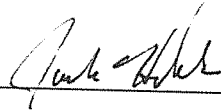
1. The 25' yard on the right side of the lot required by Section 18.1-804 of the Town Code would be reduced to 7', and
2. A gravel parking lot and driveways for the proposed total 10 dwelling units on the site would be allowed instead of being constructed from concrete, asphalt, brick or paving stones as required by Sec. 18.1-602.04.1 of the Town Code.

Documents relating to the request are available for public inspection at www.amherstva.gov and in the Town Hall during normal working hours.

AFFIDAVIT

I hereby certify that, on March 15, 2017, this notice of public hearing was sent by first class mail to the last known address of the owners of neighboring property shown on the current real estate tax assessment books and as required by Section 15.2-2204 of the Code of Virginia, 1950, as amended. The list of owners is below.

The required sign was erected on the site on March 10, 2017.



 3/15/2017

 Date

96A3-2-3	KITY Associates c/o James W. Newman, Jr 2805 Barracks Road Charlottesville, VA 22901
96A4-A-12	KITY Associates, LLP 2246 Ivy Road, Suite 5 Charlottesville, VA 22903
96A3-2-4	Annie Bell Jones 186 Mount Olive Road P. O. Box 1033 Amherst, VA 24521
96A3-2-4A	Kimberly Dawn Campbell 180 Mount Olive Road P. O. Box 783 Amherst, VA 24521
96A3-2-5A	Brenda T. Campbell 177 Mount Olive Road P. O. Box 327 Amherst, VA 24521

96A3-2-6	Elsie Bennett Stewart 191 W. Court Street P. O. Box 55 Amherst, VA 24521
96A3-A-2	Earl Douglas 727 Kenmore Road Amherst, VA 24521
96A3-A-3	Willie Mosby 139 Rivera Drive Madison Heights, VA 24572
96A3-A-5	Clemson Investments, LLC James W. Newman, Jr., 2246 Ivy Road, Suite 5 Charlottesville, VA 22903

Clemson Investments LLC Variance Application (195 Mount Olive Road)

March 31, 2017

Clemson Investments, LLC, through signatory James W. “Jeep” Newman, Jr. and representative Tommy Brooks, has applied for variances for property located at 195 Mount Olive Road (TM#96A3-2-5), zoned Light Commercial District B-1.

The application pertains to the conversion of an existing accessory building into a multifamily dwelling. If approved:

1. The 25’ yard on the right side of the lot required by Section 18.1-804 of the Town Code would be reduced to 7’, and
2. A gravel parking lot and driveways for a total of 10 dwelling units on the site would be allowed instead of being constructed from concrete, asphalt, brick or paving stones as required by Sec. 18.1-602.04.1 of the Town Code.

Factors favoring the approval of this proposal involve the desire of the property owner to improve the old building on the site and convert it to a more usable state. The impact of a reduction in actual setback on the adjacent property which is currently being used as a cowpasture is expected to be minimal. Gravel surfacing allows stormwater to infiltrate into the soil instead of concentrating, running off, and potentially creating downstream erosion and flood control problems as is the case with “hard” surfacing.

A significant consideration that is not favorable to the petitioner is the theory that the Town should work towards conformity with established ordinances. This case is similar to many variance requests in that the Board of Zoning Appeals must be concerned with the preservation of the integrity of the ordinance. From a practical perspective, adjusting setbacks and waiving paving requirements would be somewhat harder to justify in the case of a proposed new building.

The state code was recently changed so that a variance must be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property and 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 a general regulation to be adopted as an amendment to the ordinance (in addition to other criteria).

The Planning Commission reviewed this application per §18.1-1006.02 of the Town Code during its March 1 meeting and recommended that the Board of Zoning Appeals approve it as requested.

Note that due to the change in the total number of units that may or may not be installed at the site provided by the applicant during the March 7, 2017 Board of Zoning Appeals meeting, the submitted site plan is inadequate. The issues of utility “tap” fees and the design and installation of water and sewer facilities for the actual dwellings created also need to be resolved.

As always, the Board should pay close attention to the state law and the Town's Zoning and Subdivision Ordinance in addition to the testimony during the required public hearing. As a procedural note, three affirmative votes by Board members will be required to approve this request. Everyone involved should also remember the “one year” rule at §18.1-1006.05 which indicates that “substantially the same petition affecting the same land shall not be considered within any twelve (12) month period.”

Provisions of the Code of Virginia re Variances as of February 27, 2017

§ 15.2-2201. Definitions. *(excerpt)*

"Variance" means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

§ 15.2-2309. Powers and duties of boards of zoning appeals. *(excerpt)*

Boards of zoning appeals shall have the following powers and duties:

2. Notwithstanding any other provision of law, general or special, to grant upon appeal or original application in specific cases a variance as defined in § [15.2-2201](#), provided that the burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in § [15.2-2201](#) and the criteria set out in this section.

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) 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 a general regulation to be adopted as an amendment to the ordinance; (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § [15.2-2309](#) or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § [15.2-2286](#) at the time of the filing of the variance application.

No variance shall be considered except after notice and hearing as required by § [15.2-2204](#). However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

In granting 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. Notwithstanding any other provision of law, general or special, the property upon which a property owner has been granted a variance shall be treated as conforming for all purposes under state law and local ordinance; however, the structure permitted by the variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the ordinance. Where the expansion is proposed within an area of the site or part of the structure for which a variance is required, the approval of an additional variance shall be required.

Sec. 18.1-602.04.1. Surfacing

- a. Parking spaces and driveways for single family dwelling units shall be constructed of gravel, compacted stone, concrete, asphalt, brick or paving stones.
- b. Parking spaces and driveways for other than single family dwelling units shall be constructed of concrete, asphalt, brick or paving stones.

Sec. 18.1-804 Minimum yard requirements.

- a. Within the district herein defined, the following minimum yard requirements shall apply:

	Front Yard Setback	Side-Yard Setback		Rear Yd Setback
		Corner Lot	Other Lots	
A-1 Agricultural	50'	15'	15'	25'
R-1 Limited Residential	60'	20'	15'	35'
R-2 General Residential	50'	15'	10'	35'
T-1 Transitional Use Zone	50'	(b)	(b)	35'
R-3 High Density Res.	30'	15'	15'	35'
R-4 Manufactured Home	30'	15'	15'	35'
B-1 Light Commercial	50'	(c)	(c)	(c)
CBD Central Business District	None	(c)	(c)	(c)
B-2 General Commercial	50'	(c)	(c)	(c)
E-1 Business Park	50'	(c)	(c)	(c)
M-1 Industrial	50'	(c)	(c)	(c)

- c. No minimum requirement except that no building or structure shall be erected within twenty-five (25) feet of a residentially zoned lot.





APPLICATION FOR VARIANCE
TOWN OF AMHERST BOARD OF ZONING APPEALS
POST OFFICE BOX 280
AMHERST, VIRGINIA 24521
(434) 946-7885

DATE _____

APPLICANT Clemson Investments, LLC OWNER Clemson Investments, LLC
ADDRESS 2246 Ivy Road, Suite 5 ADDRESS 2246 Ivy Road, Suite 5
CITY Charlottesville, VA 22903 CITY Charlottesville, VA 22903
TELEPHONE NO. 434-616-6615 TELEPHONE NO. 434-616-6615

REPRESENTATIVE Thomas C. Brooks, Sr./Acres of Virginia, Inc. ADDRESS 404 Clay Street
CITY Lynchburg, VA 24504 TELEPHONE NO. 434-528-4674

LOCATION OF REQUEST 195 Mt. Olive Road
TAX MAP NO. 96A3-2-5 LOT AREA 1.066 acres ZONE B-1 Light Commercial
PROPOSED USE single family housing

QUESTIONS TO BE ANSWERED BY APPLICANT

1. Which of the following special conditions necessitates a variance?
 Exceptional narrowness, shallowness, size or shape of property.
 Exceptional topographic conditions or other extraordinary conditions of property.
 Exceptional conditions of adjacent property.
2. In what way would the strict application of the zoning ordinance effectively prohibit or unreasonably restrict the utilization of the property?
see attachment
3. What effect would the variance have on adjacent property? Would the proposal be detrimental to adjacent property or change the character of the district?
see attachment

Please attach sketches and other detailed information to this application.

Applicants are reminded that §18.1-1002 of the Town Code requires signs describing the action requested under this application to be posted on the property.

As owner of the property listed above, I hereby petition the Board of Zoning Appeals to grant a variance as described herein.

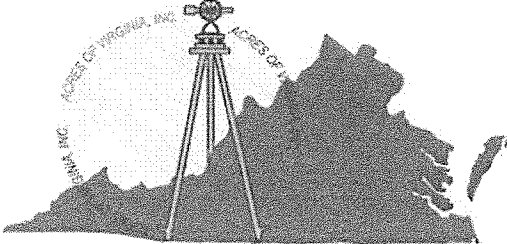
see attachment

Thomas C. Brooks, Sr. 12-19-16
Signature of Owner AGENT Date

BOARD OF ZONING APPEALS PUBLIC HEARING _____
Date Time

BOARD OF ZONING APPEALS ACTION:

Zoning Administrator Date



ACRES OF VIRGINIA, INC.
SURVEYORS~ENGINEERS~PLANNERS
ENVIRONMENTAL~SOIL CONSULTANTS
GEOTECHNICAL

404 Clay Street Lynchburg, VA 24504
Office: (434) 528-4674 Fax: (434) 845-1048
e-mail: serca2@aol.com
website: www.acresofvirginia.com

December 19, 2016

Mr. Jack Hobbs, Town Manager
Town of Amherst
P. O. Box 280
Amherst, VA 24521

Re: Variances

Dear Mr. Hobbs:

Our client, Clemson Investments, LLC, is requesting two variances for property located at 125 Mt. Olive Road in the Town of Amherst. The property is shown on the town tax maps as 96A3-2-5 and encompasses 1.066 acres. The property is currently zoned B-1 Light Commercial. The proposed use of the property will be single family housing.

The property is encompassed with an existing older building which will be renovated and converted into single family housing for rent to the consumer. The infrastructure existing on the property is shown on our site plan dated September 27, 2016. Copies are attached for distribution.

Our client is requesting two variances:

Variance #1 will be for a side yard setback on the west side of the property adjoining the cinderblock building. Our client is requesting a side yard setback of 7 feet in place of the required setback shown in the zoning ordinance. The seven foot setback will allow our client to install verandas on the western portion of the building off the second floor.

Variance #2 will be to allow our client to maintain the parking area and the road travel ways as gravel in place of pavement or surface treatment which is required by ordinance.

1. The following conditions do necessitate variances.

- (i) The lot is exceptional in size and shape.
- (ii) The topographic conditions of the property do not allow construction anywhere else within the boundaries.
- (iii) The property bordering to the east is encumbered with a swale and steep grades on the north and south ends of the property.

2. The strict application of the zoning ordinance does prohibit and restrict the utilization of the property. If our client adheres to the strict zoning ordinance, there are no other areas within the boundaries of the property that can be developed for building and only the building that exists can be used. The building that exists on the property can be renovated and utilized as a functional facility for use by our client and would be a substantial asset to the Town of Amherst.

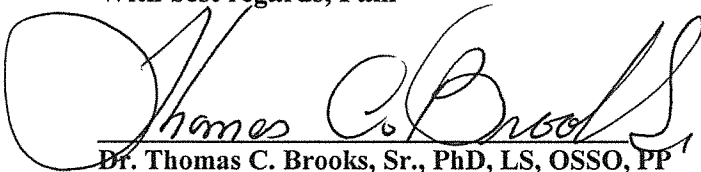
3. What affect would a variance have on the adjacent property?

The side yard variance would not have a determinate to the adjoining property which is a larger tract of land and is farm use. The verandas would protrude from the second floor of the building and would be used by the consumer as an outdoor sitting area.

Our client is also asking for a variance to allow him to leave the parking area and the driveways into this property as gravel. He is asking that he not be required to surface treat or pave these areas. The majority of the residential properties along West Court Street and Mt. Olive Street have gravel driveways for access.

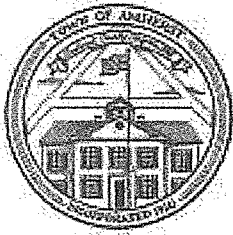
The plan proposal would not have a detrimental effect on adjacent properties nor would it change the character of the zoning district. This property's parking and its driveways have been gravel for many years. The building on the property has been a part of this property for many years. The renovation and use of this building will increase the asset value and would also be an asset value for the Town of Amherst for a tax base.

With best regards, I am

A handwritten signature in black ink, appearing to read "Thomas C. Brooks, Sr.", written over a horizontal line.

Dr. Thomas C. Brooks, Sr., PhD, LS, OSSO, PP¹
CEO of Acres of Virginia, Inc.

TCBSr/jl



DATE 12-28-2016

CERTIFICATE OF OWNER'S REPRESENTATIVE
TOWN OF AMHERST
POST OFFICE BOX 280
AMHERST, VIRGINIA 24521
(804) 946-7885

Property Owner	James W. Newman, Jr.
Company	Clemson Investments, LLC
P.O. Box	2246 Ivy Rd, Suite 5
City, State, Zip	Charlottesville, VA 22903
E-mail Address	jeepnewman@aol.com
Telephone	434-979-0568
Fax	434-797-4421

This is to confirm that I am the owner of the property described as follows:

Deed Book/Page Number	1205-202
Tax Map Number	96A3-2-5
Street Address	195 Mount Olive Road
Other Description	

and that I hereby make, constitute and appoint:

Representative	Thomas C. Brooks, Sr., LS
Company	Acres of Virginia, Inc.
P.O. Box	404 Clay Street
City, State, Zip	Lynchburg, VA 24504
E-mail Address	serca2@aol.com or acresoffice2@gmail.com
Telephone	434-528-4674
Fax	434-845-1048

my true and lawful agent and in my name, place and stead giving unto this individual full power and authority to do and perform all acts and make all representation necessary, without any limitation whatsoever, to make application for zoning change(s), special use permit(s), and/or variance(s) for the property referenced herein. The right, powers, and authority of said agent herein granted shall commence and be in full force and effect as of the date this is signed and shall remain in full force and effect thereafter until actual notice is received by the Town Manager of the Town of Amherst stating that the terms of this power have been revoked or that another individual has been appointed as my representative.

Owner

STATE OF VIRGINIA AT LARGE, TO WIT:
CITY/COUNTY OF ALBEMARLE

I, CAROLYN PATTERSON, a Notary Public in and for the State of Virginia At Large do hereby certify that James W. Newman, Jr. signed the foregoing instrument before me this 28th day of DECEMBER, 2016.

Notary Public
Registration # 257244


My Commission Expires: AUGUST 31, 2017

Adjacent property owner information for

Special Use Permit Application - Rezoning Application - Conditional Zoning Application - Variance Application - Appeal Application

§ 15.2-2204 of the Code of Virginia requires that a notice of pending action to be mailed to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels which lie outside the Town; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property. The purpose of this form is to assist the applicant to collect the needed information from the Amherst County Commissioner of the Revenue's office.

Tax Map #	Physical Address	Owner's Name	Owner's Mailing Address
96A3-2-3	187 W Court Street	Kity Associates,	c/o James W. Newman, Jr., 2805 Barricks Road, Charlottesville, VA 22901
96A4-A-12	227 Mount Olive Road	Kity Associates, LLP	2246 Ivey Road, Suite 5, Charlottesville, VA 22903
96A3-2-4	186 Mount Olive Road	Annie Bell Jones	P. O. Box 1033, Amherst, VA 24521
96A3-2-4A	180 Mount Olive Road	Kimberly Dawn Campbell	P. O. Box 783, Amherst, VA 24521
96A3-2-5A	177 Mount Olive Road	Brenda T. Campbell	P. O. Box 327, Amherst, VA 24521
96A3-2-6	191 W Court Street	Elsie Bennett Stewart	P. O. Box 55, Amherst, VA 24521
96A3-A-2	vacant land on W. Court St	Earl & Brenda T. Douglas	727 Kenmore Road, Amherst, VA 24521

OWNER: 

JAMES W. (JEEP) NEWMAN JR.

JEEPNEWMAN@AOL.COM
 CELL 434-825-2429

2246 IVY ROAD, SUITE 5
 CHARLOTTESVILLE, VA 22903

OFF 434-979-0568
 FAX 434-979-4421

Applicants should use as many forms as are needed to provide the needed information.

Note: Applicants are reminded that §18.1-1002 of the Town Code requires signs describing pending action by the Planning Commission, Town Council or Board of Zoning Appeals to be posted when approval of a site plan, subdivision, special use permit, rezoning, conditional zoning, variance, or appeal is requested.



TOWN OF AMHERST

P.O. Box 280 174 S. Main Street Amherst, VA 24521
Phone (434)946-7885 Fax (434)946-2087

March 15, 2017

James Newman, Jr.
2246 Ivy Road, Suite 5
Charlottesville, VA 22903

Re: 195 Mt. Olive Road/TM#96A3-2-5 (Clemson Investments Variance Proposal)

Dear Mr. Newman:

This is to confirm that the Board of Zoning Appeals has scheduled a public hearing on your above-referenced application per the attached notice.

Due to information that became available during the March 7, 2017 meeting of the Board of Zoning Appeals, drawings submitted earlier cannot be used to support an application for a zoning permit. The latest drawing submitted contemplates a total of 7 dwelling units on the property, and it was stated during the meeting that a total of 10 would exist if your project is completed. Please submit an updated drawing showing the parking spaces required by Sec. 18.1-602.06(a)2 of the Town Code.

To avoid delays associated with the issuance of that zoning permit, please also advise what configuration you desire for the water meters that would serve this development so the Town will be able to generate a construction estimate for the installations that would serve this site.

Please let me know if you have any questions or concerns regarding this matter.

Sincerely,

Jack Hobbs
Town Manager

Cc: Tommy Brooks, Owner's Representative

NOTES:

1. THIS SITE PLAN WAS PREPARED AT THE REQUEST OF CLEMSON INVESTMENTS, LLC.
2. NO DETERMINATION OF WETLANDS WAS REQUESTED OF NOR WAS ANY DETERMINATION/DELINEATION MADE BY ACRES OF VIRGINIA, INC. OR THIS PROFESSIONAL. THIS PLAN DOES NOT ADDRESS THE EXISTENCE OR DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS IN OR AROUND THE BOUNDARIES OF THIS PROPERTY.
3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS PLAN. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
4. THIS PROFESSIONAL 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 PLAN 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.
5. THIS PROPERTY AS PLATTED FALLS WITHIN A NON-HAZARDOUS FLOOD ZONE AS DETERMINED BY F.E.M.A. AND SHOWN ON THEIR MAP.
6. IN PROVIDING THIS SITE PLAN NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED.
7. IF THE PROFESSIONAL'S SIGNATURE ON THIS PLAN IS NOT STAMPED WITH BLUE INK, THIS PLAN IS A COPY AND COULD CONTAIN UNAUTHORIZED ALTERATIONS. CERTIFICATION APPLIES TO ORIGINAL COPIES AND IS CERTIFIED SOLELY TO THE PERSON(S) OR ENTITIES FOR WHOM THE PLAN WAS PREPARED.
8. ANY SUBAQUEOUS BEDS LOCATED WITHIN THE BOUNDARIES OF THIS PROPERTY MAY BE THE PROPERTY OF THE COMMONWEALTH OF VIRGINIA.
9. IT IS UNLAWFUL TO DISTURB ANY GRAVE OR GRAVE MARKER, ACCORDINGLY ANY GRAVE OR ANY OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL IDENTIFIED DURING THE SURVEY, PROPERTY RESEARCH OR PLAT PREPARATION OR AS DENOTED ON THIS PLAN.
10. PRIOR TO THE IMPROVEMENT OR DISTURBANCE OF ANY LOT IN THE TOWN BY ANY PERSON(S) OR ENTITY THE PLANNING DEPARTMENT SHALL BE CONTACTED CONCERNING, BUT NOT LIMITED TO, THE CURRENT ZONING, BUILDING SETBACK REQUIREMENTS, WATER OR SEWER SYSTEMS, HEALTH DEPARTMENT REQUIREMENTS, EROSION AND SEDIMENT CONTROL REQUIREMENTS, AND PRIVATE STREETS, PERMITS, ETC. STATE AND FEDERAL AGENCIES SHALL ALSO BE CONTACTED PRIOR TO ANY IMPROVEMENT OR DISTURBANCE TO THE PROPERTY, BY ANY PERSON OR ENTITY, CONCERNING BUT NOT LIMITED TO ALL OF THE AFORESAID REASONS AND TO INSURE THAT THEY COMPLY WITH THE CURRENT LAWS GOVERNING THE DISTURBANCE OR IMPROVEMENT OF THE PROPERTY.
11. THE TOTAL NUMBER OF PROPOSED UNITS TO BE CONSTRUCTED WITHIN THE EXISTING BUILDING WILL BE SIX.
12. (2 SPACES) (6 UNITS) = 12 PARKING SPACES REQUIRED.
(14) SPACES PROVIDED

LEGEND:

- TYP. = TYPICAL
- H/C = HANDICAP
- DB = DEED BOOK
- P. = PAGE
- TM = TAX MAP
- P.B. = PLAT BOOK
- FF = FINISH FLOOR
- M = WILL FLOOR
- S- = SANITARY SEWER
- W- = WATERLINE
- S00--- = EXISTING CONTOURS
- N/M = WATER METER
- OH = OVERHEAD
- CL = CENTERLINE
- MH = MANHOLE
- PP = POWER POLE
- ⊗ = LANDSCAPING
- BM = BENCHMARK
- CONC. = CONCRETE



CONTACT NUMBERS:

1. GAS: COLUMBIA GAS SERVICES
1700 DUBLIN ROAD
COLUMBUS, OH 43215
PHONE: (600) 440-6111 EXT. 3220
2. ELECTRIC: AMERICAN ELECTRIC POWER
4001 MAYFLOWER DRIVE
LYNCHBURG, VA 24501-5094
PHONE: (434) 522-4329
3. TELEPHONE: VERIZON - VIRGINIA, INC.
ENGINEERING DEPARTMENT
503 LEESVILLE ROAD
LYNCHBURG, VA 24502
PHONE: (434) 239-9517
4. COUNTY INSPECTIONS: AMERST COUNTY BUILDING INSPECTIONS
P.O. BOX 390
AMERST, VA 24521
PHONE: (434) 946-9302
5. OWNER: CLEMSON INVESTMENTS, LLC
3206 TRY ROAD, SUITE 3
CHARLOTTESVILLE, VA 22903
6. ENGINEER/SURVEYOR: ACRES OF VIRGINIA, INC.
404 CLAY STREET
LYNCHBURG, VA 24504
PHONE: (434) 528-4674
7. TOWN OF AMERST DEPARTMENT OF PLANNING AND ZONING: JACK HOBBS, TOWN MANAGER
P.O. BOX 280
AMERST, VA 24521
PHONE: (434) 946-7885
8. WATER/SEWER: JACK HOBBS, TOWN MANAGER
P.O. BOX 280
AMERST, VA 24521
PHONE: (434) 946-7885

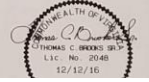
ACRES OF VIRGINIA, INC.
ENVIRONMENTAL SOIL CONSULTANTS & ENGINEERS
WWW.ACRESOFVIRGINIA.COM
OFFICE (434) 528-4674
P.A. (434) 528-1649
LYNCHBURG, VA 24504



COMM. NO.: 18777
DATE: SEPTEMBER 27, 2016
SERIAL: 18777-018658
PLAN SCALE: 1" = 20'
TAX MAP: BR-3-R-9
CORRECTION: 18777-018658

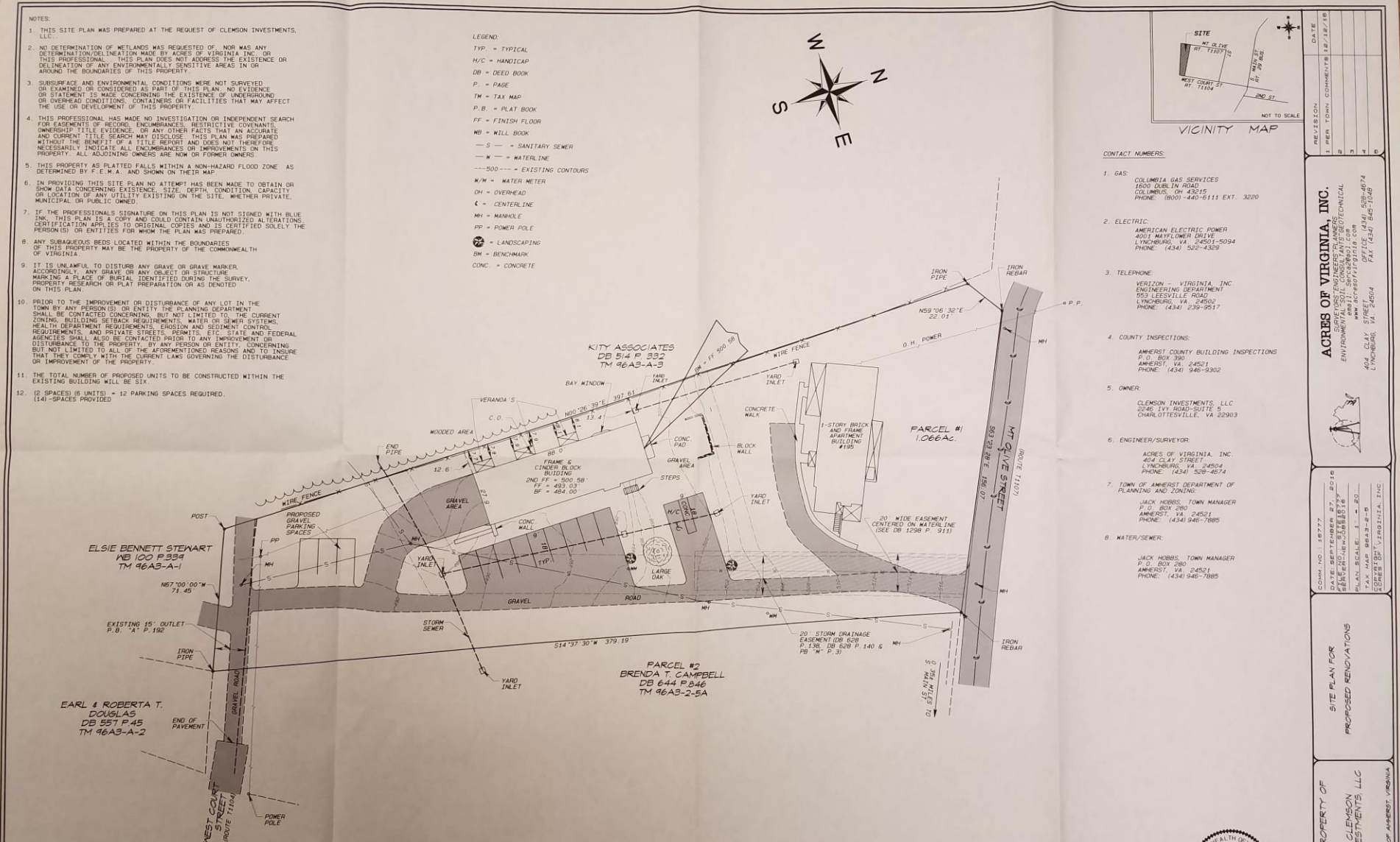
SITE PLAN FOR
PROPOSED RENOVATIONS

PROPERTY OF
CLEMSON INVESTMENTS, LLC
DRAWING



SOURCE OF TITLE:
THIS PROPERTY WAS CONVEYED TO CLEMSON INVESTMENTS, LLC BY DEED RECORDED IN DEED BOOK 1205, PAGE 202 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT AMERST COUNTY, VIRGINIA.

GRAPHIC SCALE 1"=20'



KITY ASSOCIATES
DB 514 P. 332
TM 96A3-A-3

Expanded view of building/yard variance area

