

# Hanover County, Virginia

## Land Use Map

### Legend

-  Agricultural
-  Rural Village
-  Suburban Transitional
-  Suburban General
-  Suburban High
-  Multi-Family
-  Commercial
-  Multi-Use
-  Mixed-Use (LC/HR)
-  Mixed-Use (HC/LR)
-  Business-Industrial
-  Industrial
-  Limited Industrial
-  Planned Business
-  Destination Commerce
-  Flood Plain

### C-16-14

Fomins Construction, Inc.

Rezone A-1 to M-2 and AR-6

Agricultural and Business-Industrial  
Land Use

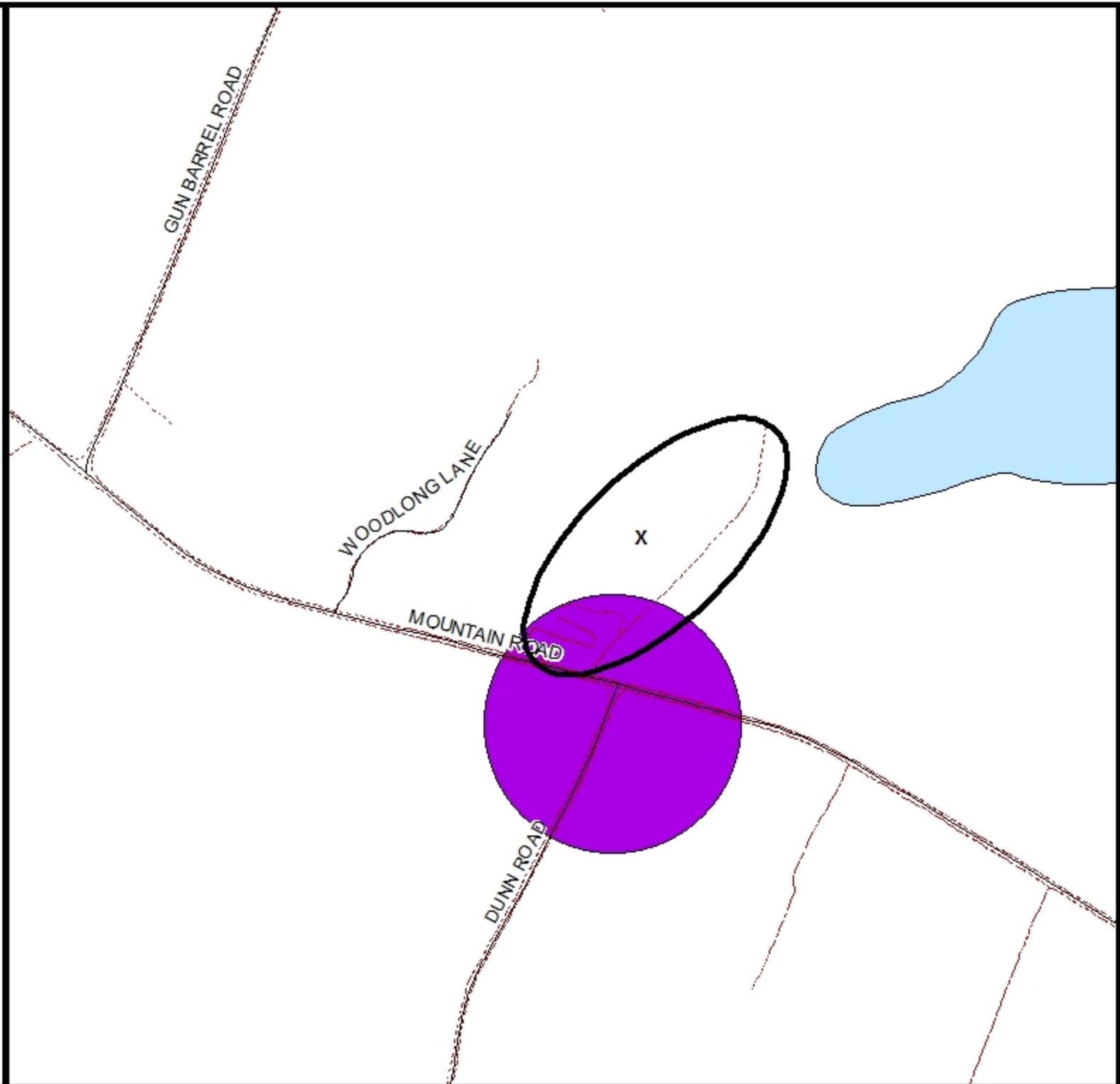
GPIN: 7803-30-8301

Beaverdam Magisterial District



1 inch = 500 feet

September 03, 2014

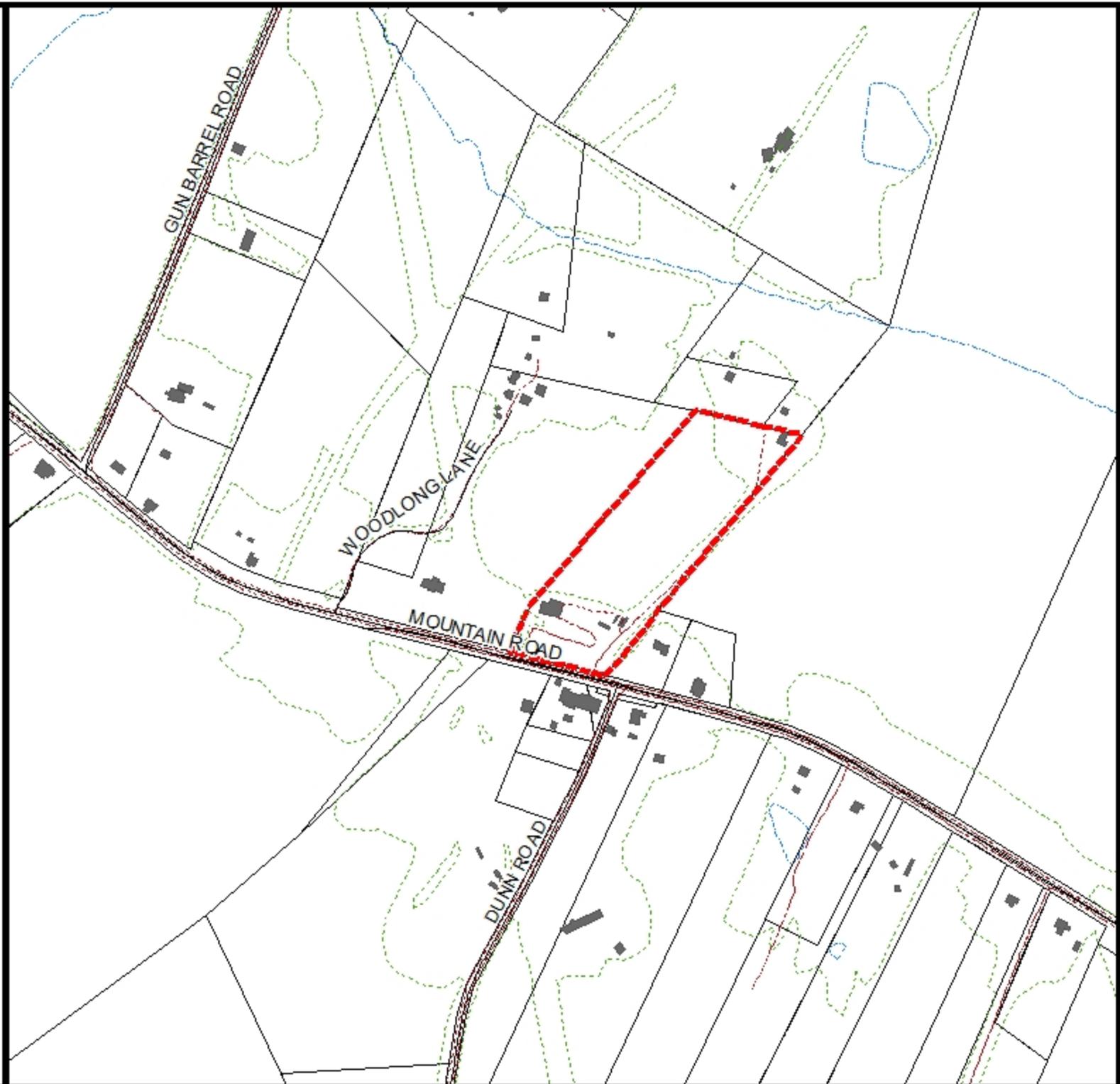


**Hanover County,  
Virginia**

**General Parcel Map**

**Legend**

- Roads
- Water
- - - Trees
- - - Private Road
- Structures
- Parcels



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1 inch = 500 feet

September 03, 2014

# Hanover County, Virginia

## Zoning Map

### Legend

— Roads	■ R-4
- - - Water	■ R-5
- - - Private Road	■ R-6
□ Parcels	■ RM
□ CUP	■ MX
□ A-1	■ B-1
□ AR-1	■ B-2
□ AR-2	■ B-3
□ AR-6	■ O-S
■ RC	■ B-0
■ RS	■ M-1
■ R-1	■ M-2
■ R-2	■ M-3
■ R-3	

### C-16-14

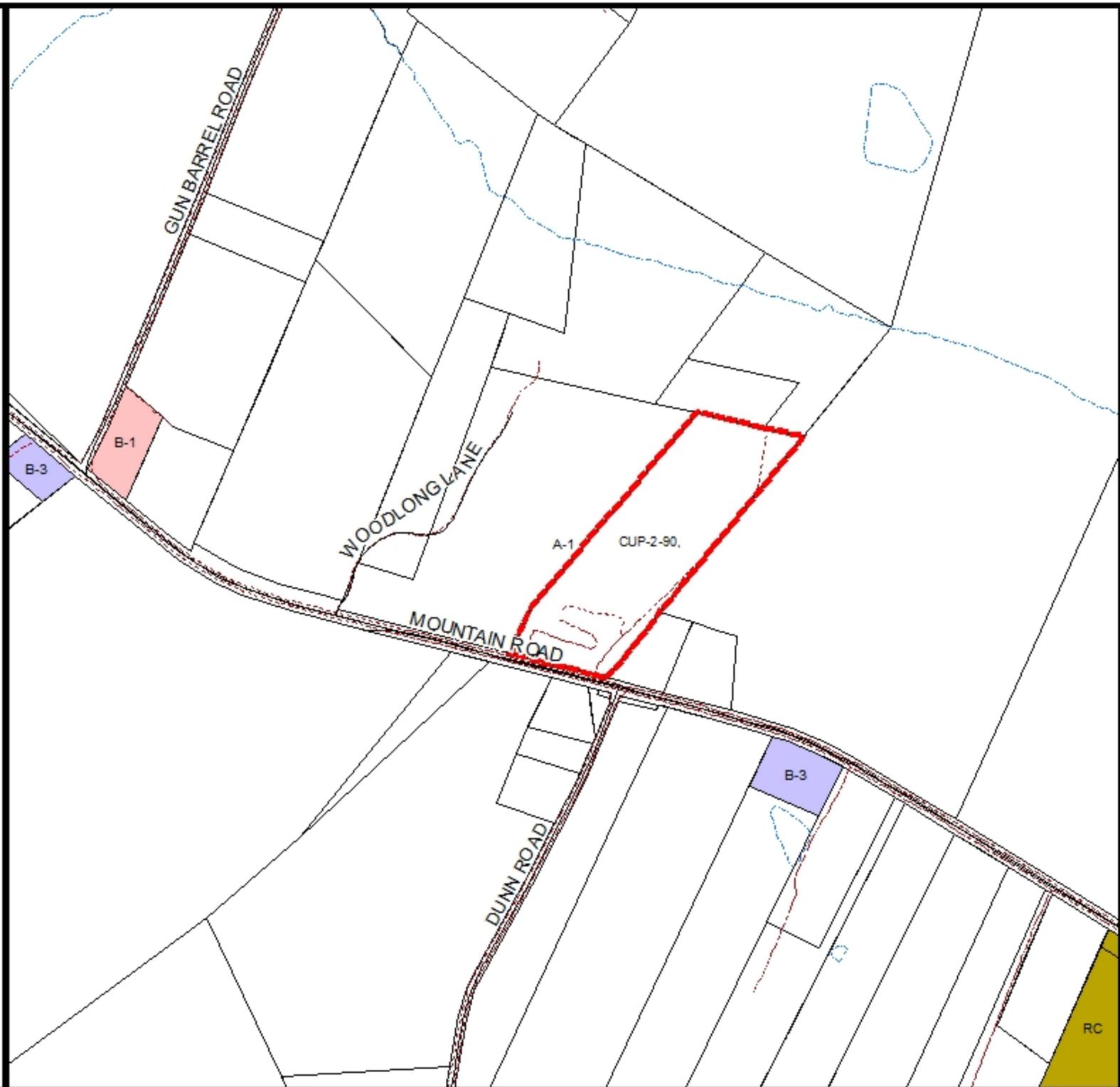
Fomins Construction, Inc.  
Rezone A-1 to M-2 and AR-6

OPIN: 7803-30-8301  
Beaverdam Magisterial District



1 inch = 500 feet

September 03, 2014





# C-16-14(c), FOMIN CONSTRUCTION INC.

Residential/Industrial Rezoning Report  
Beaverdam Magisterial District  
Board Meeting Date: December 10, 2014



## Overview

Current Zoning	A-1, Agricultural District
Requested Zoning	AR-6(c), Agricultural Residential and M-2(c), Light Industrial Districts with conditions
Requested Density	1 unit per 3.7 acres
Acreage	9.07 acres
Location	On the north line of Mountain Road (U.S. Route 33) approximately 75 feet west of its intersection with Dunn Road (State Route 736)
GPIN	7803-30-8301
General Land Use Plan	Agricultural and Business-Industrial
Major Thoroughfare Plan	Mountain Road – Major Arterial (120' right-of-way)
Suburban Service Area	Outside
Case Planner	Gretchen W. Biernot

## Executive Summary

This is a two-part request to: 1) rezone 3.7 acres to AR-6(c), Agricultural Residential District with conditions to allow one residential building lot and 2) rezone 5.36 acres to M-2(c), Light Industrial District with conditions to allow a contractor's equipment storage yard, warehouse, and office. The previous owner obtained a Conditional Use Permit in 1990 to permit an agricultural and forestal support center, which was still in operation within the last two years. To allow this rezoning request and new use of the property to move forward, the applicant has also submitted a concurrent request to rescind this CUP (CUP-2-90, Am.1-14).

## Recommendations

### *Staff*

**APPROVAL** subject to the submitted proffers, dated November 14, 2014, conceptual plan, dated October 21, 2014.

### *Planning Commission*

**APPROVAL** subject to the submitted proffers, dated November 14, 2014, conceptual plan, dated October 21, 2014.

## **Planning Analysis**

### *Comprehensive Plan*

The General Land Use Plan Map of the Comprehensive Plan (the “Plan”) changed with the 2012 Update to designate this intersection at Mountain Road and Dunn Road for Business-Industrial use to reflect the existing uses in this area. The applicant is requesting M-2 zoning, which is a compatible zoning district for this land use designation. Beyond the Business-Industrial designation, the Plan shows the property for Agricultural use, where AR-6 zoning is proposed.

This request is consistent with the following strategies of the Plan related to commercial and industrial uses:

- The Plan supports development or redevelopment that ensures harmony and promotes appropriate transitions between surrounding land uses. M-2 zoning is the most intensive district compatible with the Business-Industrial designation and without limitations on impacts may not be considered compatible with the surrounding rural residential community. However, the submitted proffers and conceptual plan help to mitigate possible impacts of many of the uses in this district. The proffers limit the M-2 uses that could be developed and require screening of materials and damaged vehicles. The conceptual plan shows parking lot screening with a board fence and limited tree clearing.
- Assuring safe and vehicular access is another strategy for development in the Plan. All commercial and truck traffic will use the VDOT approved commercial entrance. A separate entrance has been designated for residential traffic only.
- The proposed development will encourage the redevelopment of an older agricultural/commercial site.

### *Conceptual Plan*

The conceptual plan shows minimal development of the subject property for industrial and residential use. Lot 1 consists of 5.36 acres to be rezoned to M-2. The existing gravel parking area and metal building will be used for a contractor’s equipment storage yard, office, and warehouse. The applicant is proposing to construct a 552 square foot addition to the building. The plan identifies the future location for a dwelling for a caretaker employed by the business on the M-2 property and areas to be cleared for drainfields for the business and future dwelling. The plan shows parking delineated along the edge of the gravel lot and a board fence to screen the parking and driveway from the adjacent residence. The ultimate right-of-way line has been provided through reservation along the frontage of Mountain Road. The 3.7 acre area in Lot 2 is proposed to be rezoned to AR-6 to allow one dwelling. Access to the AR-6 lot will be provided by a 50’ access easement along the southeastern property line. There is an existing 20’ easement within the proposed 50’ easement, which currently provides access to two parcels to the rear of the subject property.

Prior to commencement of the new uses on the property, the existing site plan must be amended to reflect the minor changes to the industrial portion of the property. The applicant must also submit a subdivision plat application for review and approval that is in substantial conformity with the proffered conceptual plan.

**Agency Analysis**

There were no substantive comments from any of the reviewing agencies.

**Proffers**

Staff recommends approval of the following proffers, dated October 30, 2014:

1. Conceptual Plan. The entire subject property will be developed in substantial conformity with the conceptual plan. Further development of the property beyond what is shown shall require an amendment to this rezoning application.
2. Tree Preservation. The clearing of trees will be limited on both the M-2 and AR-6 areas of the property.
3. Contribution to Road Improvements. The road cash contribution applicable to the AR-6 lot only.
4. Reservation of Right-of-Way. Right-of-way has been reserved for future road widening of Mountain Road.
5. Screening of Outdoor Storage. Screening from view all material storage or damaged vehicles or equipment to help protect adjacent residential properties.
6. Use Restrictions. M-2 uses not suitable and appropriate for this rural area have been restricted from use on this property.

**Planning Commission Recommendation**

At their meeting of November 20, 2014, the Hanover County Planning Commission, on a motion by Mrs. Iverson, seconded by Mr. Leadbetter, voted to recommend **APPROVAL** of the request to rezone from A-1, Agricultural to AR-6(c), Agricultural Residential District with conditions and M-2(c), Light Industrial District with conditions on GPIN 7803-30-8301, consisting of approximately 9.07 acres, subject to the submitted proffers.

GJWB/sm/HTE

**Attachments**

- Maps (land use, vicinity, zoning, aerial)
- Historical Commission Recommendation
- County Traffic Study – Exec. Summary
- Application Materials
- 527 Traffic Study – Exec. Summary
- Citizen Correspondence
- Photographs
- Proffers/Elevations/Conceptual Plan
- Ordinance

**Available Upon Request**

- Agency Review Comments
- County Traffic Study – Full Copy
- Application – Full Copy
- 527 Traffic Study – Full Copy

your knowledge and belief, is correct and complies with the minimum procedure and standards established by the State Board of Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Certified Landscape Architects.

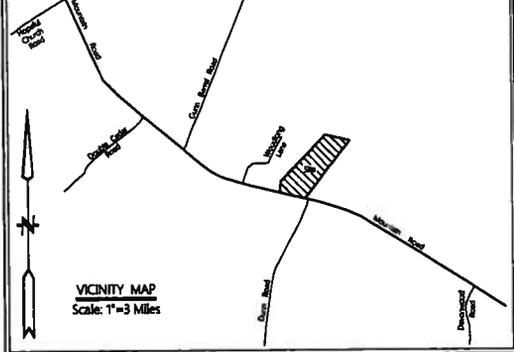
SOURCE OF TITLE

OPN 7803-36-8361

FOMIN'S CONSTRUCTION, INC.  
DB 3094-3252  
Plat: DB 2510-524

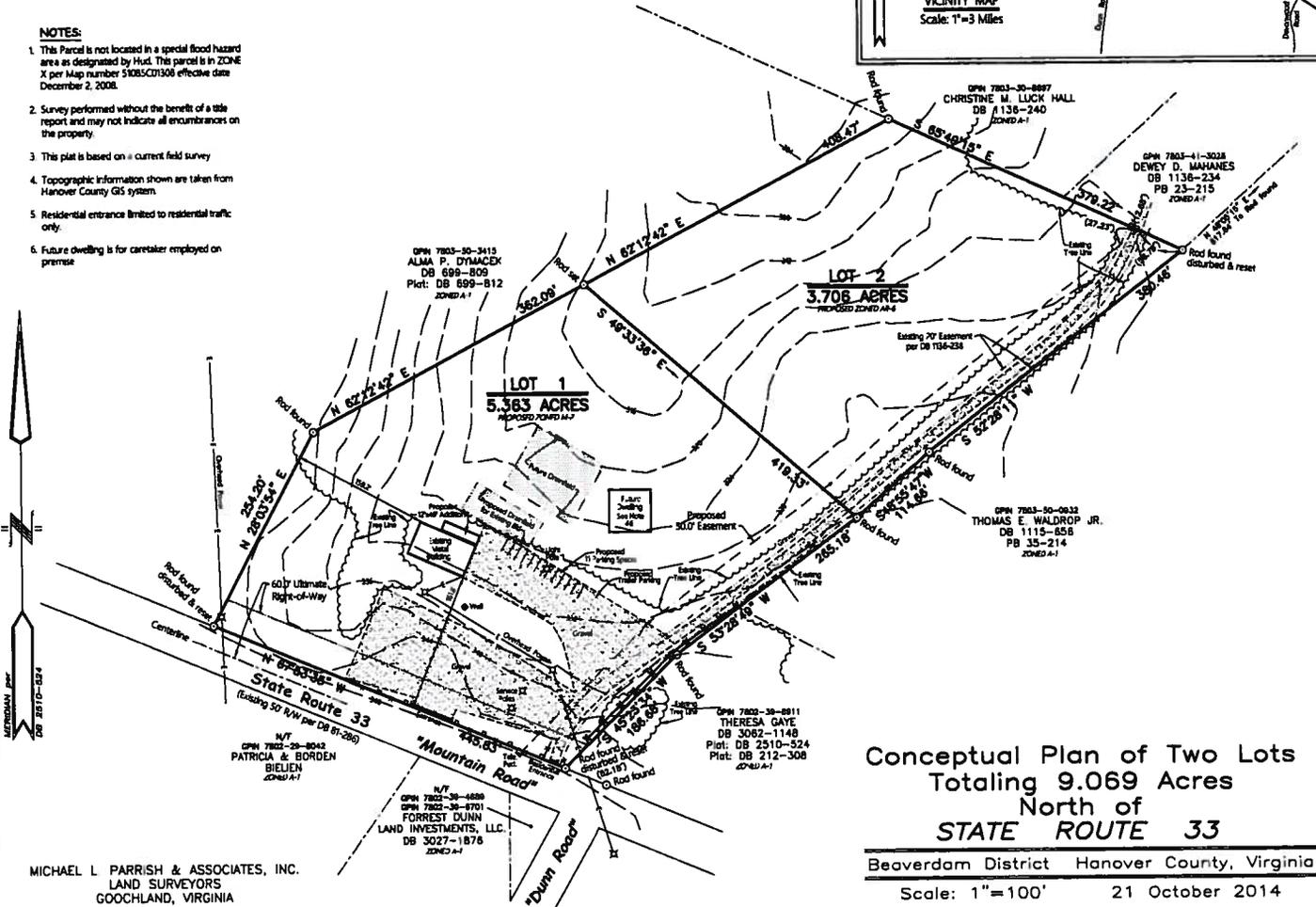


LEGEND	
⊗	Power Pole
○	Tell. Post
□	Board Fence
—	Force Surveying per Sec. 26-218(V) & 26.20



**NOTES:**

- This Parcel is not located in a special flood hazard area as designated by Fed. This parcel is in ZONE X per Map number 51085CD1308 effective date December 2, 2008.
- Survey performed without the benefit of a title report and may not indicate all encumbrances on the property.
- This plat is based on a current field survey.
- Topographic information shown are taken from Hanover County GIS system.
- Residential entrance limited to residential traffic only.
- Future dwelling is for caretaker employed on premise.



**Conceptual Plan of Two Lots  
Totaling 9.069 Acres  
North of  
STATE ROUTE 33**

Beaverdam District Hanover County, Virginia

Scale: 1"=100' 21 October 2014

MICHAEL L. PARRISH & ASSOCIATES, INC.  
LAND SURVEYORS  
GOCHLAND, VIRGINIA

**ORDINANCE C-16-14(c)**

**OWNER OF RECORD:** FOMIN CONSTRUCTION INC.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 10<sup>th</sup> day of December, 2014, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPIN 7803-30-8301, consisting of 9.07± acres located on the north line of Mountain Road (U.S. Route 33) approximately 75 feet west of its intersection with Dunn Road (State Route 736), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to AR-6(c), Agricultural Residential and M-2(c), Light Industrial Districts with conditions, subject to the following conditions which were proffered by the Applicant on November 14, 2014, and accepted by the Board:

**AR-6 and M-2**

1. Conceptual Plan. The property shall be developed in substantial conformity with the conceptual plan attached, titled "Fomin's Construction," dated October 21, 2014, and prepared by Michael L. Parrish & Associates.
2. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.

**AR-6**

3. Contribution for Road Improvements. The Owner, for himself, his successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy for the Property, the amount of Two Thousand Three Hundred Six and 00/100 (\$2,306.00) per single family unit built on the Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.

**M-2**

4. Reservation of Right-of-Way. The Owner agrees to reserve sixty (60) feet of right-of-way from the centerline of Mountain Road (U.S. Route 33) to the property for the future road widening.
5. Screening of Outdoor Storage. Any storage of materials or supplies or storage of major repair of damaged vehicles or equipment shall be inside a completely enclosed building or otherwise screened in accordance with the requirements of Section 26-263.
6. Use Restrictions. The following M-2 uses shall not be permitted:
  - a. Boat or boat trailer sales and storage, both new and used, including display, repair, and storage, and including accessory uses;
  - b. Coal and wood yards, coke storage and sales;
  - c. Fertilizer storage in bags or bulk storage or liquid or dry fertilizer in tanks or in a completely enclosed building, but not manufacture or processing;
  - d. Industrial gases (storage, transfer and distribution only; provided that such storage occurs in tanks no larger than five thousand (5,000) gallons and does not exceed twenty thousand (20,000) gallons per lot);
  - e. Poultry packing and slaughtering (wholesale);
  - f. Recreational vehicle sales and rentals, both new and used, including display, repair, and storage, and including accessory uses;
  - g. Truck terminal;
  - h. Vehicle storage area (not parking garages), including the storage of empty trailers.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the members of the Board of Supervisors voted to approve Ordinance C-16-14(c), Fomin Construction, Inc., as follows:

Vote:

Sean M. Davis  
Wayne T. Hazzard  
Angela Kelly-Wiecek  
W. Canova Peterson, IV  
Aubrey M. Stanley  
G. E. Via, III  
Elton J. Wade, Sr.

**Public Hearings:**

Planning Commission November 20, 2014  
Board of Supervisors December 10, 2014  
Adopted December 10, 2014

This is to certify that the above is a true copy of C-16-14(c), adopted by the Hanover County Board of Supervisors on \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Cecil R. Harris, Jr.  
County Administrator / Clerk  
Hanover County Board of Supervisors

GJWB/sm/hte