



NELSON COUNTY PLANNING COMMISSION

Meeting Agenda

October 25th, 2023

General District Courtroom, 3rd Floor, Nelson County Courthouse, Lovingston

- **7:00 – Meeting Convenes / Call to Order**
- **Review of Meeting Minutes:**
 - **July 26th, 2023 – Planning Commission**
 - **August 23rd, 2023 – Planning Commission**
- **Public Hearings**
 1. **Special Use Permit #1050 - Campground**
 2. **Special Use Permit #1044 – Campground**
- **Other Business**
- **Board of Supervisors Report**
- **Next Regularly Scheduled Meeting: November 15th, 2023**



Nelson County Planning Commission
Meeting Minutes
July 26th, 2023

Present: Chair Mary Kathryn Allen and Commissioners Mike Harman, Phil Proulx, Chuck Amante, Robin Hauschner

Staff Present: Dylan Bishop, Director and Emily Hjulstrom, Planner/Secretary

Call to Order: Chair Allen called the meeting to order at 7:00 PM in the General District Courtroom, County Courthouse, Lovingson.

Review of Meeting Minutes - May 16th, 2023

Ms. Proulx made a motion to approve the minutes from the May 16, 2023 Planning Commission Cluster Housing Meeting. Mr. Amante seconded the motion.

Yes:

Mike Harman

Phil Proulx

Robin Hauschner

Mary Kathryn Allen

Chuck Amante

Review of Meeting Minutes - May 17th, 2023

Mr. Amante made a motion to approve the minutes from the May 17, 2023 Joint Work Session. Mr. Harman seconded the motion.

Yes:

Mike Harman

Phil Proulx

Robin Hauschner

Chuck Amante

Abstain:

Mary Kathryn Allen

Review of Meeting Minutes - May 24th, 2023

Mr. Hauschner made a motion to approve the minutes from the May 24, 2023 Planning Commission Meeting. Ms. Proulx seconded the motion.

Yes:

Mike Harman

Phil Proulx

Robin Hauschner

Mary Kathryn Allen

Chuck Amante

Public Hearings

SUP 986 – Outdoor Entertainment Venue

Ms. Bishop presented the following information:

DRAFT

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: July 26, 2023

Re: SUP #986 – Outdoor Entertainment Venue in A-1 – Silver Fox Lavender Farm (877 Glenthorne Loop)

BACKGROUND: This is a request for a Special Use Permit to allow an outdoor entertainment venue for weddings on property zoned A-1 Agriculture.

Public Hearings Scheduled: P/C – July 26; Board – August 8 (tentative)

Location / Election District: 877 Glenthorne Loop / Central District

Tax Map Number(s) / Total acreage: 21-A-115 / 12.83 acres +/- total

Owner/Applicant Contact Information: Stephen & Suzanne Groves, 877 Glenthorne Loop, Nellysford, VA 22958, 540-903-2750, suzigroves@yahoo.com

Comments: This property currently contains an existing barn and infrastructure that is utilized for lavender farm activities, as well as up to (twelve) 12 Social Temporary Events per year, which are both by-right uses in the A-1 Agriculture District. At the time the structure was approved as farm-exempt, however was constructed by a company using an engineered building package to satisfy building codes. There are no physical expansions proposed with this application.

The narrative provided by the applicant details event operations on the property. As interest in their wedding venue business has grown, the applicants are requesting the SUP to expand operations and increase the potential for additional events.

An outdoor entertainment venue is defined as “the non-temporary use of any land, including the erection or use of non-temporary structure(s) or the installation of non-temporary infrastructure, for the hosting and operation of Category 1 and Category 2 Events, Exempt Events, or other entertainment activities for cultural, artistic, social or recreational purposes.”

Category 1 and Category 2 Events, Exempt Events such as Social Temporary are all permitted by-right in the A-1 Agriculture district without permanent facilities or infrastructure. The utilization of the existing barn and infrastructure to host such events, as well as the increased number of events, is what constitutes the Special Use Permit. “Exempt Events” are exempt from permitting requirements in *Article 24 – Temporary Events...*

DISCUSSION:

Land Use / Floodplain: This area is residential and agricultural in nature. Zoning in the vicinity is A-1 Agriculture. A portion of the property is located within a flood zone (Zone A), however only parking areas are located within this area.

Access / Traffic / Parking: This property is accessed by existing entrances Glenthorne Loop. Comments from VDOT indicate that the entrance used for public access will need to satisfy the requirements for a moderate volume commercial entrance, and recommended reducing the number of entrances. Parking requirements in the Zoning Ordinance indicate 1 space for each 100 square feet of area used for assembly is required for clubs, lodges, assembly halls and similar uses without fixed seats. With parking available for up to 196 vehicles, this is sufficient.

Utilities: There is existing septic and well on the property that serves the existing barn. Comments from the Health Department indicate that an engineer will be required to assess the capacity of the existing septic system to determine its adequacy for the proposed use.

Comprehensive Plan: This property is located in an area designated Rural and Farming on the Future Land Use Map, which "would promote agricultural uses and compatible open space uses but discourage large scale residential development and commercial development that would conflict with agricultural uses. The Rural and Farming District would permit small scale industrial and service uses that complement agriculture. Protection of usable farmland should be encouraged. Clustering of any new development in areas of a site without prime or productive soils will enhance the protection of prime or productive soils for future agricultural uses."

Conditions: Should the Planning Commission recommend approval of SUP #986 for outdoor entertainment venue at Silver Fox Lavender Farm, staff would recommend considering conditions such as:

1. The maximum number of attendees at any event shall not exceed 150.
2. Amplified music and sound shall end at 10:30 p.m.

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance.

Attachments:

Application
Narrative
Site Plan
Zoning / Floodplain

Mr. Harman asked if they should have a maximum number of events per year specified by the applicants. Ms. Bishop noted that the Planning Commission could add a condition to limit the number of events. She added that the applicants initially requested 75 events per year. Mr. Hauschner questioned why two of the submitted public comments were very similar. Ms. Hjulstrom explained they were submitted by separate individuals via email.

Mr. Harman asked if they could still operate with the 12 social temporary events per year without the Special Use Permit and without utilizing the structure. Ms. Bishop added they are also able to do Category 1 and 2 Temporary Events outside of the structure by getting them approved individually. Mr. Harman asked if they were able to utilize the existing structure without the SUP. Ms. Bishop explained that if a structure was built before 2016 it is exempt from needing a Special Use Permit for an Outdoor Entertainment Venue. Mr. Harman asked if the building was already built. Ms. Bishop confirmed that it was as well as the infrastructure.

Suzanne and Stephen Groves are the owners of the property and reside at 877 Glenthorne Loop. Robert Johnson is their Marketing Manager. Ms. Groves explained that there was a need for them to have more than 12 events. She added that they did not want to be like Devil's Backbone with events that are open to the public. She noted that she wanted to be able to have 75-100 attendee events such as weddings with indoor music in the Spring and Fall. She explained that they are open seasonally. She added that their focus was to grow lavender and have seasonal retail of the lavender when it blooms in June. She explained that having weddings is secondary to the lavender farm.

Mr. Harman asked if they were prepared to comply with VDOT and VDH requirements. Ms. Groves explained that they were and that they would bring in extra porta potties if they had more than 75 attendees. She added that they were respectful to neighbors and haven't had any complaints. Mr. Groves explained that they had other events such as small birthdays, meetings, and club groups.

Mr. Amante asked how many events that they would be comfortable being approved for. Mr. Johnson noted that his goal was to allow the owners to have as many as possible to make use of their investment. Mr. Groves noted that he wouldn't want to have to come back to request more. Mr. Groves explained that events are seasonal and that they are including much smaller events in the total number of events.

Mr. Harman asked if the SUP expires if the property changes ownership. Ms. Bishop explained that it would not. Ms. Allen noted that they needed to be mindful that this property could be sold to another owner that could have different plans. Mr. Hauschner asked if they held any events during week days. Ms. Groves noted that the only events they've had during the weeks are small garden club meetings of about 20 people. Mr. Hauschner noted that limiting the bigger events to the weekends could help lessen the impact to the community.

Mr. Amante asked if they would consider restricting larger events to being only on the weekends. Ms. Groves noted that they wouldn't have larger events during the week and that their larger events were 75-100 attendees. Mr. Harman asked if the Planning Commission could recommend limiting the number of large events of up to 150 attendees. Mr. Amante asked if they would get their byright 12 social temporary events in addition to the amount specified in the condition. Ms. Bishop explained that by right they could do as many Category 1 and 2 Temporary Events that they could get individual approval for as well as exempt events and the 12 Social Temporary Events. She added that they would not be able

to utilize the barn for any of these events without the SUP. Ms. Groves explained that the ceremonies are typically outside while the receptions are inside.

Mr. Amante asked if the SUP would expire if they didn't utilize it for two years. Ms. Bishop noted that it would expire if not utilized for more than two years. Ms. Proulx added that they would only need to have one event every two years to keep the SUP valid. Mr. Amante noted that their concern was that the SUP stayed with the property. Ms. Proulx added that new buyers could have rock concerts every weekend. Ms. Bishop added that they could do that by right as long as they were not utilizing the building.

Chair Allen opened the public hearing at 7:22

Joe Baldwin lives at 279 Dogwood Ln. He noted that his concern is the number of attendees leaving the event at the same time. He explained that Glenthorne Loop is a narrow road with many blind curves. He questioned how traffic would be controlled. He noted that the volume has been addressed by the applicants. He explained that he and others in his community are concerned. He added that they are about ¼ mile up from the farm and that the sound will carry. He explained that he would be ok with the music as long as it is quiet and mellow. He questioned if alcohol would be served at the events.

Chair Allen closed the public hearing at 7:24

Ms. Groves explained that they had not had any complaints so far and were very cognizant of the noise ordinance. She added that they are on the premises for every event and would be able to address things if they got out of hand. She explained that the music was generally from 7-10PM. Ms. Allen asked if they were on the property for smaller events. Ms. Groves noted that they were on the property for every event. Ms. Allen noted that they could not address the alcohol. Ms. Groves explained that the clients were required to get an ABC permit. Ms. Bishop noted that most wedding venues require the client to secure the ABC permit.

Mr. Harman noted that the biggest concern seems to be the unlimited number of events. He noted that he would like to add a condition with a maximum amount of events permitted. Ms. Proulx explained that she was concerned with the possibility of the property being sold in the future to owners with other plans. She added that she wished that they could make a distinction between the smaller and larger events. Ms. Proulx added that something like a garden club meeting should not count as an event. Ms. Bishop noted that she had trouble with limiting the number of events if it did not directly mitigate an impact. Ms. Hjulstrom noted that a garden event would be an 'event' but would be an exempt event as an agritourism activity. Ms. Bishop noted that it was up to the Planning Commission whether or not they wanted to include agritourism events in the total number of events permitted. Chair Allen questioned how they would be able to regulate restrictions on the number of events. Mr. Harman recommended allowing an unlimited number of smaller events while restricting the number of larger events. Ms. Bishop noted that they could add a condition to limit the number of attendees for events and the number of events.

Mr. Amante asked if they could limit the weekday vs weekend events separately. Mr. Hauschner asked if they could add a condition that limits the amount of events per week. Chair Allen noted that they need to consider the smaller events as well. Ms. Proulx noted that she would rather limit the amount of events over the year than by the week. Mr. Hauschner explained that limiting the number of events that they have in a week would prevent them from having many events in the more popular weeks of the year.

Ms. Groves added that she has had interest for weddings in December and wants that to be a possibility. Mr. Hauschner noted that his intention is not to take away from being able to have events during the winter season but to prevent many events happening during a single week. Ms. Groves noted that they only had one event per week at that point. She added that they had interest for every weekend in spring and fall. Mr. Amante asked if there was heat in the barn. Ms. Groves noted that it has heat and air conditioning and is up to code. Mr. Amante asked when the barn was built. Ms. Bishop noted that it was built in 2019. Ms. Groves noted that most of their weddings were under 100 attendees.

Ms. Proulx noted that one wedding per weekend would be 52 per year. Ms. Allen noted that she had a cousin recently have a wedding on a Sunday and her brother had a wedding on a Friday. She added that she doesn't want to limit the weddings to the weekends. Mr. Hauschner noted that most weddings would take place in the spring. He explained that another owner could take over the venue and want to have weddings back to back during the busy season. He explained that capping the amount of events per year to 100-150 and limiting them to 2-3 per week could prevent this. Ms. Allen noted that allowing them 3 per week would be a maximum of 156 events per year. Ms. Bishop explained that social temporary events were limited to 300 attendees by right and 10,000 for category 2 temporary events. She explained that her recommendation of 150 people per event was due to what the applicant indicated on the application. She noted that in her opinion it was easier to regulate the amount of attendees than it was to limit the number of events. She explained that staff would be able to regulate this if someone made a complaint and staff were to investigate.

Ms. Proulx noted that she liked the idea of limiting the SUP to 3 events per week with a max of 150-200 people per event. Mr. Hauschner agreed with Ms. Proulx's suggestion. Ms. Bishop noted that limiting it to 3 a week could limit the amount of smaller events that they could have during the week. Chair Allen noted that capping it at 150 years would allow the applicants to be flexible. Mr. Hauschner noted that events happening 4-5 times a week could be detrimental to the community. Ms. Proulx added that she would like to limit the number of people per event. Mr. Hauschner noted that he was less concerned about the size and more concerned about the amount of events.

Mr. Amante made a motion to recommend approval of SUP 986 with the following conditions:

- 1. The maximum number of attendees at any event shall not exceed 150.**
- 2. Amplified music and sound shall end at 10:30 p.m.**
- 3. There shall be no more than 150 events per year.**

Ms. Proulx seconded the motion.

Yes:

Mike Harman

Phil Proulx

Mary Kathryn Allen

Chuck Amante

No:

Robin Hauschner

Other Business

Ms. Bishop noted that the Comprehensive Plan Open House would be August 29th at 6:30 in the Nelson Center. She added that the next joint work session for the Comprehensive Plan would be September 28th.

Ms. Proulx made a motion at 7:49 PM to adjourn the meeting. Mr. Amante seconded the motion.

Yes:

Mike Harman

Phil Proulx

Mary Kathryn Allen

Chuck Amante

Robin Hauschner

Respectfully submitted,



Emily Hjulstrom

Planner/Secretary, Planning & Zoning



Nelson County Planning Commission Meeting Minutes August 23, 2023

Present: Chair Mary Kathryn Allen and Commissioners Mike Harman, Phil Proulx, Chuck Amante, Robin Hauschner. Board of Supervisors Representative Ernie Reed

Staff Present: Emily Hjulstrom, Planner/Secretary

Call to Order: Chair Allen called the meeting to order at 7:00 PM in the General District Courtroom, County Courthouse, Lovingson.

Review of Meeting Minutes - June 29th, 2023

Ms. Proulx made a motion to approve the minutes from the June 29, 2023 Planning Commission Meeting. Mr. Hauschner seconded the motion.

Yes:

Mike Harman

Ernie Reed

Phil Proulx

Robin Hauschner

Mary Kathryn Allen

Chuck Amante

Public Hearings

SUP 998 – Vacation House

Ms. Hjulstrom presented the following information:

Nelson County Planning Commission

To: Planning Commission
From: Dylan M. Bishop, Director of Planning & Zoning *DMB*
Date: August 23, 2023
Re: SUP #998 – Vacation House in R-1 – 2617 Rockfish Valley Hwy

BACKGROUND: This is a request for a Special Use Permit to allow a vacation house use in an existing dwelling on property zoned R-1 Residential.

Public Hearings Scheduled: P/C – August 23; Board – September 12 (tentative)

Location / Election District: 2617 Rockfish Valley Hwy / Central District

Tax Map Number(s) / Total Acreage: 21-7-2A / 1.08 acres +/- total

Applicant/Owner Contact Information: Gretchen Rush, 2617 Rockfish Valley Hwy, Nellysford, VA 22958, 210-931-9892, gretchrush@gmail.com / Glenda MacNeil, 544 Creek Heights Drive, Midlothian, VA 23112, 804-920-2628, aresmom@yahoo.com

Comments: This property contains an existing single-family dwelling. The narrative provided by the applicants indicates that this is one owner's primary residence, and the other owner's part-time residence until she retires. They are requesting to utilize the dwelling as a vacation house, or short-term rental, 2-3 weekends per month.

Vacation House: A house rented to transients. Rental arrangements are made for the entire house, not by room...

Transient: A guest or boarder, one who stays for less than thirty (30) days and whose permanent address for legal purposes is not the lodging or dwelling unit occupied by that guest or boarder.

Section 5-1-5a of the Zoning Ordinance requires a Special Use Permit for a vacation house use in the R-1 Residential district.

DISCUSSION:

Land Use / Floodplain: This area is residential and commercial in nature, with some agricultural uses as well. Zoning in the vicinity is R-1 Residential, A-1 Agriculture, and B-1 Business. There are no floodplains located on this property.

Access / Traffic / Parking: This property is accessed by an existing entrance on Rockfish Valley Hwy. VDOT had no comments.

Utilities: The house is served by existing utilities.

Comprehensive Plan: The Nellysford area is designated as the County's only "Neighborhood Mixed Use Development Model." It is further identified as a "primary development area." This model supports a central gathering place able to fulfill the diverse needs and interests of nearby residents and visitors to the county, all within a focused, walkable, and identifiable place.

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance.

Attachments:
Application
Narrative
Plat
Zoning

Glenda MacNeil and Gretchen Rush of 2617 Rockfish Valley Drive are the applicants. They explained that they were there to request a Special Use Permit for a Vacation House to allow them to supplement their

income. Ms. Rush explained that they had been renovating their house since November after buying it in a state of disrepair. She added that she was retired and was working part-time at Albemarle High School. She explained that she had experience hosting her previous home on AirBnb when she would travel. She added that she had a wonderful experience doing it and hosted wedding parties, travelers, and family reunions. Ms. MacNeil explained that they would like to limit occupancy to four people because they only have one full bathroom. She added that they have discussed this with their next-door neighbors and have sent letters to their neighbors explaining their intentions.

Chair Allen opened the public hearing at 7:08

Paul Davis of 2514 Rockfish Valley Hwy explained that this property was located on a little over an acre in Residential zoning and sandwiched between other dwellings. He added that it was a long-tenured family home until the older owners passed away. He explained that the current owners prior to learning that they were in violation, had advertised and rented the buildings, campers, house, and tent sites. He explained that it was his understanding that the home was the only thing attached to a septic system. He added that they operated like a campground similar to Special Use Permit 516. He quoted Dylan Bishop from the Board of Supervisors hearing for that permit:

“Ms. Bishop noted that currently, Planning treats tiny homes like any other dwelling, and anything classified as a dwelling by the statewide building code could be rented out as a short-term rental. Ms. Bishop stated that the definition of a campground was any place that was used for transient camping where compensation was expected in order to stay in a tent, travel trailer, or motorhome, and required the provision of potable water and sanitary facilities. Ms. Bishop then noted that the definition of a travel trailer was a vehicular portable structure built on a chassis designed as a temporary dwelling for travel, recreational, and vacation uses. She stated that did not include mobile homes or manufactured homes. She noted that her office had been getting a lot of inquiries on tiny homes and similar uses. Ms. Bishop noted they had two options, a dwelling per the statewide building code, or a manufactured home regulated by HUD; or a travel trailer on wheels regulated by the DMV that would never be classified as a dwelling. Ms. Bishop explained that based on the County’s definition where compensation is expected to stay in a travel trailer, for transient lodging, the proposed special use permit would fall in the campground definition.”

He explained that the applicants are good neighbors and that his concerns are not personal.

Phillip Purvis of 509 Meghan Ln in Shipman. He explained that he was for property rights but that the county just adopted a new ordinance where you have to have two acres of land in order to build a home. He explained that he was in favor of Special Use Permits for hardships. He added that Special Use Permits are getting out of control in Nelson County. He was opposed to varying from the ordinance that the county had adopted. He was against adding more Special Use Permits along Route 151.

Donna Small is of 2757 Rockfish Valley Highway. She explained that approving this could begin a dangerous trend in the county. She asked how the County could monitor that only 4 people would stay in the vacation house.

Chair Allen closed the public hearing at 7:14

Mr. Amante asked where Ms. Rush would stay when the house was being rented. Ms. Rush explained that she would stay at Ms. MacNeil's home in Richmond. She explained that when she moved to the area she was told that Nellysford was unincorporated and that she was coming from Texas where unincorporated means you can live free. She added that they became aware that they would need to go through certain steps to become compliant. She explained that they were staying in the camper but that they had been made aware by the County that it is not allowed in their R-1 (Residential) zoning. She noted that directly across the road is A-1 (Agricultural) zoned property as well as behind them where a Vacation House is permitted by right.

Mr. Harman asked if they understood this was not a Special Use Permit for a campground. Ms. Rush confirmed that they understood. Mr. Harman asked if they had multiple campers on the site at one point. Ms. Rush explained that they had their own camper, a traveling nurse who stayed for 2.5 months, and a friend who stayed for two weekends.

Mr. Amante asked if there it was only their camper on the property now. Ms. Rush and Ms. MacNeil confirmed that only their own camper was on the property and that they would not be staying in it. Ms. Macneil added that she was a teacher and big on rules. She explained that they don't have tent sites or anyone staying in sheds but that they did have three instances of campers staying on the property.

Mr. Amante asked about the three sheds. Ms. Rush explained that the previous owner had three sheds right next to the house and was using them as a workshop. She added that they had moved the sheds further back from the house. Ms. MacNeil added that they also fenced in the yard for their dogs.

Ms. Proulx noted that the residential zoning does continue on the other side of the Auto Parts Store and Office. She added that the reason for a Special Use Permit was to give the ability to determine on a case-by-case basis. Ms. Proulx added that that whole section could be turned into vacation houses. She noted that the houses were very close together and with the potential for further vacation houses, she did not think it was a good idea.

Mr. Amante noted that it was a good point that they don't want to set a precedent. He added that sometimes he looks at the zoning and doesn't understand why it was laid out that way. Ms. Proulx noted that a lot of what was existing likely happened before zoning regulations came into play. Mr. Amante added that at least this lot isn't split-zoned. Ms. Proulx noted that the Special Use Permit might be appropriate in a residential area with less density but that this area is pretty dense for Nelson County.

Mr. Reed noted that what sets this application apart from most other applications for a Vacation House was that this was a primary residence and will continue to be but with the allowance of using it as a Vacation House when they aren't there. He added that this is the relationship that he and his wife have where they each have their own home. When she stays with him she rents her house out on AirBnB. He added that in Charlottesville they are considering whether they should not allow transient occupants in any residential areas, but possibly with an exception where it is a primary residence. He added that he doesn't see how it violates any of their four criteria with it not being a new construction and being a primary residence.

Ms. Proulx noted that one of the differences between their situation and Mr. Reed's was that when they are away from the property they will be in Richmond 1.5 hours away. Mr. Hauschner added that this Special Use Permit would stay with the property and future owners could use it as strictly a vacation house. He added that a Special Use Permit approved a few houses down has had an impact on the area.

Chair Allen agreed that her issue with Special Use Permits was that they stay with the property and not the owner. Mr. Amante noted that the Special Use Permit would expire if the use lapsed for a period of two years or more. He added that when the Comprehensive Plan is done he wants to work on the Zoning Ordinance. He added that he would be in favor of bigger blocks of residential zoning.

Mr. Hauschner noted that people's homes are going to be picked off for vacation houses or businesses. He explained that it was currently a livable structure that was applying for a use that stopped the house from being used as a long-term residence. Chair Allen added that they do have a housing problem in the county that they need to work on.

Mr. Harman made a motion to recommend approval of SUP 998 for a Vacation House. Mr. Reed seconded the motion.

No:

Phil Proulx

Robin Hauschner

Mary Kathryn Allen

Chuck Amante

Yes:

Mike Harman

Ernie Reed

The Planning Commission failed to make a motion with a vote of 4-2.

SUP 1005 – Campground

Ms. Hjulstrom presented the following information:

Nelson County Planning Commission

To: Planning Commission
From: Dylan M. Bishop, Director of Planning & Zoning *DMB*
Date: August 23, 2023
Re: SUP #1005 – Campground (one site) in A-1 – 2617 Rockfish Valley Hwy

BACKGROUND: This is a request for a Special Use Permit to allow a one site campground use on property zoned A-1 Agriculture.

Public Hearings Scheduled: P/C – August 23; Board – September 12 (tentative)

Location / Election District: 2601 Falling Rock Drive / South District

Tax Map Number(s) / Total Acreage: 86-A-36B / 2.0 acres +/- total

Applicant/Owner Contact Information: Luke & Caitlin Hoge, 824 Lyndhurst Road, Waynesboro, VA 22980, 703-489-7436 / 516-508-8978, lucasryanhoge@gmail.com / caitfoley7454@gmail.com

Comments: This property contains an existing single-family dwelling that is utilized as a by-right vacation house, or short-term rental. The narrative provided by the applicants indicates that they own a camper that they are requesting to utilize as a short-term rental while their family lives in the existing dwelling.

DISCUSSION:

Land Use / Floodplain: This area is residential and agricultural in nature. Zoning in the vicinity is A-1 Agriculture. There are no floodplains located on this property.

Access / Traffic / Parking: This property is accessed by an existing entrance on Falling Rock Drive. VDOT had no comments.

Utilities: The house is served by existing utilities. The owner has been in contact with the Health Department – a licensed soil evaluator will be required to permit a cleanout to hook the camper to.

Comprehensive Plan: This property is located in an area designated Rural and Farming on the Future Land Use Map, which “would promote agricultural uses and compatible open space uses but discourage large scale residential development and commercial development that would conflict with agricultural uses. The Rural and Farming District would permit small scale industrial and service uses that complement agriculture. Protection of usable farmland should be encouraged.

Clustering of any new development in areas of a site without prime or productive soils will enhance the protection of prime or productive soils for future agricultural uses.”

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance.

Attachments:
Application
Narrative
Site Plan
Zoning

Ms. Hjulstrom noted that staff recommended that two conditions be added:

1. There shall be one site.
2. The unit shall be provided by the property owner.

Ms. Hjulstrom added that the applicant may need to change the location of the camper on the site plan before it was approved but that they could add a condition that the campsite meets setbacks.

Luke Hoge of 2601 Falling Rock Dr in Arrington is the applicant. He explained that the purpose of the SUP was to rent their single camper on their property while they reside in the home. He explained that it was for one site and he would be utilizing his own camper. He added that he did not want more than four people staying in the camper. He explained that he and his wife have two kids and another one on the way and don't want to be disturbed any more than their neighbors do. He added that this would help them with their camper payment and mortgage. He explained that this could appeal to workers in the area as well as tourists. He added that the camper's potential relocation depended on an OSE evaluating the site to locate the drain field. He showed an alternate location behind the house that would meet setbacks. Mr. Hoge noted that he agreed with the proposed conditions from staff.

Chair Allen opened the public hearing at 7:44 PM

Troy Nicks of 1923 Falling Rock Dr. is about $\frac{3}{4}$ of a mile from the property. He explained that he was not here to speak in opposition but to ensure that the use could not expand in the future. He added that some long-term residents had the concern that they could end up with a larger campground with the approval of this Special Use Permit. He requested that one more condition be added to state that it would be rented occasionally.

Kyle Truitt of 2707 Falling Rock Dr. is an adjoining neighbor. He added that he is not here to object to the Special Use Permit but to share his concerns about the future use of the property. He added that he had no concerns if the conditions were added.

Paul Davis of 2514 Rockfish Valley Highway noted that the Special Use Permit staying with the property could be a mess and a sticking point. He asked if something could be added to expire the Special Use Permit if the property changed ownership.

Troy Nicks of 1923 Falling Rock Dr. noted that there was a difference in his mind between a condition that runs with the property vs. the owner and a condition that states "The unit shall be provided by the property owner." He explained that he did not care who owned the property as long as the conditions were enforced.

Phillip Purvis of 509 Meghan Ln. noted that approving this application could set a precedent. He asked if the Planning Commission wanted everyone in the county to be able to do this.

Chair Allen closed the public hearing at 7:50

Ms. Proulx explained that the nature behind a Special Use Permit going with a property is due to the decision being in regards to the property and not the owner itself. She added that she did not think they

could add a condition that made the Special Use Permit expire if the property owner changed. Chair Allen added that there are different by right uses in R-1 and A-1.

Mr. Harman questioned what Mr. Nicks meant by “occasional renter.” Ms. Hjulstrom noted that she thought he was referring to no one staying there long-term. She explained that a campground is transient by definition and that campers would be limited to 30-day stays.

Ms. Proulx made a motion to recommend approval of SUP 1005 with the following conditions:

- 1. There shall be no more than one site, and the unit shall be provided by the property owner**
- 2. The location of the site shall meet property setbacks**

Mr. Harman seconded the motion.

Yes:

Mike Harman

Ernie Reed

Phil Proulx

Robin Hauschner

Mary Kathryn Allen

Chuck Amante

Other Business:

Ms. Hjulstrom noted that the Open House for the Comprehensive Plan update would be on August 29th at the Nelson Center.

Board of Supervisors Report:

Mr. Reed noted that SUP 986 was deferred for a month due to him not being present and having staff recommend an alternative condition. He added that he attended a citizen-called open forum that focused on the UDA technical support application, traffic safety, and development in Nellysford. He explained that he and Mr. Hauschner did their best to honestly and openly give information about how the application transpired and that a UDA could help accomplish what the citizens are asking for. Chair Allen asked if they had any other support with them. Mr. Reed explained that he wasn't looking for support but to try to speak to the facts, background, and intentions. Ms. Proulx added that there was a video clip posted online where Jeri Lloyd made a nice statement about how people can go to public meetings and make their voices heard. Mr. Reed added that public involvement is a part of the process.

He added that he was on a call earlier in the day with VDOT representatives about the UDA. He explained that their decision on whether they would be providing technical support would come in

about a week. He added there are certain things that a UDA could do to help them accomplish what the citizens are asking for. He noted that multimodal transportation would be difficult to achieve without it.

Chair Allen noted that she had attended a meeting brought together by citizens of the Wingina/Norwood area with Jerry West of the Parks and Rec Department about the 300-acre Sturt Park that was donated to the county. She explained that it had a deed that explained the family's expectations of the land. Ms. Allen explained that citizens in the area were not completely supportive of there being a park there due to traffic concerns, the proximity to hunting clubs, and the entrance not being locked at night. She added that some of the citizens would like to see the county involve some of the citizens in that area in the planning of the park. Mr. Harman asked where the park was located. Ms. Allen noted that it is in Wingina. She added it could provide outreach programs for the schools as well as other benefits to the county.

Mr. Harman made a motion to adjourn at 8:03 PM. Mr. Amante seconded the motion.

Yes:

Mike Harman

Ernie Reed

Phil Proulx

Robin Hauschner

Mary Kathryn Allen

Chuck Amante

Respectfully submitted,



Emily Hjulstrom

Planner/Secretary, Planning & Zoning

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: October 25, 2023

Re: SUP #1050 – North Fork Cabins – 6973 North Fork Road

BACKGROUND: This is a request for a special use permit for a campground use on property zoned A-1 Agriculture.

Location / Election District: 6973 North Fork Road / West District

Tax Map Number(s) / Total Acreage: 16-A-17 / 100.2 +/- total

Engineer Information: Shimp Engineering, P.C. (Justin Shimp), 912 East High Street, Charlottesville, VA 22902, 434-227-5140, justin@shimp-engineering.com

Owner Information: Lacy Montebello LLC (Jerry Bowman), 130 W Plume Street, Norfolk, VA 23510, 757-243-1270, jbowman@evalaw.net

Comments: This property is primarily a wooded lot with an existing dwelling that is occupied by the property's general manager. The applicant and owner are proposing to develop a portion of the property to be utilized for up to twenty (20) campsites. Major Site Plan #742 for nine (9) cabins (by-right vacation houses) was approved by the Planning Commission on February 22, 2023, and was finalized on April 5, 2023. Currently, four (4) cabins have been constructed. This project is in a different location, although on the same property. According to the narrative, the project is planned over two phases – the first six (6) campsites as shown on the site plan, with an area reserved for the development of the remaining fourteen (14) sites. These “luxury campsites” are proposed to be tents on deck platforms with access to utilities, accompanied by a bathhouse.

DISCUSSION:

Land Use / Floodplain: This area is residential and agricultural in nature; the majority of this area is wooded and mountainous. Zoning in the vicinity is A-1 Agriculture. There is some floodplain located on the property, although this site is not located within these bounds.

Access / Traffic / Parking: The property is proposed to be accessed by an existing entrance from North Fork Road. Comments from VDOT will be provided at the meeting. The existing cabins site is accessed by a separate entrance closer to Zinks Mill School Road.

Utilities: Any comments from the Health Department will be provided at the meeting. The campsites are proposed to have access to water and electricity, with a centrally located bathhouse.

Erosion & Sediment Control: Total disturbed area for this project is shown to be 1.74 acres. This requires an Erosion & Sediment Control Plan to be approved by the Building Inspections Department, and a Stormwater Management Plan to be approved by the Department of Environmental Quality (DEQ). To accommodate an often lengthy DEQ review process, the applicant is requesting an additional year to diligently pursue construction should the request be approved (total of two years from approval date).

Comprehensive Plan: This property is located in an area designated Rural and Farming on the Future Land Use Map, which “would promote agricultural uses and compatible open space uses but discourage large scale residential development and commercial development that would conflict with agricultural uses. The Rural and Farming District would permit small scale industrial and service uses that complement agriculture. Protection of usable farmland should be encouraged. Clustering of any new development in areas of a site without prime or productive soils will enhance the protection of prime or productive soils for future agricultural uses.”

Conditions: Should Planning Commission recommend approval of SUP #1050 for a campground, staff would recommend the following conditions:

1. There shall be no more than twenty (20) sites.
2. The owner shall have an additional year to establish the use (two years from date of approval).

All applications for Special Use Permits shall be reviewed using the following criteria:

- a. The use shall not tend to change the character and established pattern of development of the area or community in which it proposes to locate;
- b. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property;
- c. The proposed use shall be adequately served by essential public or private services such as streets, drainage facilities, fire protection and public or private water and sewer facilities; and
- d. The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

Attachments:

Application

Narrative

Site Plan

Color Rendering

Zoning



PERMIT APPLICATION:

Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: _____ # _____
application type *application number*

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- Special Use Permit
- Rezoning from _____ to _____
- Conditional Rezoning from _____ to _____
- Other: _____
- Subdivision
- Site Plan – Minor
- Site Plan – Major

Reason(s) for request:

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):

(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: Lacy Montebello LLC manager: Jerry Bowman

Mailing Address: 130 W Plume Street Norfolk, VA 23510

Telephone #: (757)243-1270 Email Address: jbowman@evalaw.net

Relationship (if applicable):

Applicant Property Owner Name: Shimp Engineering P.C. Contact: Justin Shimp

Mailing Address: 912 E. High St, Charlottesville

Telephone #: (434)227-5140 Email Address: Justin@shimp-engineering.com

Relationship (if applicable):

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of Property (specific location, route numbers, street names, voting district, etc.):
On Route 687 North Fork Road, adjacent to Route 686 Zinks Mill School Road.

b. Official tax map number: TM 16-A-17

c. Acreage of property: 100.196 Acres

d. Present use: an existing homesite, (9) vacation cabins which are under construction

e. Present zoning classification: A-1

f. Zoning classification of surrounding properties: A-1

4. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: _____ Printed Name: Jerry Bowman, owner

Signature: _____ Printed Name: _____

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

5. Additional information: *(Please attach separate sheet for additional details, explanations, etc.)*

6. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

-----**TO BE COMPLETED BY PLANNING & ZONING STAFF**-----

Pursuant to Article _____, Section _____ of the Nelson County Zoning Ordinance.
Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

- o Completed application and fee (\$ _____) received on _____
- o Hearing Notice published on _____
- o Planning Commission action: Date of Meeting / Hearing: _____
Recommendation: _____
- o Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____
Action: _____

Nelson County Planning & Zoning Department

(Mailing Address) P.O. Box 558, Lovingson, Virginia 22949 | *(Physical Address)* 80 Front Street, Lovingson, Virginia 22949
(Telephone Number) 434 263-7090 or Toll Free 888 662-9400, selections 4 & 1 | *(Fax Number)* 434 263-7086
<http://www.nelsoncounty-va.gov/departments/planning-zoning/>

LACY MONTEBELLO LLC

130 W. Plume Street
Norfolk, VA 23510

October 5, 2023

Nelson County Planning
& Zoning Department
80 Front Street
Lovingson, VA 22949

Re Application for Special Use Permit for
Lacy Montebello Luxury Campsites

Dear Director:

We are requesting a special use permit to allow the development of up to twenty luxury campsites (sometimes called "glamping sites") on property owned by Lacy Montebello LLC with the address of 6973 North Fork Road, Montebello, Virginia. Our property comprises 100 acres that currently has one house (occupied by Chris Bowman, one of the owners of Lacy Montebello and the general manager of the property) and four rental cabins. The current site plan for the cabins permit 9 cabins of which 4 have been built. We anticipate completing the cabins that are shown on the currently approved site plan in 2024. The house and cabins are on approximately nine acres of relatively flat land with the remaining 91 acres of the property consisting of mountainous terrain that is serviced by a road that generally transverses about two thirds of the mountain.

The campsites will be developed in two phases with the first six sites shown on the attached Exhibit A. As part of Phase one of the campsite development we will also build two additional cabins (which are not part of the SUP application).

The remaining 14 sites will be constructed in late 2024. The location of those sites is shown on the attached Exhibit B. In light of the uncertainty of construction in today's environment we request that we be given two years to construct phase 2 of the campsite development.

Luxury campsites are somewhat upscale camping sites that are often built on a deck with a tent affixed to the deck. The guests do not bring their own tent. The tent is portable and can be removed from the deck. It is our expectation that for much of a year the tent would be up but during some portion of the year it may either be removed or taken down.

The size of the deck would be approximately 14-16 feet by 26-30 feet and would be raised above approximately 2-3 feet above adjacent ground level. The tents would be recessed 6-

LACY MONTEBELLO LLC

130 W. Plume Street
Norfolk, VA 23510

8 feet from the front of the deck which would provide a "porch" area for guests to sit outside. The quality of the tents will be very good with heavy duty canvas. On a personal note I stayed at similar sites when I visited the Serengeti in Tanzania. They provide wonderful accommodations with minimal impact on the environment.

Each tent would have running water and electricity. A separate bath house would be nearby for each tenant. When a guest is occupying a tent there will be a dedicated private bath room with shower, sink and toilet facilities that are locked and only available to that guest.

We intent on initially developing six luxury camping sites together with two one bedroom cabins. The site will be approximately 800 feet up the mountain and approximately a third of a mile from North Fork Road. The nearest resident (other than the house that Chris Bowman lives in on the Property) will be approximately one half a mile away.

We believe that this project is consistent with the comprehensive plan. This project will generate additional tax revenues for Nelson County with very little expense to the County associated with it. In addition, there is a significant demand for short term lodging in Nelson County. That demand is being met today by short term rental of housing that would be better used to provide long term, affordable housing to the citizens of Nelson County. Today there is a great shortage of affordable long term housing in Nelson County. By providing a short term rental resource such as these glamping sites will provide there will be less demand on the permanent housing in Nelson County

This Project is not near any other property and will have little or no effect on the surrounding properties. The site on the mountain will not provide any likelihood of interference with other land owners. We will have an owner on site to manage the Project and to ensure that we do not have disturbances that would affect adjacent land owners.

We do not anticipate any significant traffic concerns to be generated by this Project. Our Property is located at the intersection of Zincs Mill School Road and North Fork Road. Guest will have three ways to get to the Project: From (1) the intersection of North Fork Road and Route 56, (2) the intersection of Zincs Mill School Road and Route 56 and ((3) Spider Run Gap Road at the Blue Ridge Parkway then down a separate portion of Zincs Mill Road to the Project.

Even with 20 sites we do not anticipate more than 2 trips a day (each one in and out) which would be divided among the three ways to enter the property. Even those 80 trips will be further reduced by the occupancy of the campsites. Neither Zincs s Mill nor North Fork Road are heavily traveled. The small additional traffic can be accommodated without any problem.

LACY MONTEBELLO LLC

130 W. Plume Street
Norfolk, VA 23510

In summary, I hope you will be able to support this Project. It will provide employment to a number of Nelson County residents, will provide tax revenues to the County, will increase tourism in the County and will somewhat reduce the pressure on affordable housing which is now being depleted by short term rentals. I look forward to meeting with you to further explore this Project.

Respectfully,


Jerry L. Bowman
Manager

MINOR SITE PLAN

NORTH FORK LUXURY CAMPSITE

TAX MAP 16 - A, PARCEL 17
NELSON COUNTY, VIRGINIA

LEGEND	EXISTING	NEW	DESCRIPTION
			BOUNDARIES
			BENCHMARK
			SITE PROPERTY LINE
			ADJACENT PROPERTY LINE
			BUILDING SETBACK
			PARKING SETBACK
			SITE TEXT
			PARKING COUNT
			TOPOGRAPHY
			INDEX CONTOUR
			INTERVAL CONTOUR
			SPOT ELEVATION
			TOP OF CURB ELEVATION
			TOP OF WALL ELEVATION
			BOTTOM OF WALL ELEVATION
			STREAM
			STREAM BUFFER
			100 YEAR FLOODPLAIN
			BUILDING
			BUILDING
			RETAINING WALL
			STAIRS
			EDGE OF PAVEMENT
			ROAD CENTERLINE
			FRONT OF CURB
			BACK OF CURB
			CG-12 TRUNCATED DOME
			SIDEWALK
			BIKE PARKING
			HANDICAP ACCESSIBLE AISLE
			HANDICAP PARKING
			MATERIAL
			CONCRETE
			RIPRAP
			ASPHALT
			EC-2 MATTING
			EC-3 MATTING
			WETLAND
			TREELINE
			FENCE
			UTILITY
			UTILITY POLE
			GUY WIRE
			OVERHEAD UTILITY
			UNDERGROUND UTILITY
			STORM
			STORM MANHOLE
			DROP INLET
			STORM SEWER
			ROOF DRAIN
			SANITARY
			SANITARY MANHOLE
			SANITARY SEWER MAIN
			SANITARY SEWER LATERAL
			WATER
			WATER LINE
			WATER METER
			WATER METER VAULT
			FIRE HYDRANT
			FIRE DEPARTMENT CONNECTION
			GAS
			GAS LINE
			EASEMENTS
			CONSTRUCTION
			GRADING
			ACCESS
			SIGHT DISTANCE
			UTILITY
			STORMWATER FACILITY MAINTENANCE
			STORMWATER ACCESS
			DRAINAGE
			SANITARY
			WATERLINE
			GASLINE

OWNER/DEVELOPER
 Owner: Lacy Montebello LLC
 Address: 130 W Plume Street
 Norfolk, VA 23510
 Email address: jbowman@evalaw.net
 Phone number: (757) 243-1270

PLAN PREPARATION
 Shimp Engineering, P.C.
 912 East high street
 Charlottesville, VA 22902
 (434) 227-5140

ZONING
 Existing: A-1 Agricultural

SOURCE OF TITLE
 D.B. 461-197
 INST 202200730

SOURCE OF BOUNDARY AND TOPOGRAPHY
 Sight Distance topography provided by Old Dominion Map Company, Dated July 21, 2023.
 Additional topography from 2018 VGIN LIDAR data - 2' contour intervals.

FLOODZONE
 FEMA flood insurance rate map (community panel 51125C0075B), Effective date June 18, 2010 shows this property lines is located within a Zone A 100-year Floodplain.

WATERSHED
 This site is within the North Fork Tye River - South Fork Tye River watershed (020802030501).

BENCHMARK
 Horizontal: NAD 83 (Virginia State Plane Coordinate system - South zone)
 Vertical: NAVD 88

WATER & SANITARY SERVICES
 Site is served by private well and septic.

EXISTING USE
 Mostly wooded lot with one (1) existing homesite and nine (9) vacation cabins. Cabins are under construction.
 Total Property Area: 100.196 Ac

PROPOSED USE
 Luxury camping which includes up to twenty (20) new luxury camping sites (requires special use permit), one (1) existing homesite (existing by-right use), and vacation cabins (by-right use).

This site plan proposes the first phase of the luxury camping project which includes:
 (2) new 16' x 32' vacation cabins
 (6) Luxury camping tent platforms
 (1) bathroom with six private full bathrooms
 Estimated Disturbed Area: 1.74 Acres
 Entrance Location : Lat: 42.589980°, Long: -45.583972°

BUILDING HEIGHT
 Allowable Height: The maximum height of any building shall be thirty-five (35) feet from grade.
 Proposed: 1- story cabins and 1-story platforms
 Proposed Max Height: 20'

SETBACKS
 Minimum front setback: Seven-Five feet (75') From the center of the road.
 Minimum side setback Lots greater that 5 acres in size: Twenty feet (20') from the poperty line.
 Minimum rear Setback lots greater that 5 acres in size: fifty Feet (50') from the rear property line.

PARKING SCHEDULE
Provided Parking:
 2 spaces for each campsite.

Required Parking:
 8 Sites * 2 Parking spaces = 16 parking spaces.

Parking space Dimensions:
 All parking spaces shall be a minimum of eighteen (18) feet in length and nine (9) feet in width.

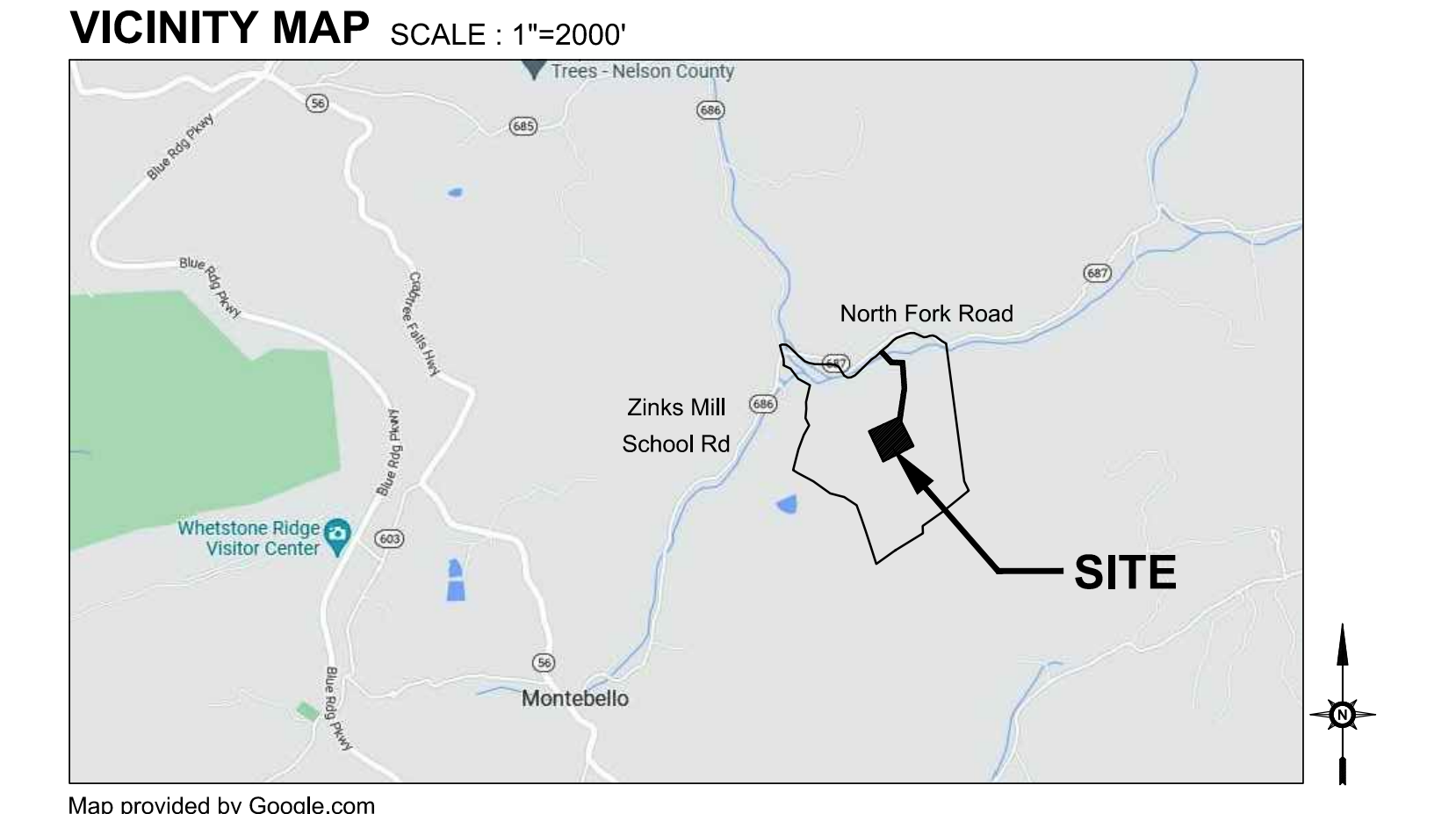
ITE Trip Generation

Use Description	ITE	Occupied Campsites	WEEKDAY AM			WEEKDAY PM			Daily		
			In	Out	Total	In	Out	Total	In	Out	Total
Campground	416	8	1	2	3	2	1	3	16	16	32

Trip Generation reflects AM and PM peak hours and weekday traffic as well. This estimate is for Phase 1 traffic (6 luxury camping sites and 2 vacation cabins)
 ITE Trip generation provided per 11th Edition.
 Based on the calculated average daily trips, this site qualifies for a low-volume commercial entrance.

NARRATIVE
 This is phase 1 of the proposed development of a luxury campsite. Phase 1 includes six (6) 20'x30' luxury camping platforms upon which tents shall be placed.
 This also includes the constructions of two (2) rental cabins and a bathhouse. The bathhouse contains six (6) private bathrooms, each of which will serve an individual camping site. This project includes the necessary water, sewer, parking and electric infrastructure.

This use requires a special use permit which the owner is applying for at the time of first submittal. The SUP application covers up to twenty (20) luxury camp sites. This project requires a VSMP plan which will be submitted pending SUP approval.



Map provided by Google.com

SHEET INDEX

- C1 COVER SHEET
- C2 EXISTING CONDITIONS
- C3 SITE PLAN
- C4 EXISTING ENTRANCE SIGHT DISTANCE



MINOR SITE PLAN
NORTH FORK LUXURY CAMPSITE
 NELSON COUNTY, VIRGINIA

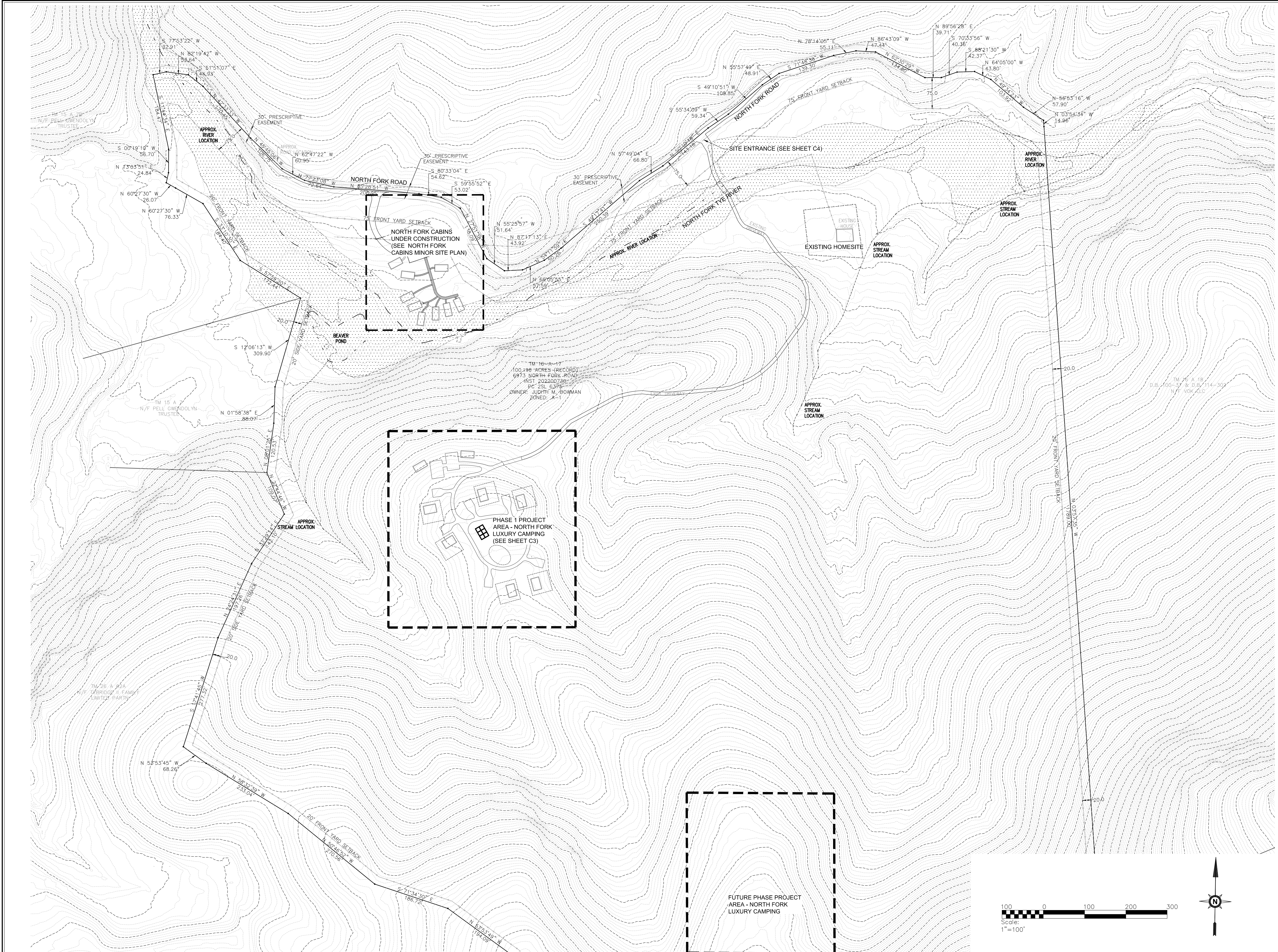
SUBMISSION:
 08.17.2023
REVISION:
 1) 10.09.2023

APPROVALS

_____	Date
Nelson County Planning & Zoning Director	
_____	Date
Virginia Department of Transportation	
_____	Date
Virginia Department of Health	
_____	Date
Erosion and Sediment Control Administrator	

FILE NO. 23.015

COVER SHEET
C1



LEGEND:

- FEMA 100-YR FLOODPLAIN
- SETBACK LINE
- RIVER/STREAM CENTERLINE

SHIMP ENGINEERING
 LAND PLANNING - PROJECT MANAGEMENT

912 E. HIGH ST. CHARLOTTESVILLE VA, 22902 434.227.5140 JUSTIN@SHIMP-ENGINEERING.COM



MINOR SITE PLAN

NORTH FORK LUXURY CAMPSITE

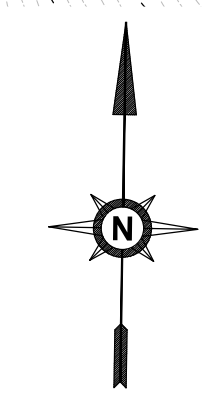
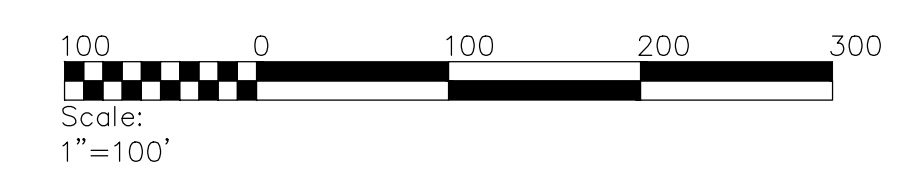
NELSON COUNTY, VIRGINIA

SUBMISSION:
08.17.2023

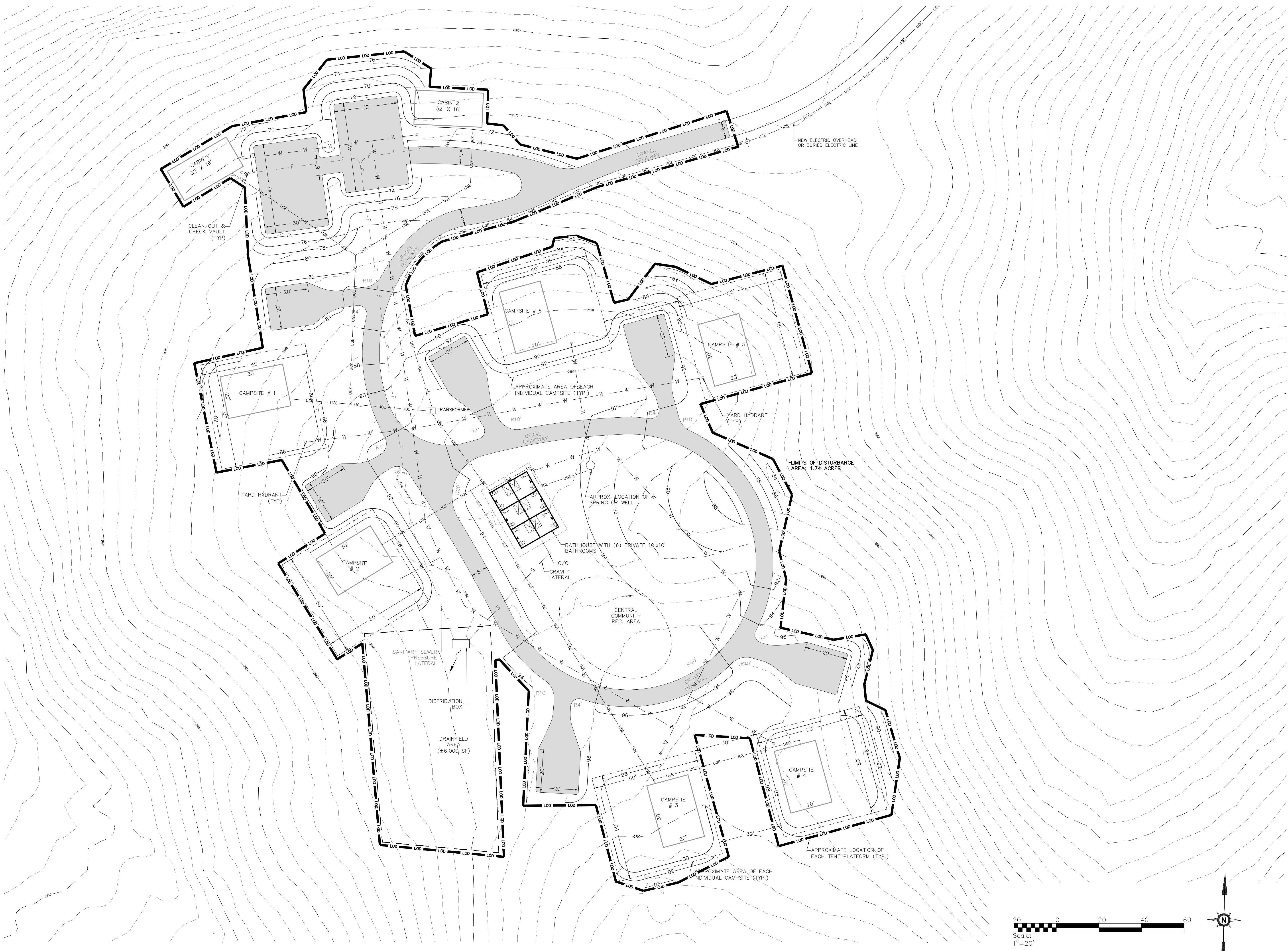
REVISION:
1) 10.09.2023

FILE NO. 23.015

EX. CONDITIONS



C2



SHIMP ENGINEERING
 LAND PLANNING - PROJECT MANAGEMENT

912 E. HIGH ST.
 CHARLOTTESVILLE VA, 22902

434.227.5140
 JUSTIN@SHIMP-ENGINEERING.COM



MINOR SITE PLAN

NORTH FORK LUXURY CAMPSITE

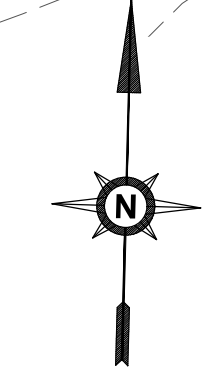
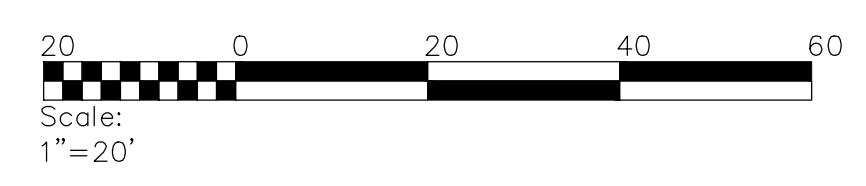
NELSON COUNTY, VIRGINIA

SUBMISSION:
 08.17.2023

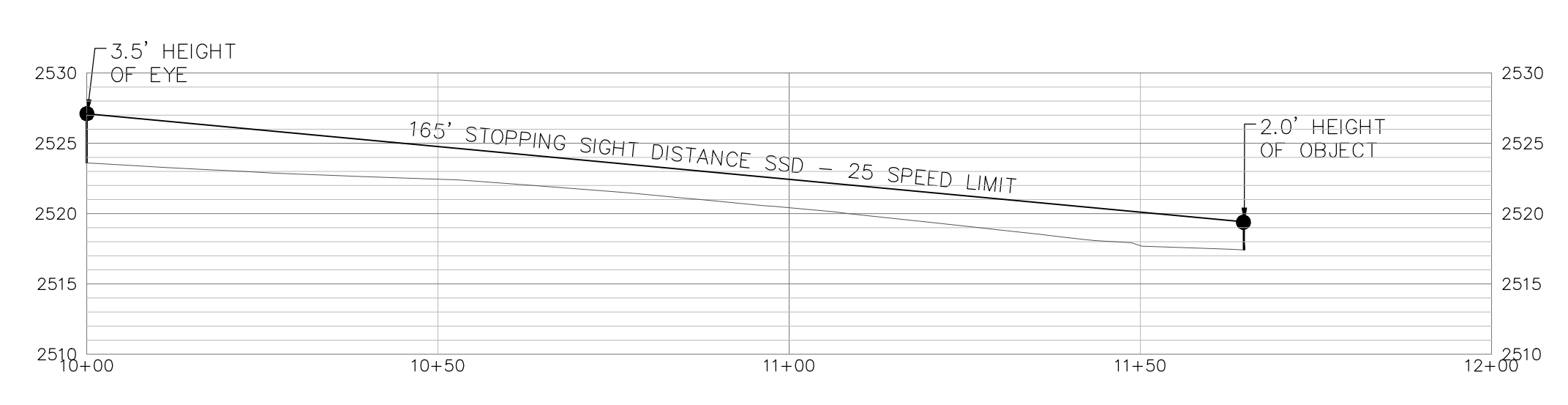
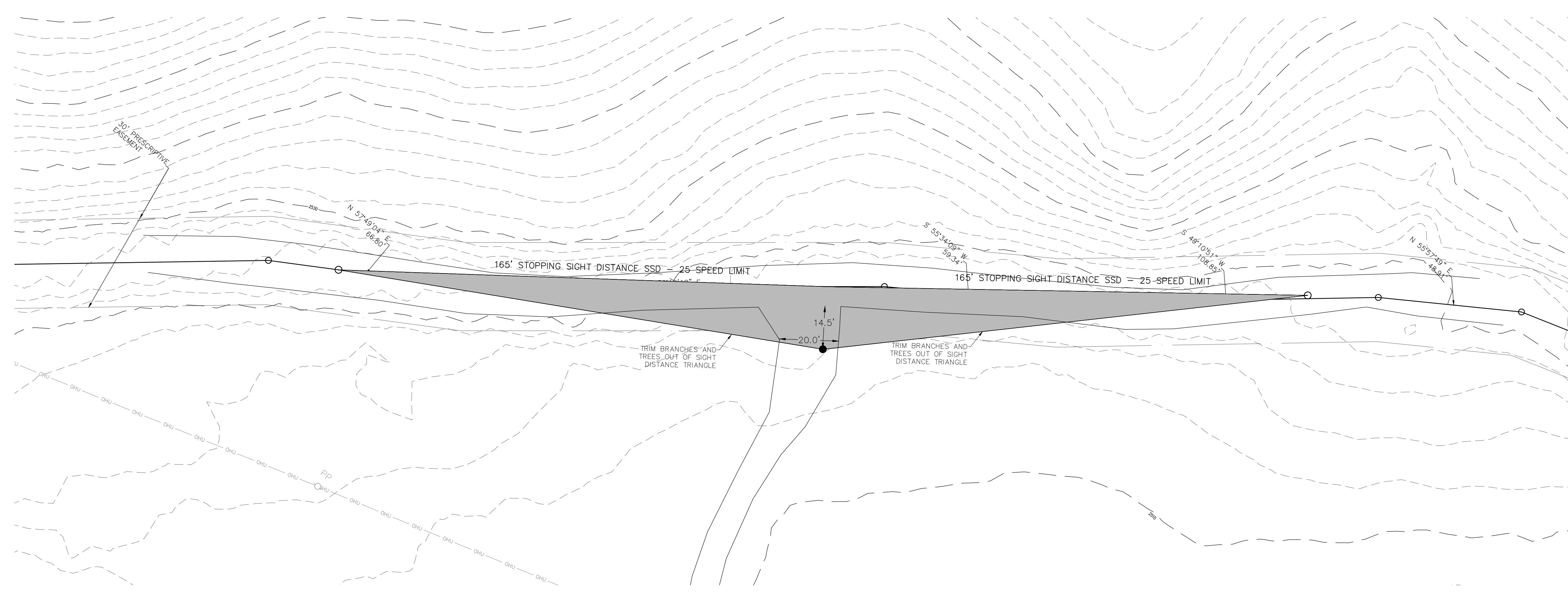
REVISION:
 1) 10.09.2023

FILE NO. 23.015

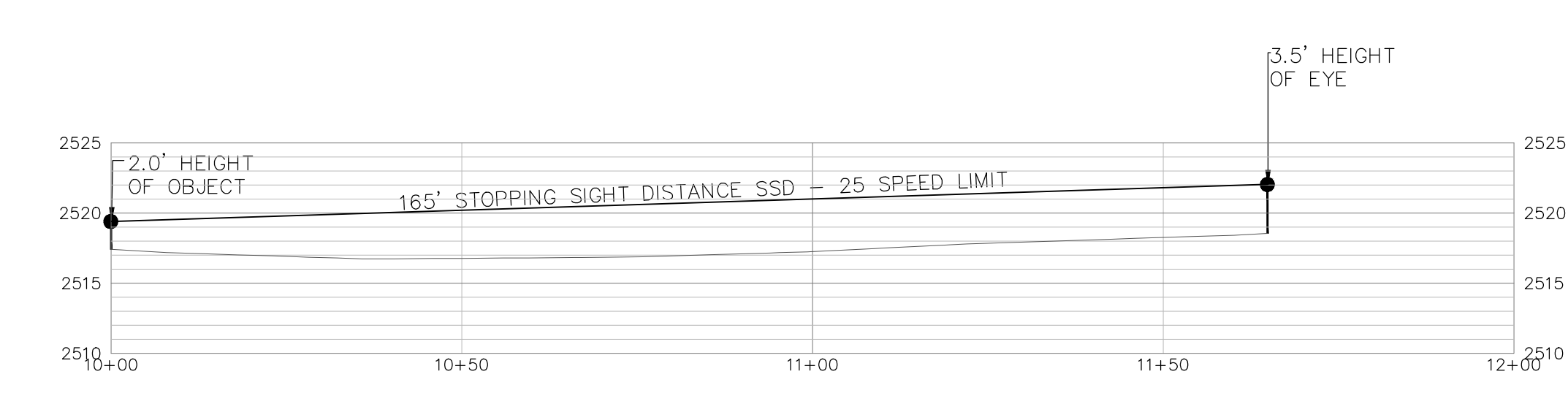
SITE PLAN



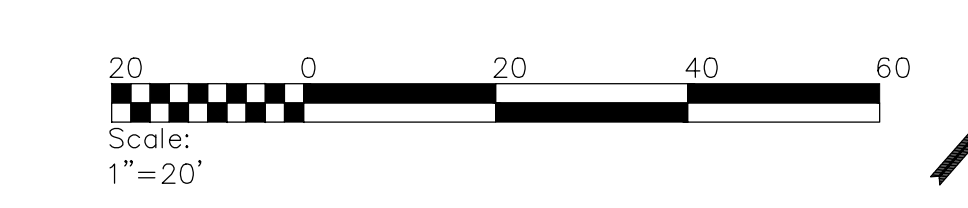
C3



STOPPING SIGHT DISTANCE PROFILE (SSD L)



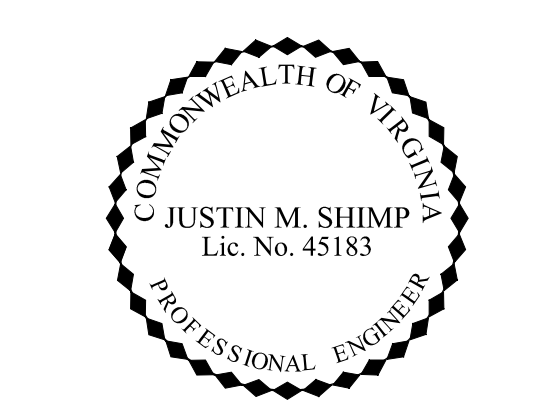
STOPPING SIGHT DISTANCE PROFILE (SSD R)



SHIMP ENGINEERING
 LAND PLANNING - PROJECT MANAGEMENT

912 E. HIGH ST.
 CHARLOTTEVILLE VA, 22902

434.227.5140
 JUSTIN@SHIMP-ENGINEERING.COM



MINOR SITE PLAN

NORTH FORK LUXURY CAMPSITE

NELSON COUNTY, VIRGINIA

SUBMISSION:
 08.17.2023

REVISION:
 1) 10.09.2023

FILE NO. 23.015

EXISTING ENTRANCE SIGHT DISTANCE

C4

North Fork Luxury Camping Concept Plan



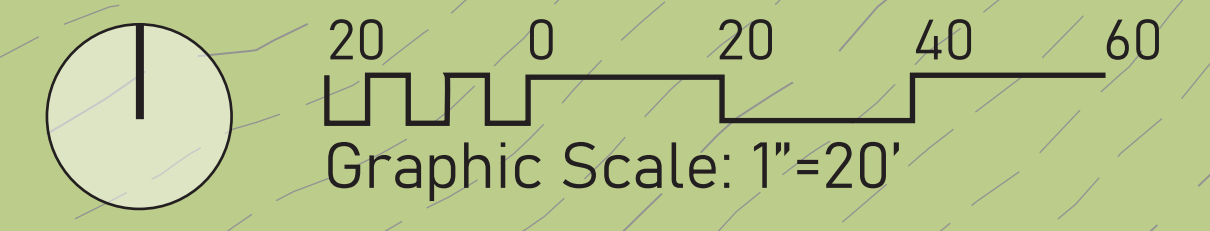
Elevated platform deck for luxury tents

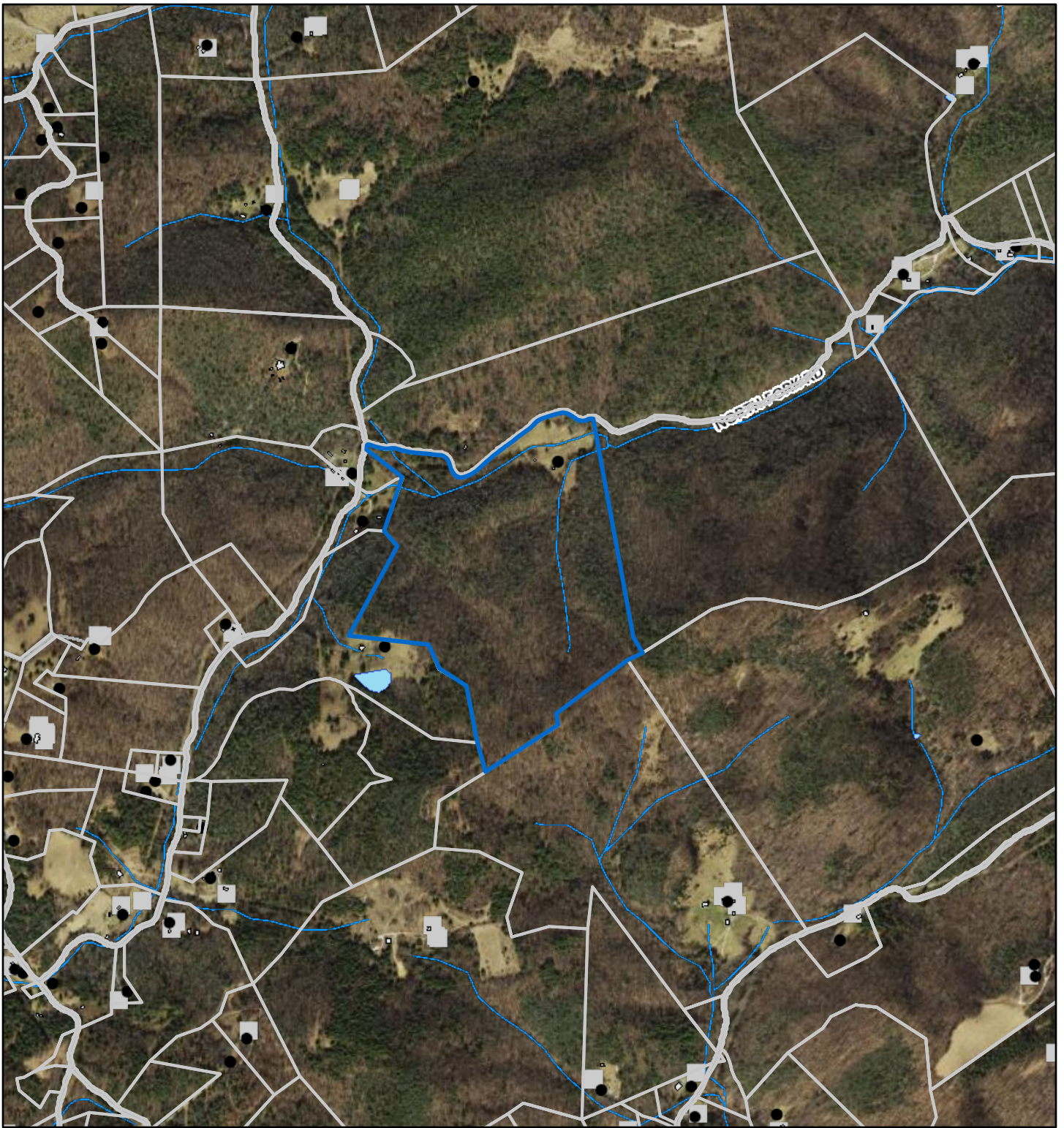
Approximate area of each campsite

Private
bathrooms

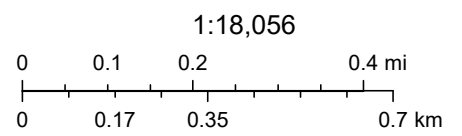
Central
community
area

Drainfield
area





October 16, 2023



Blue Ridge Health District
VIRGINIA DEPARTMENT OF HEALTH



Charlottesville/Albemarle
Health Department
1138 Rose Hill Drive
Charlottesville, VA 22903
office 434-972-6200 | fax 434-972-4310

October 24, 2023

Emily Hjulstrom, Planner
Nelson County Planning & Zoning
84 Court Square
Lovingston, VA 22949

RE: Special Use Permit #1050 - Campground
6973 North Fork Road
Tax Map: 16-A-17

Ms. Hjulstrom:

As requested, I have reviewed the Minor Site Plan, dated 8/17/23, for the proposed development, referenced above. It is noted that both water and sewer are to be provided by onsite systems. I have no concerns or objections to the request for a special use permit for the proposed campground. However, our office will need to review and approve plans for the onsite septic & well systems as conforming to current regulatory requirements prior to recommending approval of any future Final Site Plans.

The developer should also note that the proposed water system may exceed the threshold by which it will be required to be regulated by the VDH Office of Drinking Water as a waterworks.

If there are any questions or concerns, please give me a call, 434-972-4306.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Mazurowski".

Alan Mazurowski
Environmental Health Supervisor
Blue Ridge Health District
alan.mazurowski@vdh.virginia.gov

Emily Hjulstrom

From: Brown, Daniel J., P.E. (VDOT) <Daniel.Brown@VDOT.Virginia.gov>
Sent: Wednesday, October 25, 2023 10:45 AM
To: Emily Hjulstrom; Davis, Travis (VDH)
Cc: Dylan Bishop
Subject: Re: Site Plans for October 25th Planning Commission

Emily,

VDOT has no concerns. Only comment at this time would be that when plans are developed and submitted, we will be mainly focused on the design of the entrance for the anticipated use. From what I am looking at currently without the benefit of trip generation information, the entrance would align with a Low Volume Commercial Entrance or a Moderate Volume Commercial Entrance.

Thank you,



Daniel J. Brown, P.E.
Assistant Residency Engineer/Area Land Use Engineer
Appomattox Residency - Lynchburg District
Virginia Department of Transportation
O: 434-352-6675
C: 434-215-9162
Daniel.Brown@VDOT.Virginia.gov

From: Emily Hjulstrom <ehjulstrom@nelsoncounty.org>
Sent: Friday, October 13, 2023 10:28 AM
To: Davis, Travis (VDH) <Travis.Davis@vdh.virginia.gov>; Brown, Daniel J., P.E. (VDOT) <daniel.brown@vdot.virginia.gov>
Cc: Dylan Bishop <dbishop@nelsoncounty.org>
Subject: Site Plans for October 25th Planning Commission

Good morning Travis and Daniel,

Attached are the site plans for two Special Use Permits. These SUPs will be reviewed by the Planning Commission on October 25th. It would be great if we could get your comments before then.

1. Special Use Permit #1050 - Campground

Consideration of a Special Use Permit application requesting County approval to allow a Campground (twenty sites) on property zoned A-1 Agricultural. The subject property is located at Tax Map Parcel #16-A-17 at 6973 North Fork Rd in Montebello. The subject property is 100.196 acres and is owned by Lacy Montebello LLC.

2. Special Use Permit #1044 – Campground

Consideration of a Special Use Permit application requesting County approval to allow a Campground (two sites) on property zoned A-1 Agriculture. The subject property is located at Tax Map Parcel #41-A-31 in Tyro. The subject property is 0.828 acres and is owned by John H. Jr. and Roberta Fitzgerald.

October 16, 2023

Dylan M. Bishop
Nelson County Planning & Zoning Director
P. O. Box 558
80 Front Street
Lovingston, VA 22949

Ref: Special Use Permit # 1050

Dear Mr. Bishop,

Thank you for the October 6, 2023, notice about a proposed special use permit on land adjacent to my property (Tax Map Parcel #26 A 62C). We have several concerns about this commercial development. To begin, this project began about 1 year ago and clearing up to my property line has already been done! I will divide my concerns into 3 categories: general, infrastructure and personal.

General:

1. **Current zoning is agricultural/residential not commercial.**
2. **Construction has preceded county reviews/permits.**
3. **Forest fire risk will increase with 20 additional dwellings.**
4. **Subject property is on the steep side of a mountain.**

Infrastructure:

1. **Route 687 is a single lane road; it is very difficult to turn around or pass. Firetruck access and evacuation routes are limited.**
2. **Adding 20 additional living units will challenge the rescue squad.**
3. **Route 686 is a slightly wider road, but an additional 20 living units will add some maintenance and safety considerations.**
4. **Electrical lines may not be sufficient for this additional demand.**

Personal:

1. **Personal safety:** With a dwelling within 100 feet of my property line there is a risk that loose dogs will defend this dwelling and attack me on my property.
2. **Hunting safety:** My land is posted. Enforcing this posting is likely to be an issue. Hunter density is a concern. Bullets travel a long distance.

For all these concerns, we oppose this special use permit.

Sincerely,

Robert M Bennett

Robert M Bennett
160 West Square Place
Richmond, VA 23238

RECEIVED

OCT 23 2023

*Brian and Amy Brown
Tye River Property, LLC
4101 Welby Drive, Midlothian, VA 23113
5851 North Fork Road, Montebello, VA 24464
1887 Fork Mountain Lane, Montebello, VA 24464
brian.brown@avepoint.com*

October 20, 2023

Nelson County Planning and Zoning Department
PO Box 558
Lovington, VA 22949

RE: Special Use Permit #1050 Campground

Director;

Greetings. This letter is to advise the Department that we are strongly opposed to the approval of SUP #1050 for campgrounds.

We own three parcels on North Fork Road (Parcel ID 27 A 5; 16 A 20; and 16 A 21A) near the proposed campground. We purchased these parcels at significant cost totaling more than 180 acres specifically to preserve and appreciate the rural nature of the property and being fully aware and reliant on the current zoning of the surrounding properties. We actively use our property in the valley and have relied on this zoning to maintain the character and nature of the surrounding parcels in the area. This zoning is critically important to us.

SUP #1050 estimates that up to 80 trips per day could be going to the campground on North Fork Rd. Although access to the campsite is from two directions on North Fork Rd, this would be a significant increase in traffic by our property. Significant sections of North Fork Rd from its intersection with Rt 56 at Nash are only wide enough for ONE vehicle to pass and, the road in its current size and condition cannot support 80 trips per day. There are many hairpin turns that accommodate only one vehicle passage on the size of cliffs that drop off hundreds of feet. If a vehicle is met going the opposite direction, one vehicle must back up until a place wide enough to pass is found, and even then the vehicle's outside mirrors sometimes barely clear. This condition is further complicated if one or both vehicles are wide, or towing a trailer. The road routinely develops potholes and washboards which require frequent repair by VDOT. We do not believe the road is well suited for the estimated additional traffic, nor is widening the road practical in the many one-lane sections.

With development on North Fork Rd and surrounding areas, we would be concerned about the additional demand on the Montebello Volunteer Fire Department. Since they no longer provide EMS, other Nelson

County emergency response facilities will have to respond to medical calls in that area as campground population increases.

Finally but as equally important, in other valleys where camping has been allowed, there has been a marked increase in crime, including robbery, conversion, theft, vandalism and trespass. This is a known detriment and burden on the surrounding properties which cannot be underscored. The petitioner has not provided any evidence or support for how these items would be addressed to ensure the safety and wellbeing of their neighbors or protecting the character of this valley.

We enjoy our place on the North Fork Valley because it is remote and peaceful. Development of campgrounds in the valley would significantly and irreversibly change that environment and we are strongly opposed to this variance.

Regards,



Brian M. Brown, Esq.



Amy Lanning Brown

Dylan M. Bishop
Zoning and Planning Director, Nelson County
PO Box 558
Lovingsston, VA 22949

October 15, 2023

Dear Mr. Bishop and Members of the Planning Commission and Board of Zoning Appeals:

We are writing to convey our concerns regarding the proposed granting of a Special Use Permit (#1050) for a parcel located at 6973 North Fork Rd in Montebello. As adjacent landowners, we ask that the Planning Commission recommend the denial of the permit to the BOS. We are not able to be present at the planning commission meeting but hope that the points listed here can be considered by the commission as it makes its determination.

Our primary argument against the granting of a special use permit for a commercial campground in an agricultural zone is that we believe it is important to preserve agricultural land, and thereby protect the environment while maintaining the rural character and quality of life in Montebello. The proposed site of the commercial campground is a beautiful unpaved country road dotted by farmhouses, fields, and forests. A commercial campground is inconsistent with the area's bucolic natural state and could also lead to the gradual loss of valuable farmland in the Montebello area. In addition:

Land Use: We believe that a commercial campground of the scope proposed would be better suited to zones designed for recreational or commercial purposes, rather than encroaching on the limited amount of agricultural land still available in the area. Unlike existing camps in the area, which are separated from roadways by forest and field buffers, the proposed camps would be located along the side of North Fork Rd.

Impact on the Environment: Campgrounds typically require clearing land, construction, and infrastructure development. This can result in habitat destruction, increased water usage, and potential pollution of local water bodies. It may also disrupt local ecosystems and wildlife.

Increased Traffic and Noise: A commercial campground is likely to attract a significant number of visitors, leading to increased traffic in the area. This can disturb the tranquility of the rural environment, create noise pollution, and disrupt the normal flow of agricultural activities.

Strain on Infrastructure: Developing a commercial campground in an agricultural zone may strain local infrastructure such as roads, sewage systems, and utilities, potentially leading to increased maintenance costs and a burden on local taxpayers.

Decreased Property Values: Nearby property values, including ours, might be negatively affected by the presence of a commercial campground due to the changes in the character of the area, the potential noise, and the perceived loss of the rural ambiance, which can harm property owners' investments.

Potential for Conflicts: Residential and agricultural activities (for example, early morning or late-night work, exercising hunting dogs, the movement of farm vehicles, horseback riding) can

conflict with the recreational aspects of a campground. This may lead to disputes between campers and permanent residents, creating an unpleasant living environment for both.

Regulatory Precedent: Granting a special use permit for a commercial campground in an agricultural zone could set a precedent for further developments that do not align with the original zoning intentions, making it difficult to maintain the integrity of agricultural zones in and around Montebello.

Inadequate Infrastructure for Emergency Services: Montebello has limited access to emergency services such as fire, police, and medical care. The development of this commercial campground could strain these services, potentially endangering the safety of both campers and the local community.

Overcrowding and Environmental Stress: The increased numbers of campers during peak seasons could cause overcrowding and overuse of the land, leading to environmental degradation and erosion of the natural landscape.

We have been landowners in Montebello for the past 25 years, but we don't presume to speak for our neighbors whose families have lived here in Montebello for generations. That said, every member of the community we have spoken to in Montebello about the matter has voiced opposition to the development of a commercial campground at the intersection of Zinks Mill School Road and North Fork Road. So, in conclusion, we ask that you recommend to the BOS that the Special Use Permit be denied.

Sincerely yours,



Claire and Don Forsyth, Residents of Montebello (Tybridge II Limited Partnership)

RECEIVED

OCT 23 2023

Ian M. Coddington
779 Cedar Run Trail Manakin Sabot, VA 23103
1056 North Fork Road, Montebello, VA 24464

October 24, 2023

Nelson County Planning and Zoning Department
PO Box 558
Lovingsston, VA 22949

RE: Special Use Permit #1050 Campground

Director:

This is to advise the Department that I am adamantly opposed to approval of SUP #1050 for campgrounds.

I own one parcel at 1065 North Fork Road (16-A-29) 38.96 acres. This residence has been my family for over 55 years.

Over the years with the advent of electricity running the length of North Fork Road, there has been a significant increase in the number of houses built along the road running from the intersection of North Fork Road Rt. 687 and Zink Mills Road 686 all the way down to the intersection of Route 56 at Nash.

Over the years the increase in vehicular traffic due to “home” building has been immense. Traffic has increased due to people riding up and down the road “exploring” the area. State route 687 is a small dirt road barely passable in areas for only one vehicle. There is no posted speed limit anywhere on the road. Many times, I have been run off the road by vehicles exceeding a safe speed limit for travel. In meeting a vehicle while moving at a “safe” speed going around the many curves on the road, one will slide along the road when applying the brakes. I have been bumped by one vehicle sliding into me when going around a curve.

My house is just off the road along the North Fork of the Tye River. I constantly have people stopping to investigate my property. My property is also the first allowable resupply point of Trout on the NF Tye from the Montebello Fish Hatchery along with the first fishable section of the upper NF Tye River. This has increased the number of fishermen “trespassing” to fish along with all the trash they leave.

Allowing the increase in multiple dwellings will only increase traffic and people meandering to “investigate” the area.

I read with interest the request for special zoning to include sites for platforms for special tents. Being an avid hiker and backpacker, I have vast experience with tents. I believe that special tents mean “Yurts” and not the type of tents one would use for established camping. I think the applicants are being very disingenuous with their application. It is written in “flowery” terms to enhance the passage of the permit. What is does not address is, trash, car traffic, trespassing, as well use of random firearms shooting.

Respectfully submitted,

Ian Coddington

Emily Hjulstrom

From: WADE LANNING <wblanning@comcast.net>
Sent: Tuesday, October 24, 2023 12:48 PM
To: Emily Hjulstrom
Subject: Re: Comments for SUP #1050

Hello Emily,

If not too late, I'd like to submit the following additional comment regarding the subject SUP.

Periodically there are running and cycling contests in the North Fork Tye River valley, including along North Fork Rd, Spy Run Gap Rd, Zink's Mill School Rd and Bradley Lane. Perhaps a hundred runners or cyclists are on the road during these events that last for hours. I believe the organizers use North Fork Rd and the other roads that feed into North Fork Rd mentioned above for the safety of the participants due to the very low traffic volume. They can run or ride on the road surface during these events with little vehicle interference. The extra traffic predicted in SUP #1050 could increase risk of serious injury to a runner or cyclist, whether during an organized event or impromptu activities.

Regards,
Wade Lanning

On 10/21/2023 7:38 PM EDT WADE LANNING <wblanning@comcast.net> wrote:

Hello Emily,

With reference to our conversation on October 20, 2023, please find attached our comments regarding SUP #1050.

Best regards,
Wade Lanning
cell/text 804-586-1023

Wade & Phyllis Lanning
8015 Driftwood Dr. Prince George, VA 23875
5297 North Fork Rd., Montebello, VA 24464

October 20, 2023

Nelson County Planning and Zoning Department
PO Box 558
Lovingston, VA 22949

RE: Special Use Permit #1050 Campground

Director;

This is to advise the Department that we are opposed to approval of SUP #1050 for campgrounds.

We own two parcels on North Fork Road (16-A-23 and 16-A-24) near the two proposed campgrounds. We have a residence on parcel 16-A-24, which has been in our family for 61 years. We have maintained that residence over the years and purchased parcel 16-A-23 relying on the character and nature of the zoning of the surrounding parcels in the area. Residences on much of upper North Fork Rd are sparse, resulting in quiet conditions with very little traffic. It's not uncommon that the only vehicle passing our house during a twenty-four hour period is the mail carrier. In SUP #1050, the applicant estimates that up to 80 trips on North Fork Rd per day could be going to or from the proposed campground. Although access to the site is from two directions on North Fork Rd, this is a potential significant increase in traffic by our property.

There are narrow sections of North Fork Rd from its intersection with Rt 56 at Nash that are only wide enough for one vehicle. If a vehicle is met going the opposite direction, one vehicle must back up until a place wide enough to pass is found, and even then vehicle outside mirrors sometimes barely clear. This condition is further complicated if one or both vehicles are wide, or towing a trailer. Although the traffic is currently light, since most of North Fork Rd is not paved, it routinely develops potholes and washboards which require frequent repair by VDOT. We do not believe the road is well suited for the wear and tear of the estimated additional traffic, nor is widening the narrow sections practical due to the steep, rocky terrain on both sides.

With this type development on North Fork Rd and surrounding areas, we are also concerned about the additional demand on the Montebello Volunteer Fire Department. Since they no longer provide EMS, other Nelson County emergency response facilities will have to respond to medical calls in that area as campground population increases.

We enjoy our place on the North Fork Valley because it is remote and peaceful. Development of the campgrounds proposed in SUP #1050 would change that character and perhaps set an undesirable precedence for more campgrounds in the valley.

Regards,



Wade B. Lanning



Phyllis Y. Lanning

Emily Hjulstrom

From: Alan Firth <otbass@gmail.com>
Sent: Wednesday, October 25, 2023 11:24 AM
To: Dylan Bishop; Emily Hjulstrom
Subject: Sup # 1050 North Fork Cabins



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender otbass@gmail.com

Dear Dylan Bishop, Director and Emily Hjulstrom, Planner

I wish to object to a zoning change to allow for a campground to be built on tax map 16-A-17/ 100.2 +/- acres. 6973 North Fork Road.

We are a small rural community. Our roads are not designed for heavy traffic and our Fire Department is not equipped to handle multiple fires of the potential of the 20 campsites planned.

My homeowner's insurance is high enough as it is without adding to the burden of the already stretched capacity of our Fire Department. We have no EMS in our area.

Again, I wish to object to this reckless plan for development in an area that is not equipped to handle such development.

Sincerely,
Alan and Marie Firth
292 Zinks Mill School Road
Montebello, VA 24464
Tax Map 26-A-60

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: October 25, 2023

Re: SUP #1044 – Campground (2 sites) – Crabtree Falls Hwy (Tyro)

BACKGROUND: This is a request for a special use permit for a campground use on property zoned A-1 Agriculture.

Public Hearings Scheduled: P/C – October 25; Board – November 16 (tentative)

Location / Election District: Crabtree Falls Hwy / West District

Tax Map Number(s) / Total Acreage: 41-A-31 / 0.828 +/- total

Applicant/Owner Contact Information: John H. Jr. and Roberta Fitzgerald, 266 Big Rock Road, Tyro, VA 22976, 434-277-8044, thinpine@aol.com / rhfitz9701@aol.com

Comments: This property is currently vacant and located within the Regulatory Floodway. The owners currently use the lot for tent camping and fishing, and are proposing to rent out two portable tiny homes on wheels for short-term lodging. Section 10-13(D)2 of the Floodplain Ordinance allows public and private recreational uses and activities in the Floodway. The applicants received a special use permit (#764) on December 13, 2022 for two sites on the adjoining parcel that remains active.

DISCUSSION:

Land Use / Floodplain: This area is residential and agricultural in nature. Zoning in the vicinity is A-1 Agriculture. The property is entirely located within the Floodway.

Access / Traffic / Parking: The property is accessed by an existing entrance on Crabtree Falls Hwy. Any comments from VDOT will be provided at the meeting.

Utilities: The applicant has existing electric service to the property and existing septic permitted by VDH. Any additional comments will be provided at the meeting.

Comprehensive Plan: This property is located in an area designated Rural and Farming in the current Comprehensive Plan, which would promote agricultural uses and compatible open space uses but discourage large scale residential development and commercial development that would conflict with agricultural uses. It would permit small scale industrial and service uses that complement agriculture and protection of usable farmland shall be encouraged.

Conditions: Should Planning Commission recommend approval of SUP #1044 for a campground, staff would recommend the following conditions:

1. There shall be no more than 2 sites, and the 2 units shall be provided by the property owner.

All applications for Special Use Permits shall be reviewed using the following criteria:

- a. The use shall not tend to change the character and established pattern of development of the area or community in which it proposes to locate;
- b. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property;
- c. The proposed use shall be adequately served by essential public or private services such as streets, drainage facilities, fire protection and public or private water and sewer facilities; and
- d. The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

Attachments:

Application

Narrative

Site Plan

Zoning and Floodplain



PERMIT APPLICATION:
Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: Special Use Permit # 1044
application type application number

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- Special Use Permit
- Rezoning from _____ to _____
- Conditional Rezoning from _____ to _____
- Other: _____
- Subdivision
- Site Plan – Minor
- Site Plan – Major

Reason(s) for request:

We would like to use the property to create an area for camping/vacationing using portable cabins/tiny houses that can be hooked up to electricity, water and a septic system. The units will be portable and able to be transported whenever needed.

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):

(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: John H. Fitzgerald, Jr.

Mailing Address: 2106 Big Rock Road, Tyco VA 22976

Telephone #: 434.272.8044 Email Address: thinpine@aol.com

Relationship (if applicable): _____

Applicant Property Owner Name: Roberta Fitzgerald

Mailing Address: same

Telephone #: same Email Address: same

Relationship (if applicable): _____

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of Property (specific location, route numbers, street names, voting district, etc.):
from Route 151 (Patrick Henry Hwy), take Route 56 (Crested Falls Hwy) go approximately 6 miles to Tyro, pass Route 712 and the driveway to the property is about .5 miles on the right voting district: West, 401-Roseland

b. Official tax map number: 41-A-31

c. Acreage of property: 1.828

d. Present use: unused land

e. Present zoning classification: class 2. single family suburb

f. Zoning classification of surrounding properties: class 2. single family suburb

4. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: John H. Fitzgerald Printed Name: John H. Fitzgerald, Jr.

Signature: Roberta Fitzgerald Printed Name: Roberta Fitzgerald

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

5. Additional information: *(Please attach separate sheet for additional details, explanations, etc.)*

6. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

-----**TO BE COMPLETED BY PLANNING & ZONING STAFF**-----

Pursuant to Article _____, Section _____ of the Nelson County Zoning Ordinance.
Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

- o Completed application and fee (\$ 200) received on 8-30-2023
- o Hearing Notice published on _____
- o Planning Commission action: Date of Meeting / Hearing: _____
Recommendation: _____
- o Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____
Action: _____

Nelson County Planning & Zoning Department

(Mailing Address) P.O. Box 558, Lovingson, Virginia 22949 | *(Physical Address)* 80 Front Street, Lovingson, Virginia 22949
(Telephone Number) 434 263-7090 or Toll Free 888 662-9400, selections 4 & 1 | *(Fax Number)* 434 263-7086
<http://www.nelsoncounty-va.gov/departments/planning-zoning/>

John H. and Roberta Fitzgerald

Tax Map # 41-A-31

Special Use Permit

August 25, 2023

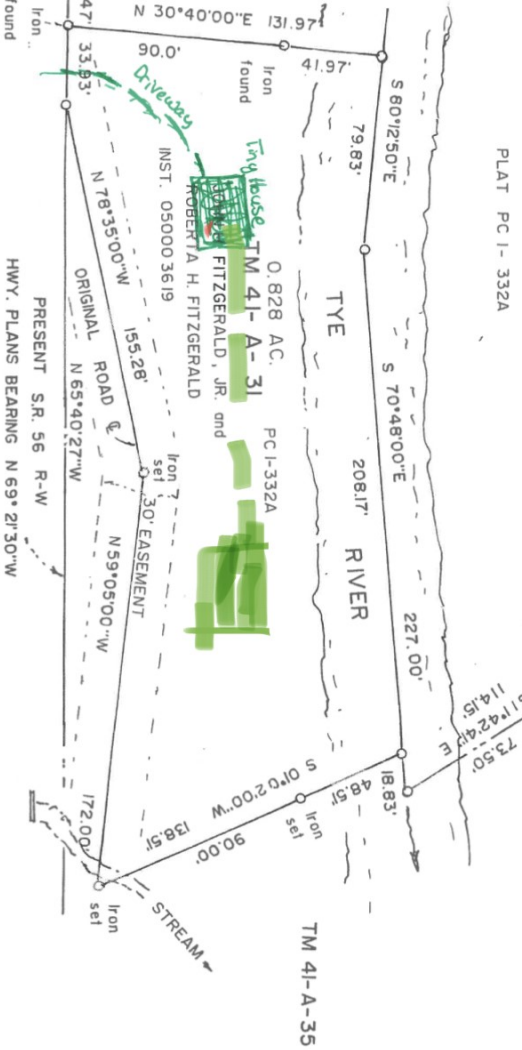
Project Narrative:

Our project stems from a love of the area that has grown over the generations and has developed into an opportunity to share what makes Nelson County so special. We as well as others have used the area designated for our project for camping, fishing, and general outdoor activities. Now we would like to extend that to provide a place for family, friends, and the public to come and to stay. This project would provide an opportunity for others to enjoy the stocked trout waters, the surrounding orchards, and festivals as well as the breath-taking views of Crabtree Falls, the Appalachian Trail and much more.

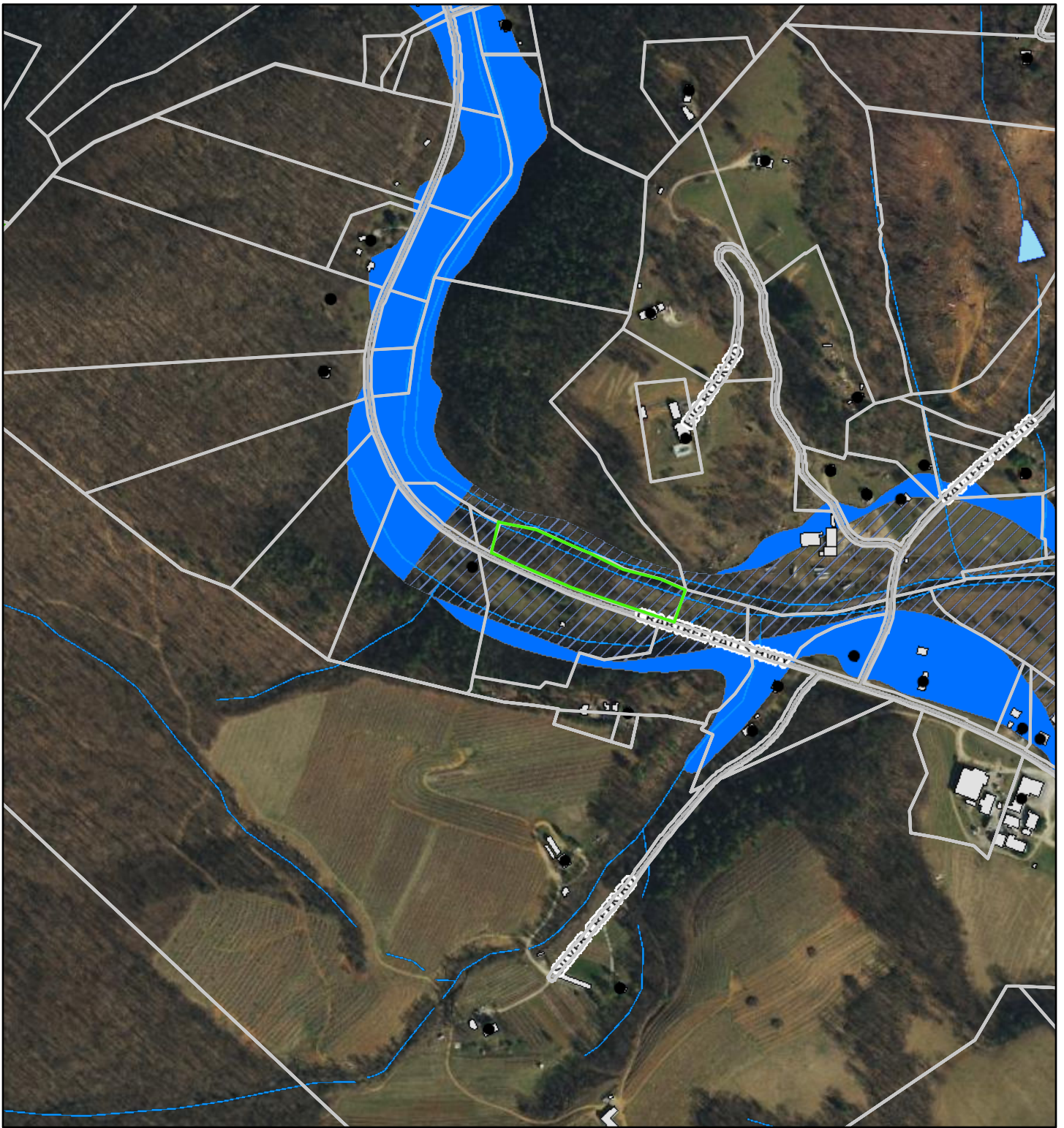
The project would provide a place for people to stay while exploring the area. These site will be portable and able to be transported as needed but also will be hooked into water, power, and septic to offer a more comfortable stay. In the last few years, the demand for such places has increased as is evident with the camping area across the road from our site as well as the other campsites up the road. Several Airbnb houses and cabins also exist in the general location of our site. Our goal is to improve the property potential and provide an outlet for the increased desire to explore our county.

What we plan follows the present zoning classifications for our rural area and would have insignificant impact on the current or future neighborhood conditions. The surrounding area already hosts fishermen on locations up and down the river, festival attendees at the local packing sheds, hikers on the nearby trails and those out hunting for the perfect view of our encircling mountains. Traffic patterns too would go unaffected as access to the project's area would require no new road building and the road access has great sight distance while proceeding on and off the property. The increase to traffic would be minimal and virtually unnoticed.

Our world has become very hectic and busy. These places on the river will allow a chance to relax while listening to the river flow by and to step away from the time-consuming "screentime" while enjoying the solitude and beauty Nelson has to offer.

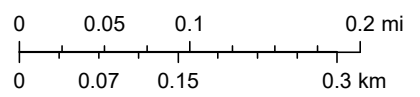


PLA
TAX
Mas



November 10, 2022

1:9,028



Blue Ridge Health District
VIRGINIA DEPARTMENT OF HEALTH



Charlottesville/Albemarle
Health Department
1138 Rose Hill Drive
Charlottesville, VA 22903
office 434-972-6200 | fax 434-972-4310

October 24, 2023

Emily Hjulstrom, Planner
Nelson County Planning & Zoning
84 Court Square
Lovingson, VA 22949

RE: Special Use Permit #1044 - Campground
Tax Map: 41-A-31

Ms. Hjulstrom:

I have reviewed the information provided and have no concerns or objections to the request for a special use permit. Note that according to *12VAC5-450-10* of the current *Rules & Regulations Governing Campgrounds*, a campground is defined as three (3) or more campsites. Since the subject proposal is for two (2) campsites, a campground permit will not be required from this office.

If there are any questions or concerns, please give me a call, 434-972-4306.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Mazurowski".

Alan Mazurowski
Environmental Health Supervisor
Blue Ridge Health District
alan.mazurowski@vdh.virginia.gov

Emily Hjulstrom

From: Brown, Daniel J., P.E. (VDOT) <Daniel.Brown@VDOT.Virginia.gov>
Sent: Wednesday, October 25, 2023 10:45 AM
To: Emily Hjulstrom; Davis, Travis (VDH)
Cc: Dylan Bishop
Subject: Re: Site Plans for October 25th Planning Commission

Emily,

VDOT has no concerns. Only comment at this time would be that when plans are developed and submitted, we will be mainly focused on the design of the entrance for the anticipated use. From what I am looking at currently without the benefit of trip generation information, the entrance would align with a Low Volume Commercial Entrance or a Moderate Volume Commercial Entrance.

Thank you,



Daniel J. Brown, P.E.
Assistant Residency Engineer/Area Land Use Engineer
Appomattox Residency - Lynchburg District
Virginia Department of Transportation
O: 434-352-6675
C: 434-215-9162
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Subject: Site Plans for October 25th Planning Commission

Good morning Travis and Daniel,

Attached are the site plans for two Special Use Permits. These SUPs will be reviewed by the Planning Commission on October 25th. It would be great if we could get your comments before then.

1. Special Use Permit #1050 - Campground

Consideration of a Special Use Permit application requesting County approval to allow a Campground (twenty sites) on property zoned A-1 Agricultural. The subject property is located at Tax Map Parcel #16-A-17 at 6973 North Fork Rd in Montebello. The subject property is 100.196 acres and is owned by Lacy Montebello LLC.

2. Special Use Permit #1044 – Campground

Consideration of a Special Use Permit application requesting County approval to allow a Campground (two sites) on property zoned A-1 Agriculture. The subject property is located at Tax Map Parcel #41-A-31 in Tyro. The subject property is 0.828 acres and is owned by John H. Jr. and Roberta Fitzgerald.